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House of Representatives

The House met at 3 p.m.

The Reverend Sara A. Gausmann, St. Paul Lutheran Church, York, Pennsylvania, offered the following prayer:

Gracious God of light and peace, we praise You for the way You have blessed our Nation with a bounty of resources and talents. Enlighten us this day with a measure of Your wisdom, that we would use the gifts You have given us for the good of all. Where there is confusion, give us clarity of thought; where there is danger, cause us to walk carefully; and where there is injustice, help us to work diligently to eliminate it.

Empower our Nation to continue to be a beacon of hope for the cause of freedom. Bless our President and Congress and all our leaders, that we might be guided by Your precepts and comforted by Your grace. May the work undertaken in this place today be pleasing in Your sight and directed by Your will, for You live and reign as God forever and ever. Amen.

THE JOURNAL

The SPEAKER. 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. Will the gentleman from Texas (Mr. LAMPSON) come forward and lead the House in the Pledge of Allegiance.

Mr. LAMPSON led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON TODAY

Mr. HEFLEY. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with today.

The SPEAKER pro tempore (Mr. MILLER of Florida). Is there objection to the request of the gentleman from Colorado?

There was no objection.

URGING COLLEAGUES TO SUPPORT NATIONAL AMBER ALERT NETWORK ACT

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

Mr. LAMPSON. Mr. Speaker, I rise today to urge my colleagues to support the National Amber Alert Network Act. As founder and chairman of the Congressional Missing and Exploited Children's Caucus I am an original cosponsor, along with the gentlewoman from Washington (Ms. DUNN) and the gentleman from Texas (Mr. FROST), in this commonsense, bipartisan legislation.

Similar legislation passed last year in the House and in the Senate in separate bills, but the 107th Congress ended before the final decisions were made. However, in October of 2002, President Bush endorsed the program and signed an executive order that set in place many of the provisions of the legislation. He also pledged $10 million for Amber Plan training and equipment upgrades, but still urges Congress to pass the bill.

Mr. Speaker, I urge Members to please bring this bill to the floor quickly and pass it. It is crucial to providing every community with the resources needed to set up the Amber Alert and to improving the effectiveness of existing Amber Plans. The Senate passed it last month. It is our duty to do so as quickly as possible.

HONORING PRESIDENT RONALD REAGAN ON HIS 92ND BIRTHDAY

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

Mr. LINDER. Mr. Speaker, tomorrow is the 92nd birthday of the 40th President of the United States, President Ronald Reagan. He is the only political idol I have ever had. He came to the presidency knowing who he was, what he wanted to do, and he did it.

There is a wonderful story that then Governor Reagan told by his aide, Michael Deaver, who was walking in 1978 down the street in Manhattan.

A fellow inched up to him and wanted to say hello, and Governor Reagan said hello. The gentleman said, may I have your autograph, Mr. Milland? And Reagan kindly wrote ''Ray Milland,'' and walked on. And Deaver said, why didn't you tell him who you were? He said, I know who I am. He wanted to meet Ray Milland.

I am always heartened knowing somebody has come into office knowing who they are. I am as comfortable with President Bush, who knows who he is and what he wants. That is good for our Nation and good for the soul.

AMERICA SHOULD GAIN SUPPORT OF UNITED NATIONS SECURITY COUNSEL BEFORE ATTACK ON IRAQ

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

Mr. BROWN of Ohio. Mr. Speaker, Secretary Powell's address today reiterated that Saddam Hussein is an evil dictator, but he did not explain how a preemptive war is in the best interests of the American people. Will a preemptive attack on Iraq without United Nations support make America safer? How will attacking Iraq prevent the

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proliferation of weapons of mass destruction? What will preemptive war do to stability in the Middle East? Are we ready to commit to a decade of American troops policing Iraq and the billions of dollars needed to rebuild and stabilize that country?

Before we start a war that could kill thousands of civilians, could create hundreds of new al Qaeda recruits, could increase the potential of blowback aimed at innocent American citizens, we must think through the consequences of our actions and be prepared for a long, difficult road in Iraq.

One thing is certain: Any action against Iraq will be much more difficult, much more costly, much more dangerous if we take preemptive action against Iraq without the support of the United Nations Security Council.

INTRODUCTION OF THE POVERTY TRAP STUDY ACT OF 2003

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

Mr. PETRI. Mr. Speaker, it is a shame and a scandal that many anti-poverty programs actually keep people poor by making it too expensive for them to work their way out of poverty. Our many anti-poverty programs were individually designed without regard for each other and without regard for the fact that if several benefits phase out simultaneously a poor person who works hard may find himself or herself worse off than if he or she stayed home or had done the minimum necessary to maintain the maximum level of benefits. I call this the poverty trap.

Able-bodied people will work their way out of poverty if they can clearly see the benefit. Accordingly, today I am introducing the Poverty Trap Study Act, to create a commission to examine the way benefit phase-outs and tax increases can sap the incentive of poor beneficiaries. It is a hard problem to tackle, but we must get started. This is an issue that liberals, conservatives, and moderates should all find of compelling importance, and I solicit my colleagues' support.

SECRETARY POWELL'S REMARKS FAIL TO JUSTIFY PREEMPTIVE STRIKE ON IRAQ

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

Mr. DAVIS of Illinois. Mr. Speaker, like many others, I waited to hear Secretary of State Colin Powell. I must confess that it was interesting to hear, watch, and to see; but I did not see anything that is going to cause me to change my position that there is no need to go into a preemptive strike and engage war with Iraq at this moment.

Like many, others I am hoping and waiting, hoping that we can work out peacefully what some think is inevitable: war. War, as General Sherman said, is absolute hell; and I think if we can avoid it, we need to do everything in our power.

RECOGNIZING SACRIFICE OF CREW OF SPACE SHUTTLE ''COLUMBIA'' IN QUEST TO EXPAND HUMAN KNOWLEDGE

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

Mr. CRANE. Mr. Speaker, last Saturday we lost seven of mankind's finest. The crew of the space shuttle *Columbia* made the ultimate sacrifice, not in a feat of arms, but in the noble quest to expand human knowledge. My deepest thoughts and prayers go to the families of those brave men and women lost in this accident. Their loved ones will be remembered with deep gratitude and admiration for their dedication towards advancing our understanding of new frontiers and discovering ways science can improve our lives.

While space shuttles fly regularly, space travel itself is anything but routine. Its dangers are many, but the *Columbia*'s crew was willing to brave them. We in Congress have a duty to them and our astronauts to find the cause of this horrific accident. We can never fully eliminate the danger, but we can manage the risk.

When asked by his brother about what would happen if something went wrong, Captain David Brown, a member of *Columbia*'s final crew, replied ''This program will go on.'' He was right, but it will not just be this one program that goes on. No matter what setbacks confront us, humanity will explore the unknown, brave its dangers, and continue our drive to create a better world.

RECOGNIZING 17TH ANNUAL NATIONAL GIRLS AND WOMEN IN SPORTS DAY

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

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise today to recognize the 17th Annual National Girls and Women in Sports Day.

The first Women in Sports Day was organized in 1986. It was to honor Flo Hyman, an extraordinary lady who won a silver medal in volleyball in the Olympics, bringing that sport out of obscurity.

Today, the National Girls and Women in Sports Day honors all women athletes and is celebrated in all 50 States. Community-based activities, award ceremonies, and dinners honoring women and coaches all occur today.

This year's national celebration is titled ''Celebration: 30 years of Title IX,'' in honor of Title IX's impact on the sports community. Today, 30 years later, one in three girls participate in high school athletics, as compared to 1 in 21 thirty years ago.

I hope we all take the time to celebrate this very special day and to honor the triumphs, the dedication, and the spirit of our great female athletes.

URGING AMERICANS TO REVIEW SECRETARY OF STATE COLIN POWELL'S PRESENTATION ON IRAQ TO UNITED NATIONS SECURITY COUNSEL

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

Mr. SMITH of Michigan. Mr. Speaker, Secretary of State Colin Powell today made a presentation to the United Nations Security Council. Mr. Speaker, I would just urge all Americans that are interested and concerned about this particular issue of Iraq to review that presentation.

One item after another to me presented a compelling argument that there is no question that Saddam Hussein, number one, is a bad guy; number two, has been developing these weapons of mass destruction.

For two reasons, I think it is important that we just not let this slide. One, if Saddam Hussein starts thinking that we are not going to have military force to insist on his compliance with the United Nations' Resolution 1441, there is a greater likelihood that he is not going to destroy those weapons. If he thinks it is going to happen, that war is inevitable if he does not do something, if he does not start showing and destroying these weapons, then I think there is a good chance that he is either going to vacate and take his roughly $1.5 billion with him to another country, or he is going to give up those weapons in order to continue as the leader of that country that has great economic potential.

Nobody should doubt, Mr. Speaker, that if there was not, in effect, a gun to Saddam Hussein's head, and the President being tough on this issue, there would not be inspectors in there and there would not be a United Nations Security Council debating where we go to insist that Iraq give up those weapons.

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REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 497

Mr. SMITH of Michigan. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 497.

The SPEAKER pro tempore (Mr. MILLER of Florida). Is there objection to the request of the gentleman from Michigan?

There was no objection.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Wanda Evans, one of his secretaries.

EXPRESSING CONDOLENCES OF THE HOUSE TO THE FAMILIES OF THE CREW OF THE SPACE SHUTTLE ''COLUMBIA''

Mr. DELAY. Mr. Speaker, I offer a resolution (H. Res. 51) expressing the condolences of the House of Representatives to the families of the crew of the Space Shuttle *Columbia*, and for other purposes, and ask unanimous consent for its immediate consideration pursuant to the following order:

Debate on the resolution shall be limited to 2 hours equally divided and controlled by the majority leader and the minority leader or their designees; and the previous question shall be considered as ordered on the resolution to final adoption without intervening motion.

The Clerk read the title of the resolution.

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

There was no objection.

GENERAL LEAVE

Mr. DELAY. 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. 51.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Texas (Mr. DELAY) and the gentlewoman from California (Ms. PELOSI) each will control 1 hour.

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

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

Mr. Speaker, I begin by observing that Members of this House share a special reverence and appreciation for Americans who risk their lives in the service of freedom. So on their behalf, let me extend our deepest gratitude and condolences to all the people who have entrusted the United States with their loved ones aboard *Columbia*.

Let us also offer the same spirit of solace to the men and women of Israel.

We hope that, through faith, God's healing comfort will lift our friends with heavy hearts to the ''place of broad rivers and streams'' with their grief receding upon the far shores.

Space is an American mission. And our accomplishments in space have led to some of our proudest hours as a country. During wartime, it is even more important to pursue goals that are more capable of rallying all of us.

Americans will not be motivated by petty goals or timid objectives. Appeals of this sort fall on deaf ears. Only bold ideas and audacious goals seize our attention in this country. So what will it take?

We need daring dreams that strain the bonds of conventional wisdom. We need to begin journeys that are capable of challenging innately American qualities of ingenuity and determination, curiosity and courage.

An American always seeks to climb the next hill, to cross the next river, and to reach the next valley. We are born with an insatiable hunger to look over the horizon. It is a quality that runs through the special clay from which our maker formed us, and it holds true for Americans wherever they are born, because the magic of our principles exerts a magnetic pull upon people who are destined to be Americans. They are drawn home to us, just as Colonel Ramon, a man of determined actions and courageous curiosity, was drawn to Texas to share life's dream with our six intrepid Americans.

We are special. The people of this country will reject shallow goals. We need a space program that aspires to meet our lofty expectation. Ronald Reagan liked to quote the poet Carl Sandburg who wrote, ''The Republic is a dream. Nothing happens unless first a dream.''

We know what we have done, but only in our dreams do we learn what we can do. Space exploration is destined to remain the highest expression of our national dreams.

President Theodore Roosevelt properly summed up the spirits that have driven so many of our fellow citizens to cross countless boundaries.

''Far better it is,'' said Roosevelt, ''to dare mighty things, to win glorious triumphs, even though checkered by failure than to take rank with those poor spirits who neither enjoy much nor suffer much because they live in a gray twilight that knows not victory nor defeat.''

For 4 decades, Americans have known that human space flight is the most dangerous and daring endeavor human beings have ever attempted. The seven men and women of *Columbia* risked their lives to dare bold dreams and advance the boundaries of human knowledge. This courage is the work of our creator.

As we lost sight of our heroes through flames in the forehead of the morning sky, we can take great solace in knowing that they are now beyond pain. All of them have now been safely returned to the folds of our master's cloak.

For comfort and for consolation, let us turn to the Psalmist: ''The highest heavens belong to the Lord, but the Earth he has given to man. It is not the dead who praise the Lord, those who go down to silence; it is we who extol the Lord, both now and for evermore. Praise the Lord.''

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

The SPEAKER pro tempore. The gentlewoman from California (Ms. PELOSI) is recognized for 1 hour.

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

Mr. Speaker, I rise to join the distinguished majority leader in introducing the House Resolution honoring the crew of Space Shuttle *Columbia*. I wish to express my condolences to the distinguished majority leader and our colleague, the gentleman from Texas (Mr. LAMPSON), in whose district the Johnson Space Center is domiciled; and to all of our colleagues from Texas, to them and to their constituents we offer our deepest, deepest sympathy.

The astronauts trained and lived in Houston, traveled 6 million miles away; and as President Bush said so eloquently yesterday, ''We lost them so close to home.''

Yesterday I had the privilege of joining many of my colleagues in traveling to Houston for a memorial service honoring the seven heroic astronauts who were lost on Saturday morning when the Space Shuttle *Columbia* exploded just minutes before its scheduled landing.

These brave men and women made the ultimate sacrifice so that we might enhance our understanding of the universe. They have the eternal gratitude of an entire Nation and, indeed, the entire world.

Mr. Speaker, I would also like to acknowledge and pay my respects to Sean O'Keefe, the administrator of NASA, and the people who work at NASA, for their dedication, for their courage and to acknowledge the suffering they are going through having lost their friends.

The world mourns the deaths of Air Force Colonel Rick Husband, the shuttle's commander; Navy Commander Willie McCool, the mission's pilot; Air Force Lieutenant Colonel Michael Anderson, the payload commander in charge of the science equipment; Dr. Kalpana Chawla, an aerospace engineer, an exceptional young woman; Navy doctors Captain David Brown and Commander Laurel Salton Clark; and Colonel Ilan Ramon, the first Israeli in space.

I want to extend my condolences to Prime Minister Sharon and the people of Israel on the loss that they and we have suffered in losing Colonel Ilan Ramon. We are all blessed to have had such outstanding men and women serving in our space program.

For more than 4 decades, the space program has been a bold expression of American optimism. Who can forget the burst of national pride when our former congressional colleague John Glenn first orbited the Earth in 1962, and again 7 years later when Neil Armstrong took that one small step for man, that one giant leap for mankind?

Perhaps that spirit was best expressed by the philosopher Socrates, who lived thousands of years before space travel began. He said, ''Humanity must rise above the Earth, to the top of the atmosphere and beyond, for only then will we fully understand the world in which we live.''

Space travel has been driven by more than a sense of adventure and curiosity. Our forays into space have been about advancing the human conditions in science and discovery. NASA and the space program have helped put the United States on the technological cutting edge, strengthening our economy and fortifying our national defense.

Space exploration has led to life-saving medical research, high-performance computers, and ground-breaking satellite technologies. Driven by the need to provide energy to satellites and spacecraft, NASA spurred the development of solar photovoltaic cells and fuel cells. By collecting data about Earth's geology, atmosphere and water, the space program helps us protect the environment and use our natural resources wisely.

The space program alone has contributed to the development of everything from life-saving heart pumps to ultraviolet-protection suits, to increasing our knowledge of global warming and the aging process.

The exploration of other worlds has allowed us to enhance our understanding of our own world. The search for life elsewhere in the universe has enriched our lives here on Earth. But like any ambitious mission worth undertaking, space travel is not without risk; and in this case, tragically, the risk is measured in human lives.

During these days of mourning, our thoughts and prayers are with the families of the astronauts. I hope that it is a comfort to them that the whole world mourns their loss and is praying for them at this sad time. And so it is with great sadness that I join my distinguished colleague, the majority leader, in introducing this resolution honoring the crew of the Space Shuttle *Columbia*.

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

Mr. DELAY. Mr. Speaker, I yield 3 minutes to the gentleman from Missouri (Mr. BLUNT), the distinguished majority whip.

Mr. BLUNT. Mr. Speaker, I thank the gentleman for recognizing me and him and the gentlewoman for introducing this resolution.

Just a week ago, America remembered the anniversary of the loss of the Space Shuttle *Challenger* and its crew as it headed toward orbit. This week America is grieving the loss and praying for the families of the seven-person crew of the Space Shuttle *Columbia* which was destroyed suddenly and unexpectedly as it headed back to Earth.

America's manned space program has used science, technology and experience to reduce the risk of space travel. Exploring space and space travel have never been risk free, but they have given us the ability to keep improving things on Earth, as well as to keep improving the program itself.

We learned when three *Apollo* I crew members perished in January of 1967 in a fire during a test that the use of purified oxygen in a space craft's cabin was hazardous. We made improvements. We learned when seven astronauts were killed in January of 1986 when the *Challenger* broke apart during launch that there were design flaws with the O-ring system in the booster rockets. We made improvements.

Whatever we learn from last Saturday's tragedy will push our space program further than it has been before and make it safer than it has been before.

We will soon see an international space station built and completed. America has led the way, pushing the limits of space and for people that were Earthbound a little more than a century ago.

The pursuit of space with an international coalition was reflected in the brave crew that perished on Saturday.

Kalpana Chawla told Mission Control how beautiful the Earth looked from miles above as she summoned the crew to the shuttle window. Chawla logged more than 376 hours in space.

Colonel Ilan Ramon, as the gentlewoman from California (Ms. PELOSI) just mentioned, was the son of a Holocaust survivor, Israel's first space traveler. He spoke about the quiet of space and was quoted saying, ''I only hope that the quiet can one day spread to my country.''

□ 1530

Ramon was selected as a payload specialist by the Israeli Air Force and approved by NASA in 1998. He reported for training at NASA's Johnson Space Center in Houston in July 1998 and was making his first space flight.

Navy flight surgeon Laurel Clark liked to say, ''Life continues in a lot of places.'' She was selected by NASA in 1996. It was her first space flight.

Air Force colonel Rick Husband, the shuttle commander, loved the hymn ''How Great Thou Art,'' which includes the phrase, ''I see the stars. I hear the mighty thunder. Thy power throughout the universe displayed.'' Selected in 1994, Husband logged more than 235 hours in space.

As a boy, Navy flight surgeon David Brown thought of astronauts as movie stars and grew up to be a physician, an aviator who could land on the deck of a carrier in the middle of the night. Later, he became a shuttle astronaut.

Columbia pilot William McCool was a former Eagle Scout and test pilot. He was in space his first time.

Payload commander Michael Anderson said recently to his pastor, If this thing does not come out right, do not worry about me; I am going on to a higher place. Commander Anderson has told people he could not recall a time when he did not want to be an astronaut.

Congress will be asking questions and will provide oversight in an attempt to understand the loss of *Columbia* and its crew. The goal is to further reduce the risk for future shuttle flights.

May the crew of the Space Shuttle *Columbia* be with God and may God be with those they have left behind.

Ms. PELOSI. Mr. Speaker, I am pleased to yield 3 minutes to the distinguished gentleman from Texas (Mr. LAMPSON). The Johnson Space Center is domiciled in his district. He probably had more constituents affected by this tragedy than any other Member, and in yielding him the 3 minutes I also yield him the privilege of managing the rest of the time on this important resolution.

The SPEAKER pro tempore (Mr. MILLER of Florida). Is there objection to the request of the gentlewoman from California?

There was no objection.

Mr. LAMPSON. Mr. Speaker, I thank the gentlewoman, the minority leader, for yielding me the time, and also it is a pleasure to have joined her and our majority leader yesterday and all of our colleagues who came to Houston to express their condolences at the wonderful memorial service there.

Mr. Speaker, I rise today in support of this resolution honoring the *Columbia* shuttle and her crew. Many of my colleagues have and will express the impact that this tragedy has had on our Nation far more eloquently than what I can.

I share their feelings, but I would also like to talk about what the loss of the Space Shuttle *Columbia* means to the 9th Congressional District of Texas, the home of the Johnson Space Center.

While the Clear Lake area shares the national vision for an aggressive and exciting manned space program, back home the space shuttle and the international space station take on even more personal dimension. All of the astronauts in the NASA program, including the seven aboard the *Columbia*, are part of our community. They are our friends and our neighbors. Their kids go to school with our kids. They shop at the same grocery stores and pray at the same churches and synagogues.

The employees and contractors at the Johnson Space Center are connected to the astronauts not just at work but in their everyday life. The community at JSC is an extended family. Amidst all the lofty talk, ceremonies and resolutions, let us not forget that a community and seven families lost friends, brothers, fathers, sons, wives, sisters, mothers, and daughters.

Back in Clear Lake, right off the Johnson Space Center campus, there is a place called Frenchy's. It is a place where the astronauts and employees often go for dinner, gather after work, share their experiences and bond in a very special way. I stopped by there Saturday evening and wanted to report back to my colleagues what I saw and heard.

Ironically, the traditional after-mission autographed crew mission picture hung on the wall where it belonged. For some reason, they went by before their mission instead of after.

There was a feeling of crushing sadness and loss but also a hope that the

vision and dream that those seven heroes died for will not be lost but, instead, will be reborn; that their loss will remind the American people of the great challenge we face and the prospect of a better world that the space program gives us.

I speak today not just as a Member of Congress but as part of a community that firmly believes in what Rick Husband, William McCool, Michael Anderson, David Brown, Kalpana Chawla, Laurel Blair and Ilan Ramon gave their lives for. On behalf of the 9th District of Texas and the people of the Johnson Space Center, I urge this country and this body to go forward, support this resolution and support the continued presence of America in space.

Mr. Speaker, I reserve my time.

Mr. DELAY. Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. LINCOLN DIAZ-BALART).

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I thank the majority leader for yielding me the time.

Mr. Speaker, our thoughts and prayers today here in the Congress of the United States are with the seven heroes of the *Columbia* and with their families.

The space program is emblematic of the American people: daring, self-confident, brave and determined to do great things.

I think the seven heroes of the *Columbia* would be pleased if we here and now determine and resolve to support the space program with renewed and increased vigor and seriousness. Commander Rick Husband; pilot William McCool; payload commander Michael Anderson; mission specialists David Brown, Laurel Clark and Kalpana Chawla; and the Israeli astronaut Ilan Ramon, they gave their lives to improve all of our lives; and we, Mr. Speaker, owe them our full support for the continuation of space exploration.

Mr. DELAY. Mr. Speaker, if I could, in order to even out the time, I yield 3 minutes to the gentleman from Arizona (Mr. HAYWORTH).

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

Mr. HAYWORTH. Mr. Speaker, I rise in strong support of this resolution; and, oh, how I wish we were not in this well at this time to express such sentiments.

Mr. Speaker, we differ on issues. That is the hallmark of a free people, and yet this afternoon we rise as one to remember and memorialize the contribution and the sacrifice of the *Columbia* Seven.

Of the seven aboard, Mr. Speaker, several had connections to Arizona, perhaps the most pointed and poignant that of payload specialist Michael Anderson. Though Michael called Spokane, Washington, home, he spent some of his younger years in the State of Arizona, attended Avondale Elementary School and carried with him on this flight a T-shirt from that school and that student body. The principal at Avondale Elementary now says another type of special memorial will be there in the school to remember that special student.

Indeed, also in our West Valley, Mr. Speaker, there is the *Challenger* Learning Center, so named for another group of seven who paid the ultimate price; and at Central Arizona College there is a NASA Aerospace Education Center.

Mr. Speaker, we are reaffirming some difficult lessons today, even as we memorialize and celebrate America's mission and indeed mankind's mission to the stars, as we think that over four decades ago President Kennedy stood at the podium behind us, challenging this Nation to land a man on the moon and bring him safely back home to earth before the decade of the 1960s is out.

Mr. Speaker, we remember the message of the Australian Prime Minister upon the landing on the moon when he said, We salute the spirit of dangerous adventure that has brought mankind to this accomplishment.

The danger remains apparent. The spirit of adventure remains, Mr. Speaker. We remember and memorialize the *Columbia* Seven; and as we remember, as we rededicate, as we conduct the inevitable oversight that our Constitution mandates, let us make the vow not to retreat but to advance, to think beyond what has gone before, to revisit the moon, to one day be involved in manned exploration of Mars, to continue the advancement of human knowledge for which the *Columbia* Seven gave their all. That is the true memorial to these heroes who soared in the heavens and embraced the spirit of dangerous adventure.

God bless them and their families and all affiliated with them and our great country.

Mr. LAMPSON. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON), my colleague from the Committee on Science.

(Ms. EDDIE BERNICE JOHNSON of Texas asked and was given permission to revise and extend her remarks.)

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, let me express my appreciation to the leadership for bringing this forth and to say how important it is that we take the time to give recognition to those heroic persons who did lose their lives. I am very certain, however, that they did not lose their lives in vain.

This space exploration research program has been one of the most successful research programs in the history of this country, and I know that we will investigate well to see what happened and improve upon it.

I also know that, over 40 years ago, the foresight of persons that came along before us caused us to get into this type of research. We also owe those leaders some homage for their foresight, and I am hoping that we will then have the foresight to continue this type of research.

The scientific technological advances made possible by space research include much: arteriosclerosis detection, ultrasound scanners, the automatic insulin pump, portable X-ray devices, invisible braces, dental arch wire, palate surgery technology, clean room apparel, implantable heart aid, the MRI, the bone analyzer and the cataract surgery tools and on and on, the digital imaging breast biopsy system.

So many, many lives have been saved because we have lost a few in trying.

The life-saving light that saves lives through the application of lighting technology initially developed for plant growth experiments on space shuttle missions. The doctors at the University of Wisconsin in Milwaukee use light-emitting diodes in a treatment called photodynamic therapy, a form of chemotherapy to treat brain tumors in children and aid significantly in wound-healing treatment.

A consumer product, the toy for tots, many, many toys have been made because of that, that has increased the economy, and I could go on, with the artificial heart device known as the miniaturized ventricular assist pump. The vehicle tracking system, and many of us drive cars that have the night-extended sight vision, came from space exploration.

Mr. Speaker, I will end by simply saying the best way to show our appreciation for these heroes is to continue this research and be a visionary for the future. Without vision, we perish.

Human space exploration is inherently risky. Distance, speed and an environment that can not support human life combine to make human space flights particularly precarious.

Unfortunately the world has new evidence of the dangers associated with space exploration. Millions watched as images of a singular, brilliant point of light in the sky became two, three, and four points of light as Space Shuttle *Columbia* broke apart over my home State of Texas.

I join the rest of the country and the world in mourning the seven brave astronauts whom we lost in this national tragedy. The outpouring of sympathy from the citizens of the world is recognition that the crew heroically put their lives on the line in the name of science and research.

More than a decade ago, January 28th, 1986, our country's space program was dealt another tragedy as we lost the crew of the Space Shuttle *Challenger*. The findings of the ''Report of the Presidential Commission on the Space Shuttle *Challenger* Accident'' (referred to as the Rogers' Commission Report) have changed NASA procedures to make human space flight safer. It is incumbent upon the federal government to conduct a vigorous and comprehensive investigation to uncover and alleviate the events that led to *Columbia* accident.

I pledge to do what I can to help our space program recover from this terrible setback so these important endeavors can flourish in the future. As a Senior member of the Science Committee, I will work closely with my House colleagues to assist NASA and Harold Gehman Jr. who will lead the special investigative commission.

I am the ranking member of the Science Subcommittee on Basic Research. In this important capacity, I have taken a major leadership role regarding America's commitment to technological development and scientific research and application. As such, I am a firm believer that the United States will continue our space program that has accomplished so much in the areas of research and science.

This important and beneficial program is essential to advancing technology.

Specific technological advances made possible by space research include the arteriosclerosis detection, ultrasound scanners, automatic insulin pump, portable x-ray device, invisible braces, dental arch wire, palate surgery technology, clean room apparel, implantable heart aid, MRI, bone analyzer, and cataract surgery tools.

The Space Shuttle Program has yielded many lifesaving medical tests, accessibility advances for the physically challenged, and products that make our lives more safe and enjoyable. Such as:

The Digital Imaging Breast Biopsy System developed from Space Telescope technology incorporates the advanced Charged Coupled Devise, a high tech silicon chip, used as part of a digital camera system that sees the breast structure with x-ray vision. The CCD images breast tissue more clearly and efficiently through a procedure known as stereotactic core then-needle biopsy.

With the help of companies like FIDE and LORAD, this procedure provides patient with non-invasive procedure which reduces pain, scarring, radiation exposure, time and cost. The Space Shuttle was the vehicle used to assist in the space telescope repair mission and development of the technology.

Lifesaving Light Saves Lives through application of a special lighting technology initially developed for plant growth experiments on Space Shuttle missions. Doctors at University of Wisconsin in Milwaukee use light emitting diodes in a treatment called photodynamic therapy, a form of chemotherapy, to treat brain tumors in children and aid significantly in would healing treatment.

A Consumer Product Toy for Tots was developed using NASA wind-tunnel and aerodynamic expertise from the Space Shuttle program. Hasbro, Inc. improved the flying distances and loop-to-loop stunts for its toy gliders designed for a child to fly.

Public Safety takes a Byte out of Crime using image processing technology initially used to analyze Space Shuttle launch video and study meteorological images. This Space Shuttle mission technology helps law enforcement agencies improve crime solving videos.

An Artificial Heart device known as the miniaturized ventricular assist pump, developed by NASA and renowned heart surgeon Dr. Michael DeBakey, was derived from technology used in Space Shuttle fuel pumps. The tiny pump—2 inches long, 1 inch in diameter and weighing less than four ounces has been successfully implanted into more than 20 patients.

A Vehicle Tracking System tracks information originally used onboard Space Shuttle missions now helps track vehicles on Earth. This commercial spinoff allows vehicles to transmit a signal back to a home base. Municipalities today use the software to track and reassign emergency and public works vehicles. It also is used by vehicle fleet operations, such as taxis, armored cars and vehicles carrying hazardous cargo.

As witnessed, the Space Shuttle can be configured to carry many different types of equipment and scientific experiments. The Space Shuttle is essential in the assembly of the International Space Station (advancing life sciences & technology through long-duration missions) and repairing and servicing the Hubble Space Telescope (enabling many new discoveries in Space Science).

As an enabling function, the Space Shuttle is fully engaged in providing services for earth and physical science research. The Space Shuttle also engages the private sector in the development of space by providing flight opportunities for industry, academia and government to conduct applied research relevant to NASA's mission through access to the space environment. I will foresee that cooperative activities with the National Institutes of Health (NIH), the National Science Foundation (NSF), the Department of Defense (DoD) and other U.S. agencies will continue to advance knowledge of health, medicine, science and technology.

STS–107, which was lost on February 1, 2003, was a 16-day mission dedicated to research in physical, life, and space sciences, conducted in approximately 80 separate experiments, comprised of hundreds of samples and test points. With two Americans and a Russian still stationed at the International Space Station, it is imperative that this program not come to a halt. This most unfortunate and tragic loss of five men and two women, representing a mosaic of races and nationalities, will be mourned and these great American heroes will not be forgotten.

Mr. DELAY. Mr. Speaker, I ask unanimous consent that the gentleman from New York (Mr. BOEHLERT), the Chairman of the Committee on Science, manage the remainder of my time.

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

There was no objection.

Mr. DELAY. Mr. Speaker, I yield 4 minutes to the gentleman from Florida (Mr. FEENEY) and send condolences because the gentleman's wife is part of the NASA family and has also suffered this loss.

(Mr. FEENEY of Florida asked and was given permission to revise and extend his remarks.)

□ 1545

Mr. FEENEY of Florida. Mr. Speaker, I thank the gracious majority leader and minority leader also for their resolution today.

Mr. Speaker, the *Columbia*'s crew made remarkable use of their gift of life. To borrow thoughts from the late Christopher Lasch, these astronauts belonged to a band of people who achieve selflessness by dedicating themselves to a tremendous challenge, mastering arduous, risky pursuits, meeting impersonal standards, and struggling towards an ideal of perfection.

As you listen to the crew's family members and loved ones, you grasp that their strivings were not solitary. Each astronaut was surrounded by those who supported his or her calling. Many people have calls, but few are blessed to be so unconditionally loved and supported, especially when their pursuit involves danger, risk, and the unknown. During their all-too-brief lives, each member of *Columbia*'s crew achieved greatness because somebody told them they should follow their hearts.

Columbia's crew pursued life with passion. But Saturday reminded us of that word's Greek roots. Passion means ''to suffer.'' And to follow one's passion requires the acceptance of suffering as well as the joy of living life with fullness and with purpose.

The space family is large and extended. Although Kennedy Space Center employees, many of my constituents, remain here on Earth, each mission carries their hopes and dreams into space. They are bonded to the astronauts as comrades. My family belongs to that space family. My wife, Ellen, has been an engineer at Kennedy Space Center for 18 years. Tommy, my 10-year-old, who is in fifth grade, attended space camp this summer. Hanging on Tommy's wall at home, next to a poster of Michael Jordan, is another Michael, Michael Anderson, the payload commander on *Columbia*, who autographed a picture for Tommy, which is inscribed, ''Tommy, always do your best.''

Michael Anderson and the other courageous astronauts and the entire NASA team always do their best. At an all-hands meeting of the KSC team last Saturday, actually this Monday, KSC Director Roy Bridges affirmed: ''You are the best team on the planet.'' So this large and talented team shares many triumphs.

Still, every generation of this Cape Canaveral family unexpectedly bears witness to manned space flight's inherit dangers. In 1967, the *Apollo 1* crew was lost on Pad 34 in an accident known simply as ''The Fire.'' In 1986, the *Challenger* rose majestically from Pad 39B only to break up over the Atlantic on a beautiful winter day. On February 1, 2003, the landing crew waited at the Shuttle Landing Strip for voyagers who never returned home.

On each occasion, the people of NASA grieved terribly. They asked tough questions, and they learned from adversity. But then they rededicate themselves to their mission and ultimately achieve their striving. America landed on the Moon after ''The Fire.'' The shuttle returned to pursue scientific discovery and construct the International Space Station. And we will continue that legacy by returning men and women to space, completing the International Space Station and turning our dreams of new exploration towards the planet Mars and others.

Exploration, journey, and bravery define the American people and their history. Each of us comes from a heritage where someone with great courage took a passage to new beginnings, many times with difficult endings. But the living stubbornly persevered,

pushed back vast frontiers, and built a great and glorious Nation. Adversity, including Saturday's loss, can never extinguish America's spirit.

Finally, Mr. Speaker, as Ronald Reagan said in the aftermath of the *Challenger* disaster, ''The future belongs not the to fainthearted but to the brave. That defines us as a Nation.''

Mr. LAMPSON. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. HINOJOSA), who is now the ranking member of the select Committee on Education and the Workforce.

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

Mr. HINOJOSA. Mr. Speaker, I rise today to join my colleagues in expressing my deepest condolences to the family and friends of the seven *Columbia* astronauts who tragically lost their lives Saturday over the skies of Texas. This tragedy is a reminder of the risk involved in exploring the frontiers of space and furthering human knowledge.

Every child, at one time or another, has dreamed of becoming an astronaut to explore distant planets and stars. Unfortunately, many children lose their dream as they grow up. These seven extraordinary people never lost that dream. They dedicated their lives to studies and training to develop the technical skills they needed to become an astronaut.

I attended the memorial service yesterday in Houston, wanting to provide the astronauts' family members some comfort. They are all at different levels of grieving. Everyone spoke of the joy and pride the *Columbia* crew felt in being astronauts and their commitment to sharing their love of space exploration with the next generations. I admire them tremendously.

I know firsthand how inspiring astronauts can be to children. This past fall I hosted the Hispanic Engineering and Science Technology Week in my congressional district. Over 17,000 students and teachers filled the baseball stadium of the University of Texas Pan-American. They listened to speeches about the importance of becoming proficient in science, math and technology in order to expand their career opportunities. But the highlight of the day was when former astronaut Alan Bean rose to speak. The students were transfixed as they listened to him talk about the wonders of space and its potential for mankind's future. The awed and excited expression on those faces as he fired their imaginations is something I will never forget. This is a legacy we must preserve.

I urge my colleagues to continue their support for NASA and the dream for which these seven heroes gave their lives.

Mr. LAMPSON. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. BELL), who represents a great many employees of the Johnson Space Center.

Mr. BELL. Mr. Speaker, when President Kennedy challenged America to dream space travel was possible, he came to Houston, Texas, where I live. On an autumn day in 1962, he laid out the following challenge: ''We choose to go to the Moon. Not because it is easy, but because it is hard; because that goal will serve to organize and measure the best of our energies and skills; because that challenge is one that we are willing to accept; one we are unwilling to postpone.''

That challenge, delivered to America 40 years ago, has come to define the mission for the brave men and women of NASA, and it has also come to define the spirit of Houston. The seven astronauts of Shuttle *Columbia* STS–107 embodied that spirit. And in losing them, we have lost part of ourselves.

The final crew of the Shuttle *Columbia* were all men and women of courage. They lived and died as heroes. But for many in the Houston area, the seven members of the *Columbia* crew were more than fallen heroes. They were our neighbors; and they were our friends, friends that you might see at the grocery store or church or at a parent-teacher conference.

Monday night I had the opportunity to visit with Ilan Ramon's grieving father at Beth Yeshuron Synagogue. Ilan had made his home in Houston for the past 4 years. People knew him to be kind and extraordinarily down to Earth. I told Ilan's father what he already knew, that his son was a hero. He thanked me and then said something that none of us should ever forget. He told me that the space program must continue.

As a tribute to the lives of the fallen crew and those that have gone before them, as an acknowledgment that we can never simply go back to the way it was before John Glenn, Alan Shephard, or the Moon landing, we must continue to answer the call of the Space Shuttle *Columbia*. For those who grieve today, but will hope again tomorrow, we must continue the space program.

As we begin anew, let us remember the words of President Kennedy on that fateful day in Houston: ''As we set sail we ask God's blessing on the most hazardous and dangerous and greatest adventure on which man has ever embarked.''

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

Mr. Speaker, with sadness, I want to join my colleagues in memorializing the crew of the Space Shuttle *Columbia*. All of us on the floor today are trying to do the same thing: we are trying to fill a palpable absence with tangible words. It is quite literally an impossible task and all the more heart-rending because we witnessed the moments when the shuttle vanished into thin air.

I can only begin to imagine the pain felt by the crew's colleagues and friends and family and those who knew these men and women not just as the brave heroes that we have come, perhaps too late, to fully appreciate, but also as individuals, each with his or her unique personality, accomplishments, and responsibilities. They, much more than us, must live with the absences created by Saturday's tragedy.

But it is not just absence we are acknowledging in our remarks. It is also a presence. The names and faces and stories of the *Columbia* crew are now engraved in our hearts and minds, not just because they died, but because they lived. They were brave, dedicated, and talented; and they set an example for us all. They are as much an inspiration in death as in life, and they join a long line of explorers who have sacrificed their lives charting the future for all of us. We are in their debt.

Yesterday, at the memorial service in Houston, I was taken with the quiet dignity so evident on the part of so many. We, in an hour of pain and sorrow, took our lead from the families. They must know that the Nation, indeed the world, is grieving with them. And as I sat there thinking about lifetimes of achievement snuffed out in a moment of tragedy, I did what so many of us have done. All of us associated with the investigation are determined to find out what went wrong and to fix it. And then we must move on with exploration, with the search for new frontiers. That will be the enduring legacy for the *Columbia* Seven.

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

Mr. LAMPSON. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. STENHOLM).

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

Mr. STENHOLM. Mr. Speaker, I rise in support of this resolution today.

It is a sad honor to come to the House Floor today to speak about the lives of seven heroes who put a face and personality to the United States space program. And what a face it is—one of strength, optimism, discipline, adventure, humor, compassion—in other words, much of what we strive for as the best of the American Spirit.

These brave Americans gave their lives for the good of our Country and we will never be able to repay them or their families for the sacrifice they made. They were our brightest and best and their passion for advancing and improving our Nation has inspired us all.

Once again, we Americans find ourselves responding to national tragedy with a mixture of strong emotions. We feel great sadness as we mourn this loss of human life and noble endeavor. We know that no matter how great our own sadness might be, it cannot compare to the great weight of grief the astronauts' families and coworkers bear. Our hearts have broken as we have watched the spouses and children deal with their private grief in such a public way. In response, we simply hope that the families can sense the warm embrace of our thoughts and prayers.

But we also feel a great sense of admiration, respect and gratitude. How many of us have stood under a canopy of stars, looked to the heavens and wondered ''What is up there?'' We have admired our space explorers as heroes since before the first launch of the Mercury program. Perhaps some of us have

even dreamed of becoming a part of this intrepid cadre of astronauts. The *Columbia* crew belonged to that special family of explorers who dare to risk themselves in the name of exploration, discovery and knowledge which will benefit all of humankind. Over the past five days, as we have learned more about that crew of seven individuals, we also have learned about the heart and soul of the space program and also about ourselves.

Just as the planet Earth is home to a diverse people, the *Columbia* carried a crew of numerous nationalities and ethnicities. They learned, as we all must, that it is our diversity, our different skills and traits, which become our strength when focused towards a common goal.

When we humans find ourselves grappling with so many strong emotions, we turn to the Divine Comforter to help us cope and understand; that is precisely what our Country has done this week. Even these astronauts who traveled to the stars understood that they were not the master of those stars. The held a deep and abiding faith in the One who created all which they longed to explore. And now, we must content ourselves in believing that each of these brave men and women is home with that Creator, discovering still more wonders beyond our wildest dreams.

On behalf of the residents of the 17th Congressional District of Texas who I am privileged to represent in the House of Representatives, I extend both sympathy to the families who have lost so much and gratitude for their indomitable spirit. You will never be forgotten.

Mr. LAMPSON. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT of Virginia. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I appreciate this opportunity to join my colleagues as we express profound sympathy and condolences to the families, friends, and associates of the crew of the Space Shuttle *Columbia* and to pay tribute to the seven heroic men and women who gave their lives in service of their countries and all mankind. I also join my fellow Virginians in a special mourning of the loss of our native son, David Brown, mission specialist of the *Columbia*.

Mr. Speaker, the labors and sacrifices of the *Columbia* crew will not be in vain. The information from over 80 scientific research experiments will unlock discoveries which will reshape the world to the benefit of all of humanity. And so I believe the most profound tribute that we can pay to the seven *Columbia* heroes is to continue the work that they dedicated their professions and ultimately their lives to further. I am proud, Mr. Speaker, that much of that work will take place at NASA Langley in Hampton, Virginia.

Mr. Speaker, the names *Apollo 1, Challenger,* and now *Columbia* will be revered throughout time for the supreme contributions and sacrifices of their crews. So I say to the families of those who were lost: weep not. The dreams of the great men and women who dared to explore the outer boundaries of humanity will not be forgotten.

Mr. BOEHLERT. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. BURNS); and before he begins, I ask unanimous consent that the gentleman from California (Mr. ROHRABACHER) be allowed to control the balance of my time.

The SPEAKER pro tempore (Mr. MILLER of Florida). Without objection, the gentleman from California (Mr. ROHRABACHER) will control the remainder of the time of the gentleman from New York (Mr. BOEHLERT).

There was no objection.

Mr. BURNS. Mr. Speaker, Helen Keller once reminded us that ''no pessimist ever discovered the secret of the stars, or sailed to an uncharted land, or opened a new doorway for the human spirit.''

The seven crew members aboard *Columbia* were optimists, one and all, who saw the uncharted lands of space as an opportunity, not an obstacle. They were willing to open new doorways for humanity at the cost of their own lives.

□ 1600

Mr. Speaker, they left a Nation at war on a mission of peaceful exploration of space. While fate did not return them to us, the memory of their courage, their determination and their optimism for a brighter future will stay with us forever. I support this resolution as one small way of carrying on their memory.

Mr. LAMPSON. Mr. Speaker, I yield 3 minutes to the gentlewoman from Guam (Ms. BORDALLO).

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

Ms. BORDALLO. Mr. Speaker, I rise today to join my colleagues and our Nation in expressing our profound sorrow on the occasion of the *Columbia* Space Shuttle tragedy. The people of Guam join their fellow Americans today in mourning for the *Columbia* crew.

Guam has a unique tie to one of the crew members, Lt. Commander William McCool, the pilot on the Space Shuttle *Columbia*. Lt. Commander McCool lived on Guam and attended Dededo Middle School and John F. Kennedy High School. He later married Lani Vallejos of Dededo, Guam, whom he met on the island. We are so proud to have had a member of our island community in the space program. America indeed lost a hero, and Guam lost a son.

Commander McCool was very proud of his ties to our island. He carried the Guam flag on this tragic mission, and I show Members a picture as he stands before the shuttle with our flag.

Willie McCool was a dedicated husband and father. He leaves behind his wife, Lani, and their three sons, Sean, Christopher and Cameron. Lani's parents, Atilana and Albert Vallejos, from Dededo, Guam, proudly attended the launch 16 days prior to the tragedy.

Commander McCool is fondly remembered by those whose lives he touched as a student while on Guam. He was an exceptional student and a very talented athlete. While at Dededo Middle School, young Willie McCool wrote a poem that was published on the front page of his school newspaper that revealed his love of Guam and his early ambition to be an astronaut. He was probably about 12 years old, and this is the poem:

''I came to an island in the middle of the sea. It was so nice that I jumped for glee. There are palm trees, coconuts and bananas, too. Plus birds and fish, so unbelievable but true. It was so nice that no one can complain. But he who does must be insane. This is such a nice and beautiful place, you'd think it was heaven—or outer space.''

Willie pursued his dream with vigor and passion. He lived his dream, and we on Guam are amazed that someone we knew from our island community was the pilot of a space shuttle.

Teachers on Guam point to his remarkable life to inspire school children to dare to dream big things, to believe in themselves, and to reach for the stars. Although we are saddened by this tragedy, we take solace in knowing that Willie McCool will be forever remembered by our Nation and by the people of Guam as an inspiration to our children and as a hero for all.

''Pues adios, Willie, in guiya hao.'' In our Chamorro language, that means, good-bye, Willie, we love you.

Mr. ROHRABACHER. Mr. Speaker, I yield myself 11 minutes.

Mr. Speaker, today we mourn the life of seven heroes, the crew of the Space Shuttle Columbia: Rick Husband, William McCool, David Brown, Kalpana Chawla, Michael Anderson, Laurel Clark, and Ilan Ramon.

These heroes are now departed from us, and they find their place in the memory and the hearts of all Americans who are grateful to them and grateful to the others who have given their lives to make sure that our country and all humankind advances into this next frontier and conquers the next frontier of space. There are casualties in the conquest of every frontier, and this is no exception.

Just as our heroes of the past frontiers are remembered and honored by this country, we will, once the space frontier is conquered, look back on these pioneers, and we will remember them on the honor roll of heroes.

The *Columbia* reminds me a bit of another vessel, another American vessel from 200 years ago, the good ship *Columbia*. Americans were always known as the leaders in transportation, whether it was railroad transportation or, before that, ship transportation; and we had some of the mightiest and most impressive ships on the oceans and one of those ships was the good ship *Columbia*.

Americans were so proud of the good ship *Columbia* that one of our first patriotic songs dealt with our pride in that ship, and that song went as follows, and every American knew these

words and sang this song 150 years ago: ''O, *Columbia*, the gem of the ocean, the home of the brave and the free, the shrine of each patriot's devotion, a world offers homage to thee.''

And, yes, today our thoughts go to the crew of the *Columbia*, another magnificent vessel that charted unknown waters, carried Americans and, yes, carried the admiration of the entire world.

I think one of the things that I have gleaned from this tragedy is just how much the American people associated themselves and identified with America's space program. Yesterday, as we went to Texas, it was not so much the ceremony that I remember as it was the people of Texas and how they took this tragedy personally. As we rode in our congressional buses to and fro to that ceremony of remembrance and dedication at which the President spoke, the people of Texas lined the roads and the streets. Little children were waving American flags. People would rush out of their houses as we drove by with their flags and little signs of support and encouragement.

I believe that if there is anything we can be grateful for when *Columbia* went down, it went down over friendly territory. It went down over Texas, where the people of that State feel so strongly about the space program and about their country.

I am proud to say that my constituents and others in California have had a long association with the space program as well, and we are just as proud of the achievements. But, yesterday, it touched my heart that the people of Texas were reaching out to us and to the families.

The *Columbia* tragedy has not diminished the commitment of the people of Texas nor the commitment of the people of the United States towards space exploration and space utilization. Our space program must and will go forward because the American people remain as committed today as they were last week, and today we have seven heroes to give us inspiration.

The American people over the last few years have been lulled into a false sense of security about space travel. We always considered the astronauts our heroes. Children would come out to see astronauts, but most Americans felt that manned flight into space was far less risky than it really is. They have been lulled into this false sense of security because NASA has been doing one terrific job and our astronauts have been doing one terrific job and our aerospace industry has been doing one terrific job. But it is still the riskiest of propositions.

I was in the White House in 1986 when the *Challenger* blew up, and I will never forget that day. We did what? We regrouped, we found what was wrong, we found the flaws, and we moved forward after correcting those flaws. Since then, once again, the American people came to believe space travel was routine. Well, pioneering a new frontier is never routine. The Space Shuttle *Columbia's* crew understood that. They knew the risks that they were taking.

Today we mourn; this week we mourn; but in the future we move on and up. Although we hope that the shuttle will fly again, this country is now committed to a space program, yes, that will remember the shuttle system and be grateful for how efficient and what a magnificent system it was, but we now know we must invest in the technology that will move us beyond our dependency on this now old system that should not be allowed to become even older and us rely on it even longer. But does that mean we will in some way diminish our commitment to space? I do not think so.

When we look back over the years of what the space program has meant to our lives, the benefits are beyond imagination.

I remember as a young boy that I was able to talk to my grandparents perhaps once a month. I did not come from a wealthy family. Those telephone calls were scratchy, and they were expensive. Young people did not have the same contact then as they do with their grandparents today. I think it was $5 a minute back in those days when $5 was enormous. Today, thanks to our investment in space, thanks to the space program, people can talk to their families who are in the far reaches of the world every day, and it is affordable, and it has increased the quality of life in our country dramatically in this level of caring between people because space has permitted us better communication between each other.

What about entertainment and television? We have now before us a plethora of options in which to take up our time because we have assets in space that are offering us communication skills that are not only used for entertainment but are used in the medical field to educate people in far-off countries how to conduct operations and also provide communications with schools throughout the world.

The GPS system is a navigational system, and it would be unthinkable for us to not use our space-based assets for navigation purposes, something that has saved countless lives in giving us precise navigation that has saved hundreds, if not thousands, of those seeking transportation.

And what about the weather and the fact that today we know when storms are coming? Again, thousands of lives have been saved because of our investment in space assets. We can predict where a hurricane will go or a tornado will strike, and we can prepare for it and save those lives, not to mention the billions of dollars saved by predicting weather trends in the industry of agriculture.

Mr. Speaker, what about our national security? It was our lead in space, indeed the space shuttle itself created the impression for the communists who led the Soviet Union that they could not compete with us and broke down their will and eventually caused a disintegration of their power base in Russia, which has left the world a much safer place.

□ 1615

We have invested also in a defense system in space, a missile defense system that even today will permit us not to be so terrorized by a possibility of a government in North Korea that is developing nuclear weapons because we have assets in space that will permit us perhaps to defend ourselves against that potential threat. So we have invested in space, and also it has saved us billions and billions of dollars and thousands and thousands of lives. It was the space pioneers like those on the *Challenger* and on the shuttle that have already given us these tremendous benefits, but we have only scratched the surface of what space can do to uplift the condition of humankind.

No, we will not be deterred by this tragedy. We will instead correct the flaws where they have been found and move on. We will move on and we will move upward. Will we continue? Will we Americans continue to move forward? Will there be another ''Good Ship *Columbia*'' someday charting the unknown waters or the unknown skies? You bet there will be. We remember and we will be grateful in those days to the crew of this ship *Columbia* as we were to the pioneers of generations past.

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

Mr. LAMPSON. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. FROST) in whose district the shuttle began to fall. I also ask unanimous consent that the gentleman from Texas (Mr. GREEN) control the balance of the time.

The SPEAKER pro tempore (Mr. MILLER of Florida). Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. FROST. I thank the gentleman for yielding me this time.

Mr. Speaker, I join with my colleagues in expressing this body's deep grief over the loss of *Columbia* and her brave crew. I was privileged to attend the memorial for our seven astronauts in Houston yesterday. The deeply moving words in honor of the *Columbia* revealed how profoundly this tragedy has affected people in Texas and across our country.

Today in my district in north Texas, one of those astronauts, Dr. Kalpana Chawla, is being remembered at her alma mater, the University of Texas at Arlington. K.C., as she was known by her friends at UTA, was a true pioneer and a role model for young people on two continents. K.C. was the first Indian American to travel into space and her achievements brought great pride to people in her home country of India and her adopted home in north Texas.

While aboard the *Columbia*, K.C. sent an e-mail to students in her hometown, Karnal, India. She wrote: ''The path from dreams to success does exist. May you have the vision to find it, the courage to get onto it and the perseverance to follow it. Wishing you a great journey.''

There can be no doubt that K.C. and the other astronauts aboard the *Columbia* had the vision and the perseverance to follow their dreams. Those dreams led them into space on a mission of discovery that made them heroes. As we reflect upon the lives of Dr. Chawla and her fellow crew members, we have a shared responsibility to forge ahead with their mission. After the House passes this worthy resolution honoring our fallen heroes, it will be our duty as Members of Congress to commit our government to a full investigation of the causes of this tragedy, and, just as importantly, to recommit America to our mission exploring the frontiers of space.

Mr. ROHRABACHER. Mr. Speaker, I yield 5 minutes to the gentleman from Florida (Mr. WELDON), who has spent so much time and effort since he has been in Congress on issues of space and has diligently worked as a member of the Subcommittee on Space and Aeronautics of the Committee on Science.

Mr. WELDON of Florida. Mr. Speaker, I thank the chairman for yielding me this time, and I thank him for his leadership on space policy issues.

Today I join with my colleagues on both sides of the aisle to honor the crew of *Columbia*. The names of these brave men and women will now forever be linked to the risks and rewards of exploring the final frontier. They were all extraordinary people.

Commander Rick Husband was a man of strong faith who had dreamed of space travel since his childhood in Amarillo, Texas. He was a family man. He was committed to his community. He set the highest standards for us all.

Pilot William McCool was a man who personified excellence in all that he did. He was from San Diego. Since an early age he had dreamed of flying and following his dream with an unending font of energy and skill. He was highly gifted, but evidently he rarely showed any hubris. In fact, he was described as always humble, something we all could learn from.

Mission Specialist Michael Anderson was from Pittsburgh, Pennsylvania. He loved learning and science, and it was in following his passion for science that led him to NASA and to space flight. He knew his responsibilities as an astronaut and took every opportunity to talk to schoolchildren with excitement and enthusiasm about the value of space exploration.

Mission Specialist Kalpana Chawla lived a uniquely American life. Born and raised in India, she came to America as an immigrant. She worked hard and studied engineering and science. She became an American citizen and from there became an astronaut. She made both the nation of her birth, India, and her adopted country, America, proud of her and her accomplishments.

Mission Specialist David Brown was truly a man for all seasons. He was a physician like myself, a Navy pilot, and a member of the astronaut corps. Everything he set out to do, he accomplished. He had many other goals he was anxious to accomplish after this mission had been completed.

Mission Specialist Laurel Clark, a wife, a mother, a physician, also. She enjoyed scuba diving and flying airplanes. She was aware of that special honor that was hers to fly in space, and she was thankful for it. She was certainly somebody who lived life to the fullest.

The man, of course, who was in many ways of most interest was Payload Specialist Ilan Ramon. He was the first Israeli in space, a national hero in his homeland, a dedicated husband and father, a brave pilot, the son and grandson of Holocaust survivors. He was an inspiration to his nation and to us all.

Commander Husband, on the evening before they launched, shared with his crew and their families his favorite passage from the book of Joshua. I would like to share it with my colleagues today. It reads:

''Be strong and courageous, because you will lead these people to inherit the land I swore to their forefathers to give them. Be strong and courageous. Be careful to obey all the law my servant Moses gave you. Do not turn from it to the right or to the left, that you may be successful wherever you go. Do not let this book of the law depart from your mouth. Meditate on it day and night so that you may be careful to do everything written in it. Then you will prosper and be successful. Have I not commanded you? Be strong and courageous. Do not be terrified, do not be discouraged, for the Lord your God will be with you wherever you go.''

As Commander Husband invoked those words of the Bible to encourage his crew to be strong and courageous, we today should take heed of those words. We live in a dangerous world with many challenges facing us. The measure of a truly great nation is one that can face its challenges and excel and lead the world to a higher level. That is why we have NASA and why we must recommit ourselves now more than ever to the dream and adventure of human space flight. The crew of *Columbia* would want nothing less. It was what they lived for. It was what they died for.

How we decide to respond to this tragedy will be judged very closely by many generations that come after us. We are a nation of explorers. We cannot let future generations down and walk away from our destiny in space. The *Columbia* Seven crew would best be memorialized by a great, strong, robust commitment to space exploration.

Mr. GREEN of Texas. Mr. Speaker, I first would like to thank my California colleague for those kind words for Texans. Texans, as you noticed yesterday, did take the loss of the *Columbia* to our heart.

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

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

Mr. CARDIN. Mr. Speaker, in supporting this resolution, each of us expresses our deepest condolences to the families of our seven explorers, our seven astronauts, who lost their life this past Saturday. Each of us feels a connection to this tragedy.

Mr. Speaker, I have the honor of representing Annapolis, where the Naval Academy is located. Commander McCool graduated from the Naval Academy. The Naval Academy family misses their comrade. This morning I was with a health care group talking about health care issues. The *Columbia* mission was life sciences trying to find the answers to dread diseases here in the United States. Each of us was affected by this tragedy.

Six Americans, one Israeli lost their lives. America and Israel share in the loss of our heroes. In their honor, in their memory, we will continue our commitment to space and our commitment to understand what went wrong with the *Columbia* so that we can continue space travel for the benefit of future generations.

Mr. ROHRABACHER. Mr. Speaker, it is my honor to yield 5 minutes to the gentleman from Texas (Mr. BARTON) who has been deeply involved in technology issues during his long tenure here in Congress and a strong supporter of the space program.

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

Mr. BARTON of Texas. Mr. Speaker, when we are little boys or little girls, people ask us, ''What do you want to do when you grow up?''

Most of us say we want to do something, whatever our parents are doing, our mother or our father, or we maybe want to be a policeman or a fireman or a baseball star or a football star.

A lot of people say they want to be astronauts, because astronauts are heroes. When I was growing up in Texas, one of the things I thought about being was an astronaut. But there are so few that not many of us get to actually have that kind of a dream.

This past Saturday, six American citizens and one Israeli citizen who were living that dream found that it came to a crashing end when, upon reentry, *Columbia* Mission STS–107 came apart. We are here today to first of all pay tribute to those brave seven astronauts who gave their lives pursuing their dream but in a larger sense pursuing humanity's dream, to find new knowledge, to reach out into space, to reach out into the future.

I was one of the 40 or 50 Congressmen and Senators who went to Houston yesterday to participate in the memorial

ceremony. The gentleman from California (Mr. ROHRABACHER) was there, the gentleman from Texas (Mr. GREEN) was there, the gentleman from Texas (Mr. HALL) was there, some of the Members that are in the Chamber right now. When we got there, they took us up to the sixth floor of the administration building, and they put us in the briefing room that the administrator uses to be briefed on these missions.

Around the upper walls, they had a patch of every shuttle mission with a brief summary, from STS–1. They had not put this one up yet because it was not complete. And then down on boards they had the profiles for the missions for this year. They had STS–107 and they had, launch, January 16, the number of people in the mission, the seven astronauts and the payload and the number of orbits and how high it was going to be above the Earth, 150 nautical miles, and what its degrees of entry was when it came back, 39 degrees. That mission will never be completed in the physical sense.

□ 1630

But it could be completed in the historical sense if we as a Congress and we as a country carefully think about how to honor their memory and how to continue the work that they gave their lives for. A 2 percent accident rate is unacceptable. Even though it is an experimental program, we can cannot have a 2 percent risk that every time we put a shuttle up lives will be lost. So one of the things we have to do is conduct this investigation, if at all possible find the cause of the accident and prevent it, but we also have to begin to look at a substitute for the existing shuttle fleet.

I was on the committee in 1987 when we did the investigation, and we talked about going to new technology then, but we decided not to for two reasons, the cost and the fact that the existing shuttle fleet was still relatively young. That was 17 years ago. This time around I think we need, as a part of the investigation, to consider taking the next step, not using '50s and '60s and '70s technology. Let us use 2000 and 2005 technology.

We also need to reevaluate the mission of NASA. If our mission to have manned space activity is simply the space station, in my opinion that is not a sufficient mission. President Kennedy said in the early '60s, we will land an American on the moon by 1970. We did it in July of 1969. I would hope that we would take this opportunity to look at our mission. Perhaps we want to land a man on Mars by 2020. Perhaps we want to have a full-time colony on the moon by 2050. But we need to reevaluate the mission of NASA. We need to give our children and our grandchildren a vision for what America is all about, and in my opinion part of that vision is an aggressive space program with men and women in space carrying the American flag.

God bless our seven astronauts and their families, and God bless America.

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

Mr. DAVIS of Illinois. Mr. Speaker, I rise to express my condolences and those of my constituents to the families of the astronauts of the *Columbia*. I am reminded that no greater gift can one give than his or her life to advance the cause of humanity.

Michael Anderson and the other six courageous men and women aboard the *Columbia* knew the risks of space exploration, and yet they were willing to travel over 6 million miles to try to make the world a better place in which to live. Their 16-day science mission was an attempt to find answers to some of the questions we have about space and its possibilities.

They were gifted people, well-trained, courageous, ordinary people, daring to do extraordinary things. They were mothers, fathers, brothers, sisters, sons and daughters. They were inextricably bound by their zest and zeal to explore the stars and heavens in an attempt to move humankind forward. The candle of passion by which they lived must never go dim. It is the collective challenge of a grateful Nation to ensure that their lives and sacrifices were not in vain.

Today I, along with more than 100 of my colleagues, sent a letter to the Postmaster General, urging him to design a stamp that will memorialize the memory of the *Columbia* seven and fan the flame for our space program. This symbolic gesture is a small way of a grateful Nation saying thank you.

We will never forget the *Columbia* seven because they represented the best and the brightest of the world. To the families we say thank you for sharing your loved ones with us and may God continue to comfort you with love and memories of their lives and of their contributions.

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

Mr. GREEN of Texas. Mr. Speaker, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE), my neighbor.

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the distinguished gentleman from Texas (Mr. GREEN), and I also thank the gentleman from Texas (Mr. LAMPSON) and offer to his constituents my sincerest sympathy. We are neighbors in Texas, and we are friends. My District borders up against the Ninth Congressional District, and we have the opportunity as well to share our concern about NASA on the Subcommittee on Space and Aeronautics.

To the chairman, I thank him very much for his leadership and the comfort he gave us as he attended the memorial service yesterday, and I thank the gentleman from Texas (Mr. DELAY), the leader of the House, and the gentlewoman from California (Ms. PELOSI), the minority leader, for giving us this opportunity to pay tribute and as well giving a tribute to these fine and wonderful heroes.

If I might, I think it is important to individually call their names on the floor of the House. So I call them with humbleness and honor. Rick Husband, commander; Kalpana Chawla, mission specialist; Laurel Clark, mission specialist; Ilan Ramon, payload specialist; William McCool, pilot; David Brown, mission specialist; and Michael Anderson, payload commander.

Each and every one of them, heroes and patriots, the seven astronauts whose lives were lost aboard the Space Shuttle *Columbia* were truly extraordinary people. To the world, these astronauts were valiant heroes. To those of us in Houston, they were also friends and neighbors. They were integral members of the community, and they paid the ultimate price to further a mission that benefitted all of humanity. To their families and friends and also to their neighbors and the community, they represented a very special group of people. To this Nation, they were extremely special.

And certainly we want to acknowledge the fact that this was an extremely diverse group of individuals. The courageous astronauts aboard the *Columbia* were individuals of the highest caliber, always striving for excellence, exemplifying the most noble of traits. They were skilled professionals, scientists, clinicians, adventurers, family men and women. The crew represented the diversity of our Nation. The crew even included a friend from Israel and a native daughter of India, the embodiment of the international goals of peace and cooperation. It is almost unbelievable that the Wright brothers set us on this pace and we have taken it further.

I join my colleagues and say we may have gone to the Moon, but we must go to Mars and continue to explore the universe. It was President Kennedy who in 1962 in Houston, our hometown, said these words: ''This generation does not intend to founder in the backwash of the coming age of space. We mean to be a part of it. We mean to lead it. For the eyes of the world now look into space, to the moon and to the planets beyond, and we have vowed that we shall not see it governed by a hostile flag of conquest but by a banner of freedom and peace. We have vowed that we shall not see space filled with weapons of mass destruction but with instruments of knowledge and understanding.''

It is extremely important to honor these very brave and wonderful souls, and that is why yesterday I joined and offered legislation to put forward a congressional gold medal for the seven patriots and seven heroes that have fallen, along with the gentleman from Texas (Mr. LAMPSON). It is in this way I hope that we will remember them,

and we will always pay tribute to these wonderful and outstanding heroes of our world.

Mr. Speaker, the seven astronauts whose lives were lost aboard the space shuttle *Columbia* were truly extraordinary people. To the world those astronauts were valiant heroes; to those of us in Houston, they were also friends, neighbors, and family. They were integral members of the community, and they paid the ultimate price to further a mission that benefited all of humanity. To their families and friends, and also to the Israeli and Indian communities who lost a native son and daughter, I send my most heart-felt sympathies and condolences.

The courageous astronauts aboard the *Columbia* were individuals of the highest caliber, always striving for excellence, and exemplifying the most noble of human traits. They were skilled professionals, scientists, clinicians, adventurers, and family men and women. The crew represented the diversity of our Nation. The crew even included a friend from Israel, and a native daughter of India the embodiment of the international goals of peace and cooperation.

It is almost unbelievable that less than one century after the Wright Brothers made that first 12-second flight over the sandy dunes of North Carolina, that our astronauts would be making excursions into space seem almost routine. But these excursions are anything but routine. Every moment from liftoff to touchdown, is a spectacular achievement of human intellect and determination.

The *Columbia* crew took great risks and made the ultimate sacrifice to further the mission of NASA. Why take such a risk? I believe President Kennedy said it well in 1962 in my hometown of Houston, when declaring his commitment to putting a man on the Moon by the end of that decade. He said,

''This generation does not intend to founder in the backwash of the coming age of space. We mean to be a part of it—we mean to lead it. For the eyes of the world now look into space, to the Moon and to the planets beyond, and we have vowed that we shall not see it governed by a hostile flag of conquest, but by a banner of freedom and peace. We have vowed that we shall not see space filled with weapons of mass destruction, but with instruments of knowledge and understanding.''

I believe that President Kennedy would have been proud to see the fantastic progress of the program that he so inspired that day. Today, NASA provides insights into the origins, destiny, and wonder of the universe and is a source of dreams for young and old alike. It has pushed the envelope of human existence, and given us glimpses of the far reaches of the galaxy that truly take our breaths away.

The seven courageous explorers aboard the *Columbia* paid the ultimate price to improve our understanding of the universe, to advance our medical and engineering sciences, and to make the nation safer and more secure. Before the *Columbia* started its tragic descent, the shuttle crew completed some 80 scientific experiments. Much of their research data had already been relayed to Houston where it has added to the pool of scientific knowledge.

Beyond the technological benefits of space exploration, those courageous pioneers also inspired the youth of America in a way that only manned space missions can. The majesty and adventure of seeing people traversing the heavens sparks the natural curiosity and imagination of young people. It nudges some toward science and math and pushes all to strive for excellence. Seeing a team, like that on the *Columbia*, working and playing together inspires young engineers, scientists, and all sorts of people who want to be part of something truly great and noble. That inspiration may well be the *Columbia's* crew's most enduring impact on humanity.

The ultimate tribute to the fallen crew of the *Columbia* will be in ensuring that their vital mission goes on, with our full support. There will always be risks to that quest, but those risks will diminish over time, as the fruits of our labor in space continue to grow.

John F. Kennedy's words, stated when our space program was still in its infancy, still ring true today:

''Well, space is there, and we're going to climb it, and the moon and the planets are there, and new hopes for knowledge and peace are there. And, therefore, as we set sail we ask God's blessing on the most hazardous and dangerous and greatest adventure on which man has ever embarked.''

The *Columbia* crew lost their lives on that greatest adventure. We will miss them.

A STATEMENT FROM THE ASTRONAUTS' FAMILIES

On January 16th we saw our loved ones launch into a brillant, cloud-free sky. Their hearts were full of enthusiasm, pride in country, faith in their God and a willingness to accept risk in the pursuit of knowledge—knowledge that they might improve the quality of life for all mankind . . .

Although we grieve deeply, as do the families of Appollo I and Challenger before us, the bold exploration of space must go on. Once the root cause of this tragedy is found and corrected, the legacy of *Columbia* must carry on for the benefit of our children and yours.

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

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

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

Mr. GREEN of Texas. Mr. Speaker, from the pioneering Mercury missions, to the Apollo voyages to the moon, to the construction of the revolutionary International Space Station, America's astronauts have boldly gone where no man has gone before. Our scientific understanding, quality of life, and ability to imagine a better future have been greatly increased by the brave men and women who volunteer and are selected for these difficult missions.

In my hometown of Houston, Space City, Texas, NASA's astronauts and employees are part of the family. They are our neighbors and friends, they help us educate and motivate our schoolchildren, they attend our churches with us, and they serve as role models in our community.

Since 1997, I have had the privilege of having NASA astronauts visit middle schools in my congressional district. These visits are meant to encourage students to take math and science classes and to consider our space program as a career opportunity. I have been fortunate to get to know Dr. Ellen Ochoa, the first Hispanic woman astronaut, Dr. Franklin Chang-Díaz, the most traveled astronaut in NASA history and Dr. Danny Olivas, one of the newest astronauts. I believe that all students need to have access to roll models like Dr. Ochoa, Dr. Chang-Díaz, and Dr. Olivas.

Individuals who proudly brave the dangerous conditions of spaceflight in pursuit of technology and scientific research to improve life on earth deserve our highest respect. Along with our other heroes of space exploration Rick Husband, William McCool, Michael Anderson, Kalpana Chawla, David Brown, Laurel Clark, and Ilan Ramon will not be forgotten for making the ultimate sacrifice.

NASA and Congress will have to do the hard work and ask the hard questions to determine what went wrong and why from both on the shuttle itself, and within NASA's management and operations. Then we must take the required action and devote the required resources to improving the safety of our astronauts.

Improving safety may or may not require more money, but the NASA budget is extremely small within the federal budget. If safety funding needs to be bumped up, so be it, but it should not come at the expense of the other valuable activities at NASA.

I wish to express my deep respect for those brave men and women we lost this Saturday and to extend my heartfelt sympathy to their family, friends, and fellow astronauts. They have touched many in Houston, Texas, our Nation, and the world.

Mr. Speaker, I ask unanimous consent that the gentleman from Texas (Mr. HALL) control the balance of the time.

The SPEAKER pro tempore (Mr. MILLER of Florida). Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. GREEN of Texas. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. Mr. Speaker, I thank my colleague for yielding me this time; and I rise grateful for this opportunity today to speak on behalf of my own constituents, to give voice to their tears and their tributes to the seven astronauts we have lost.

While this is a blow to the entire Nation, I am especially mindful of the unspeakable loss suffered by those who know them best, especially the 12 children who lost their beloved mothers and fathers. The seven *Columbia* crew members had embarked on a journey of science and discovery so that we all might benefit from their experience. These men and women have made the ultimate sacrifice for our Nation.

Mr. Speaker, the U.S. space program has long flourished on California central coast, my home. Our region is home to Vandenberg Air Force Base and countless businesses and research centers that have benefited from and infused vitality into NASA's programs. In the name of the seven and in their memory who have given their lives for this pursuit, I pledge to do whatever I

can to help our space program recover from this terrible setback so that these important endeavors can continue.

Mr. Speaker, the Book of Isaiah teaches us that the righteous ''shall mount up with wings as eagles.'' Our fallen heroes flew like eagles. They came very close to heaven before coming very close to home. May they forever rest in peace.

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

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

I am here, of course, to add my strong support for the resolution that is before us here today. I was at the Johnson Space Center yesterday in Houston for the memorial service, and I listened as the President offered a tribute to the crew of the space shuttle *Columbia*. I think he did a wonderful job of expressing the sentiments of all Americans, and it gave me a good feeling to be there. I felt good to be a part of the condolences to the families that were in attendance.

Today I am really pleased that the House of Representatives is pausing to recognize our debt as a Nation to the brave men and women who perished in the space shuttle. It is also fitting that this body offer our collective condolences to the families, which we did, and to the friends; and the President did a very good job of that. The astronaut in charge of the astronauts had something personal to say about each one of them. It was very fitting, and I know that I speak for all Members when I say that our thoughts and our prayers are with the families of these great American heroes. Their loss is a great loss to them. It is a personal loss to them as it is a great and tragic loss to our country.

We all watched with horror the tragic events of last Saturday unfolding. There will be time I think in the coming days to turn our attention to examining the evidence of the circumstances that led to this tragedy as well as the implications for America's space program. We have to do that. We have to look ahead. We have to go forward. That is necessary and important work, and the Congress will have to do it.

Today, however, I think should be a day for us to celebrate the lives of these heroes and to mourn their deaths. In that regard we must never forget that the shuttle astronauts were doing the important work of our space program. They were extending the frontiers of knowledge and working to benefit the lives of all of us through the important scientific research they were conducting on their flight.

Our Nation's achievements in space have been so impressive. We have taken it for granted. Their excellence almost put us to sleep as to the dangers that awaited the crews that we sent. We forget that their work was filled with risk. They often made it look easy and made it routine, but space exploration is still a dangerous mission, astronauts or explorers who are willing to risk their lives to improve life back here on earth, and those are the Columbuses and the Magellans of space.

Mr. Speaker, at a time of tragedy words are usually inadequate to express the depths of our sorrow. The crew members of the space shuttle *Columbia* were very special men and women. They set a shining example for all of us in the way we ought to live our lives. We solute them, and we mourn their passing.

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

Mr. ROHRABACHER. Mr. Speaker, I yield 5 minutes to the gentleman from Indiana (Mr. PENCE), a young and vibrant Member of the House who has been very active in the last few years on technology issues.

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

Mr. PENCE. Mr. Speaker, I rise today in strong support of this resolution expressing the condolences of the House of Representatives to the families of the crew members of the *Columbia* shuttle mission.

□ 1645

I have said on many occasions, Mr. Speaker, that the House of Representatives is the heart of our national government, and when the heart of America is grieving, it is all together fitting for us in this place on this blue carpet to grieve with our Nation.

It was my privilege yesterday to travel with some 50 colleagues of this Chamber, Mr. Speaker, to the Lyndon Johnson Space Center in Houston, Texas. It was a glorious day of extraordinary sadness. Our President and leaders from NASA gathered in that Texas sunshine to commemorate seven extraordinary souls, the heroes of STS–107, the *Columbia* shuttle. As I sat in the sunshine, my mind wandered back to just 18 months ago when, at 3 in the morning, accompanied by my beautiful wife, Karen, and the previous administrator of NASA, Daniel Goldin, we went into the processing facility at the Kennedy Space Center where the shuttles are prepared for their missions, and we walked just a few feet underneath those now infamous tiles and we stood under the belly of the *Columbia*, a ship that as one writer suggested yesterday should have been retired to the hallways of the Smithsonian Institution, the very first of its generation of spacecraft, now lost to human memory forever, above us. I stood in every sense, Mr. Speaker, beneath the *Columbia* as NASA personnel prepared it for its final voyage. And yesterday, at the Johnson Space Center, I stood again beneath the weight of a national tragedy, to mourn and pray with the families most affected by her loss.

It was my privilege on behalf of the people of eastern Indiana to join the President and leaders from the House and Senate for the *Columbia* memorial service. We came to pay respects to the brave and inspiring crew of STS–107. We came to represent a national sense of loss. We came also, though, Mr. Speaker, to affirm the ongoing mission of the National Aeronautics and Space Administration to bring the Earth to the heavens and the heavens to the Earth.

The Bible tells us that without a vision, the people perish. And on occasion, our national government has lost its vision and we argue over that vision, but NASA has never lost its vision since those storied days of the 1950s and 1960s, to lead, with America, and her ingenuity, to lead with freedom and democracy into the unknown realms of space. And as the President said yesterday, and many have said on this floor today, that mission must and will go on.

The Psalms tell us that ''the heavens declare the glory of God, the skies declare the work of his hands.'' But truthfully, this past Saturday morning, the heavens and the skies declared man's glory as well, the courage and ingenuity of NASA written large on the skies of the American south.

We will pray for these families who have suffered the loss. We will pray for their consolation, but we will also rededicate ourselves to the ongoing mission of America leading the world, as she ever has, with freedom and democracy into the vast expanse of space.

Mr. HALL. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. LEWIS).

Mr. LEWIS of Georgia. Mr. Speaker, I thank the gentleman from Texas (Mr. HALL) for yielding me this time.

Mr. Speaker, I rise today to honor and pay tribute to seven brave and courageous souls. The crew of the *Columbia* space shuttle were men and women of medicine and soldiers who chose science over war. They explored space to heal and not to kill. These astronauts were smart and tough.

In their quest for the stars, they embodied the hopes, the dreams, and the aspirations of all humankind. These seven individuals were determined, dedicated, and committed. In a real sense, they personified the best of humankind.

To honor their memory, we must continue to look beyond our little planet we call Earth. We must continue to soar to the heavens.

The *Columbia* crew was leading us into the future, and we will continue to follow them. They wished to serve, and they did. They served all humanity.

Today, this day, we mourn with their families, the families in America and in Israel. God bless the families of the astronauts, and God bless our little planet Earth.

Mr. ROHRABACHER. Mr. Speaker, I yield 4 minutes to the gentleman from Washington (Mr. NETHERCUTT), who has been an active member of the Subcommittee on Space and Aeronautics and very involved over the years in technology development for the United States.

Mr. NETHERCUTT. Mr. Speaker, I thank the distinguished gentleman from California for his kind introduction and for yielding me this time.

Mr. Speaker, I am pleased to rise to pay recognition today to particularly one of the members of the space shuttle who was lost last Saturday, February 1, knowing that America lost seven heroes, and one of those was from my hometown of Spokane, Washington.

Michael Anderson, the *Columbia* space shuttle's payload commander, grew up watching planes at Fairchild Air Force Base in Spokane and graduated from nearby Cheney High School. Even as a young man, his dreams were far off in the stars. He once said that he could not remember a time when he did not want to be an astronaut.

He followed his fine father into the Air Force and received his commission after graduating from the University of Washington in 1981. He was so proud of his service to his country and to wear his ROTC uniform around campus during a decade when that was not particularly popular, and his family and community have likewise been very proud of him.

During his distinguished service as a pilot, he earned a master's degree in physics from Creighton University, and he kept his dreams in the stars.

Finally, in 1998, he got to fly the mission he had been waiting for for nearly 20 years: his first flight into space was aboard the shuttle *Endeavor*.

I had the great privilege of meeting Michael Anderson in 1999 when he accepted my invitation to speak to students at schools around our hometown about the space program. The children were wide-eyed as they listened to his stories, and they laughed particularly hard at his story about trying to catch M&Ms in his mouth without the effects of gravity in space.

Michael had a warmth about him that moved those children, and his courage and service inspired those children to reach for their own dreams, be they in the stars or down here on Earth.

Michael's accomplishments, his courage, and his discipline are representative of the crew he flew with and a source of pride for our community.

His continued dedication to space and science tells us that after a full investigation we should continue to pursue human space flight. For Michael's sake and the sake of the other crew members, we must keep reaching for the stars, lest their sacrifice be in vain.

As Americans, this tragedy should teach us all that we must not treat space missions as routine. All astronauts are accomplished individuals willing to put themselves in danger for the sake of bettering humankind and advancing mankind's dream of space exploration. They are courageous, they are committed; and we owe them all a debt of thanks for their service, not just in times of tragedy, but every day.

At a time like this, it is natural to ask who is at fault and what happened. But I believe that this is not the time for fault-finding, for recrimination, and for blame. We must come together and support the families of these astronauts and unify to support the entire NASA family.

As we move forward, I have vast confidence in Administrator Sean O'Keefe, Deputy Administrator Fred Gregory, and Associate Administrator Bill Readdy. The public face of the shuttle program over the last few days, Ron Dittemore, also a native of my hometown of Spokane, has also stepped up in a time of crisis and has performed admirably. Mr. Speaker, the entire NASA team deserves our thanks for pulling together and demonstrating firm resolve to get to the bottom of this incident.

And as we consider what went wrong, we must also consider NASA's future. As a member of the Subcommittee on Space and Aeronautics, we know that this year we will pass a NASA authorization bill, a bill that even before this tragedy promised to be the most important measure since the start of the shuttle program.

We will evaluate the future of the shuttle fleet. We will weigh upgrades to the orbiters against the substantial investment required to make the next-generation reusable launch vehicle a reality. We will examine the appropriate balance for scientific investigation and engineering achievement. We will prioritize between observations of our own planet and a better understanding of our solar system and our universe.

But I am confident that at the end of the deliberations, we will conclude that human space flight must continue, because space continues to be the final frontier; and as long as we can look upward at night and be fascinated with the prospect of unknown worlds, human space flight will be part of our space program.

I believe that Michael Anderson would not have us choose otherwise.

Mr. HALL. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. MENENDEZ), the chairman of the Democratic Caucus; and pending that, I ask unanimous consent that the gentleman from Texas (Mr. BELL) be permitted to control the balance of the time.

The SPEAKER pro tempore (Mr. MILLER of Florida). Is there objection to the request of the gentleman from Texas?

There was no objection.

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

Mr. MENENDEZ. Mr. Speaker, I thank the distinguished ranking member for yielding me this time.

As our country grieves for the tragic loss of the *Columbia* crew, we want their families to know that we are truly grateful for their sons and daughters, husbands and wives, fathers and mothers.

America is not alone in mourning the loss of the *Columbia* heroes. We are joined by the entire global community. No country understands our loss more than Israel and India for whom that loss is particularly acute, having first rejoiced as two of their own realized the dream of participating in the American space program only to have this joy turned into sorrow.

This great Nation was founded by those rare men and women who are willing to risk their lives in the name of exploration. The *Columbia* astronauts and their colleagues in the space program are our true explorers. So as our Nation mourns the loss of these seven heroes, we are united in our grief and sorrow and united in our determination to move forward in our exploration of space, and our experiments in space that will, undoubtedly, continue to improve our lives with new technologies and new medicines. The lives of these selfless pioneers were not lost in vain, and so we must reenergize our space program and make sure that Congress and the President fund NASA at levels that guarantee safety and progress.

When America ventures into space, we send more than just a shuttle; it is more than just a mission. We send our hopes and our dreams. The men and women who served on *Columbia* represented those hopes and dreams for all of us; and their bravery, their courage, their imagination has not died, and will never die. It lives on.

Mr. ROHRABACHER. Mr. Speaker, I yield 2 minutes to the gentlewoman from Florida (Ms. GINNY BROWN-WAITE), a freshman from Tampa who specializes in seniors issues, but is very concerned and very supportive of America's space program.

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I rise today to honor the seven *Columbia* astronauts the world lost this past weekend. They truly were the best and the brightest that the three countries, Israel, India, and the United States, the best and brightest that these three countries had to offer.

I was at home in my district on Saturday preparing to speak to some Girl Scouts who were earning their badge for voting; and when we learned what happened, we decided not to tell the girls in the audience. This was their day, and it was up to their parents to give them the very sad news.

□ 1700

As I was standing there speaking to the Girl Scouts, the entire *Columbia* crew was on my mind. As I looked out, speaking to the girls and interacting with them, I realized that one of them could be a future astronaut. I could not help but think how many of them, like these seven astronauts, dreamed of space travel as a child.

President Bush called the astronauts heroes. NASA administrators called them family members. Many children, including the ones I spoke to, as well as adults, called them role models.

Most Americans did not know the astronauts personally until we lost them, but in their loss we as a Nation can recognize the immense dedication by thousands of individuals worldwide to our space program. We can recognize the awe in which the program is held by the rest of the world and the enormous risks and sacrifices that accompany space travel.

As we grieve for the *Columbia* crew, it is important to remember that America is a Nation that has never shied away from new frontiers and exploration. We will continue to be a leader in space exploration, as the *Columbia* crew would have wanted. We will continue missions and experiments in space, as they, too, would have wanted. And, of course, we will continue to support a robust, cutting-edge space program that is the pride of this country and of the global community.

We will continue to remember and honor the seven *Columbia* crew members who died serving their countries, broadening the world's knowledge about the vast unknown we call space and doing what they truly loved to do.

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

Mr. MORAN of Virginia. Mr. Speaker, I rise today to pay tribute to the life of a hometown hero, Dr. David Brown from Arlington, Virginia. His abundant passion for life and fearless pursuit of the farthest frontiers of space will serve as an inspiration for generations to come.

A graduation of Yorktown High School in Arlington, David's educational path led him to the College of William and Mary, where he received his Bachelor of Science degree in biology. With an unquenchable thirst for knowledge and understanding of the world around him, David entered Eastern Virginia Medical School, earning his doctorate in 1982.

David then heeded the call to service of his country by joining the Navy. For over a decade, David was a highly respected flight surgeon and became the first of his rank selected for pilot training. Driven by his childhood dream to fly, David graduated first in his flight class. Over the course of his exemplary medical military career, he piloted A–60 Intruders, F–18 Hornets, and T–38 Talons.

Not content to remain constricted beneath the blanket of Earth's atmosphere, David continued venturing where many have dreamed but few have ever gone. His acceptance of an invitation to join NASA in April of 1996 began a dramatic new chapter in David's life. Stationed at Johnson Space Center in Texas and at Patuxent Naval Air Station in St. Mary's County, Maryland, he trained for 7 years in anticipation of what would be the greatest and final thrill of his daring and accomplished life.

On February 1, 2003, David Brown and the crew of the Space Shuttle *Columbia* were tragically lost during reentry. But these brave souls in no way died in vain. Their memory will not be forgotten as space travel continues to break new boundaries in the exploration of the heavens.

Current astronauts and those of tomorrow are reminded of the risks they assume, but in that knowledge lies an ironclad certainty that this is a mission that must continue for the betterment of all mankind.

Mr. BELL. Mr. Speaker, I ask unanimous consent that the gentlewoman from Texas (Ms. JACKSON-LEE) control the balance of the time.

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

There was no objection.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Wisconsin (Mr. KIND), who I know will want to pay tribute to a great citizen of his State.

Mr. KIND. Mr. Speaker, last Saturday our Nation lost seven American heroes. I rise today to offer condolences to the families and friends of the seven astronauts aboard the *Columbia* on its fateful mission, one of whom was Wisconsin' pride and joy, Laurel Clark, who was a graduate of Racine's William Horlick High School and a UW-Madison graduate.

We share the sympathies of all Americans for their dedication and bravery and service to our Nation. This tragedy does remind us, however, that space travel is anything but routine. It really is rocket science. When we work on the cutting edge of science and technology, perfection is never guaranteed and chance is always a factor, no matter how much time, money, or expertise is invested. That is why we owe a debt of gratitude that can never be repaid to those brave men and women involved in our space program for the risks they take to explore our last remaining frontier.

Last December, Mr. Speaker, I had the opportunity to visit Kennedy Space Center. I had a chance to meet with a lot of the scientists, engineers, and some of the astronauts on the shuttle missions. I walked away from that experience with a profound sense of appreciation, given the dedication and professionalism that our team, the NASA team, brings to their job every single day, and a greater appreciation of how terribly dangerous space travel still is yet today.

Some may wonder why we need to go to space. I believe we do it because we have no other option. Since our ancestors first inhabited this planet, we have always had a need to explore and know our surroundings. Whether it is hiking the next plain, climbing the next mountain, sailing the next ocean, or conquering the skies, human nature demands that we explore the next frontier. Space is the ultimate frontier, and the shuttle missions NASA undertakes help expand our base of knowledge for the benefit of all humanity.

As in past tragedies, we will learn from this one and we will go on. The NASA space program is the most advanced the world has ever seen, and our Nation's leadership in this area brings scientific benefits, opportunity, and hope to future generations.

The mystery of space brings unknown possibilities, and the instinct to explore represents the best of human nature and the American spirit. The seven astronauts we lost on February 1 were explorers, and our thoughts and prayers go out to them and their families.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Texas (Mr. SANDLIN), the chief deputy whip, and also a Member of Congress whose congressional district has seen, as well, an enormous impact by the tragedy of the *Columbia* seven.

Mr. SANDLIN. Mr. Speaker, I thank my good friend, the gentlewoman from Texas, for yielding time to me.

Mr. Speaker, this weekend our Nation was shaken with the news of a terrible tragedy. After a 16-day mission into space, just 16 minutes from home, seven brave astronauts unexpectedly changed their course and returned to the heavens. In what was hoped to be a joyful day of homecoming, it became a day filled with grief as these brave explorers lost their lives 40 miles above the piney woods of east Texas.

Yesterday in Houston many of us said good-bye to the pioneers of our time who manned the Space Shuttle *Columbia*'s 28th mission. We expressed our condolences and sympathies to the families left at home, to NASA, to President Bush for the loss to our Nation, to Prime Minister Ariel Sharon of Israel and Prime Minister Atal Bihari Vajpayee of India. We all share a tremendous sense of loss.

Earlier Saturday morning, thousands of pieces of the Space Shuttle *Columbia* rained down in a rain of sorrow in parts of Texas and Louisiana. Miles and miles of debris scattered over east Texas, and over 1,000 pieces of wreckage blanketed Nacogdoches County in my district. County officials, first responders, and volunteers in Nacogdoches and surrounding counties quickly pulled together and deployed to identify and secure the remains of the *Columbia*, the physical reminder of the crushing loss of human life. These great Americans in east Texas became first responders for the entire Nation. They have done an incredible job, working night and day to locate every piece of evidence that might provide a critical link in determining the cause of this terrible tragedy. The entire country is proud of their work and commitment.

Additionally, the community at large has come together to pay its respects to these courageous explorers and the mission of the *Columbia*, respecting the hallowed ground they now share with these fallen soldiers of scientific discovery.

The *Columbia* seven were equipped with high ambitions and their mission of scientific research. These explorers, our modern-day Christopher Columbuses and Lewis and Clarks, strove to break new ground to find answers to questions that have been impossible to find here on Earth. They devoted their mission to understanding prostate cancer, discovering new methods for refining gasoline, studying meteorological patterns, and experimenting with optical materials.

These seven brave humans wanted to leave the Earth a better place, and they have. In their honor, we vow not to abandon the goal to which they have dedicated their lives.

Throughout our history, we have risen to the call for progress in space exploration. Ever since Congress passed the National Aeronautics and Space Act in 1958 and subsequently President Kennedy called for man to walk on the moon, our Nation's eyes have been focused towards the stars. We will remain a nation of explorers and continue to push the limits of science and space discovery.

Few experience the glory of slipping the bonds of Earth and touching the face of God. The *Columbia* seven touched the face of God and then slipped into His embrace. They are true American heroes, not because they died, but because they lived. We value the contribution they made.

Mr. ROHRABACHER. Mr. Speaker, I yield 3 minutes to the gentleman from Wisconsin (Mr. SENSENBRENNER), the distinguished chairman of the Committee on the Judiciary and former chairman of the Subcommittee on Space and Aeronautics and chairman of the full Committee on Science.

Mr. SENSENBRENNER. I thank the gentleman from California for yielding time to me, Mr. Speaker.

Mr. Speaker, our Nation suffered a tragic loss on Saturday, when seven astronauts were killed in the shuttle *Columbia's* demise. We will long mourn that sad day and pray for the families of the astronauts. These men and women are true heroes who put their lives at risk for the betterment of mankind.

Today, we come together as a legislative body to remember these brave astronauts and to express our condolences to their families and friends. My thoughts and prayers and those of my family are with the loved ones of the international crew of the *Columbia*.

I can especially sympathize with the family of Dr. Laurel Clark, a Wisconsin native. A graduate of the University of Wisconsin, a loving mother and wife, and a first-time space voyager, Dr. Laurel Clark will be sorely missed.

In the coming weeks, as our shock and disbelief subside, many questions will emerge: How did this accident happen? Could it have been prevented? Should the space program continue in the face of tragedy?

Clearly, America must work to find the answers. I commend the men and women of NASA for all that they have done in the aftermath of this tragedy. As we did 17 years ago after the *Challenger* accident, a thorough and timely investigation must be conducted to find any problems, fix them, and move on.

However, America must not let these events derail the progress that the space program has made and will continue to make. Already, NASA's research has unveiled numerous secrets about our planet and the universe beyond. Abandoning the space program would mean giving up on valuable research that could lead us to the discovery of cures for deadly diseases or other major scientific breakthroughs.

We must not abandon these goals and let these brave astronauts' deaths be in vain. Instead, we should keep their memories with us as we continue to explore the potential benefits that lie in space. After all, it was in pursuit of these noble goals that seven astronauts gave their lives last Saturday.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I yield 2 minutes to the distinguished gentlewoman from Indiana (Ms. CARSON), a member of the Committee on Transportation and Infrastructure and a strong and committed supporter of NASA.

Ms. CARSON of Indiana. Mr. Speaker, I thank very much the distinguished gentlewoman from Texas (Ms. JACKSON-LEE) for yielding time to me, a person from whom I derive a great deal of wisdom and insight, particularly as it relates to the area of science and space. She represents her area very well in that regard.

Mr. Speaker, the loss of the crew of the Space Shuttle *Columbia* is a tragedy to their families and loved ones, as well as to the United States, Israel, India, and to the NASA family. Peoples around the world have expressed both support and condolences.

I felt a great deal of pride when I traveled around Indianapolis with Colonel Wolf, former astronaut. The kids were so excited about him. I know that he and his family and his father, who is a doctor at one of the hospitals in my district, join in commemoration of this incredible crew.

I speak on behalf of the people of the City of Indianapolis. The astronauts were people who lived and worshipped in our communities and who had families much like ours. They were united in learning and sharing to make the world a better place.

They were extraordinary people: Rick Husband; William McCool; Kalpana Chawla; David Brown; Ilan Ramon, payload specialist; and Michael Anderson. The true tribute to these brave seven scientists, Mr. Speaker, and explorers lives in the memory and pride of parents, siblings, and loved ones. They will also live on through their sacrifices to science and math education.

In my congressional district, students at the Decatur Township Lynwood Elementary School will learn about these brave space explorers, the wonders of the universe, science, and mathematics at the EdVenture Lab. The EdVenture Lab at Lynwood Elementary School is the first in the Nation for grades kindergarten through fifth grade. It works in conjunction with the Challenger Center for Space Science Education using national and State standards.

□ 1715

Adventure Lab is a multi-media rich environment which enables limited inquiry opportunities for all ages.

So let me close, Mr. Speaker, in saying in the Book of Ecclesiastes it talks about a time for all things, a time to be born and a time to die.

These scientists in the short time that they had on Earth were using their time very wisely for the benefits of all of us, and their sacrifices and contributions will live in the lives of this world forever.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from Washington (Mr. INSLEE), certainly an area that has a great deal of impact on the work of NASA and aviation in this Nation.

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

Mr. INSLEE. Mr. Speaker, America is all aware of the tragedy of our seven losses, but I would like to pay particular tribute to two American stories that bear repeating as we think about our loss.

First, I want to pay tribute to the very unique life of Dr. Kalpana Chawla, a woman who had such an incredible personal story that became now an American icon.

Dr. Chawla was born in India and raised in a small town called Karnal in the Punjab region. She at an early age decided to become associated with space, and she went to the University of Punjab and later received a degree from the University of Texas, and now has become a part of the tradition and story of American and international progress. She served both in the last space shuttle flight, the *Columbia*, and in 1997; and the world is proud of her. But what I want to say particularly is I think Dr. Chawla's story is one that can be embraced by America in the sense that we have been a magnet for people of incredible ambition and talent that have helped America lead the world in technology in a whole host of ways.

But this is also a story of success for India. India rightfully shares the privilege and honor of having raised and educated Dr. Chawla early in her life. And it is a story of success in my district where many people have come from India, have been educated in India, but who are now successful in developing software at Microsoft and other companies, are now providing medical services to our constituents and our families, are now designing aircraft at Boeing, and are part of the

American dream of keeping America on the cutting edge of technology.

So her heroism and success is a symbol both for the American commitment to continue growth but to success for other countries, and particularly India, in their ambitions. And we honor her and her family for her incredible contributions both to America and India and to the world.

Mr. Speaker, I also want to pay tribute particularly to Lieutenant Colonel Michael Anderson, who grew up in Spokane and has his picture in Cheney High School.

To Lieutenant Colonel Anderson's family, we simply say that we believe that he has a legacy of perhaps the highest accomplishment for any American; and he has inspired those who will come behind him in Cheney, Washington and in Washington and in America. We honor him.

Ms. JACKSON-LEE of Texas. Mr. Speaker, may I inquire if the distinguished gentleman from California (Mr. ROHRABACHER) has any more speakers.

Mr. ROHRABACHER. Mr. Speaker, we have no more speakers. I will be closing the discussion.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, on behalf of my colleagues who have come to the floor today to support the resolution offered by the majority leader, the gentleman from Texas (Mr. DELAY), and the minority leader, the gentlewoman from California (Ms. PELOSI), who have come together to allow us to show our remorse, our sympathy, our concern in the great loss this Nation has experienced. We first want to thank them.

I want to also and would like to also thank NASA's Sean O'Keefe, the administrator, and all of the personnel that each day lay their commitment on the line so that this Nation might reach a very great future. To all of the staff persons at NASA and Johnson who mourned and who embraced in love those who were experiencing great suffering because of the tragedy, I thank them. To the scientists and researchers and contractors who were engaged in this work in and around Houston and throughout the Nation, we thank you.

To my colleagues, the gentleman from Texas (Mr. LAMPSON) and the rest of the congressional delegation of Texas who have been strong supporters, along with our colleagues across the Nation, we too thank you for understanding that without exploration in space, there is no hope. For where there is no vision, the people will perish.

This is not a time, Mr. Speaker, to dwell on criticisms. This is a time to say that we will find out the facts; and however the facts may fall, we will improve and correct and enhance NASA. We also want to thank NASA for the quick response, the quick announcing of an independent commission with Admiral Gehman, and we also want to thank them for their openness to the American people and to the families.

For the critics who will say that everyone who spoke, from the President, to the administrator, to the chief of astronauts said that space exploration must continue, and to the religious communities, as well, that have prayed for us, the Grace Community Church that I worshipped in where Rick Husband and Mike Anderson worshipped, to Beth Yeshuron who acknowledged and memorialized Ilan Ramon with his family, to all of the various religions, the Hindu faith of which Kalpana Chawla was a member, and to the Indian community and to the American communities, we thank you.

So I close, Mr. Speaker, by giving words on behalf of the family, and as I read them I would ask that these words would be allowed to be included in the RECORD. It is a statement from the astronauts' families that was issued. The words are as follows and I believe they speak for themselves: ''On January 16, we saw our loved ones launch into a brilliant cloud-free sky. Their hearts were full of enthusiasm, pride in country, faith in their god and a willingness to accept risk in the pursuit of knowledge. Knowledge that they might improve the quality of life for all mankind.

Although we grieve deeply, as do the families of *Apollo I* and *Challenger* before us, the bold exploration of space must go on. Once the root cause of this tragedy is found and corrected, the legacy of *Columbia* must carry on for the benefit of our children and yours.''

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

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

Mr. Speaker, the conquests of the frontier and the development of new technology is how we have defined ourselves as Americans from the clipper ships to the railroads to heavier-than-air flight, which was, by the way, established only 100 years ago this year by two American bicycle shop owners. One hundred years of heavier-than-air flight, and now we are engaged in the conquest of outerspace.

As man ascended into the air after the Wright Brothers successfully accomplished the first flight, many lives were lost in the historic task of creating the technology that now enables us to circumvent the world and has brought every person in the world together.

Now, as in the early stages of the engineering and development of technology that provided us with this conquest of the air, we are engaged in the development of engineering and technology that will move us into the heavens, into space. But there is a price to pay as America moves forward with technology and as America moves forward in the conquest of this last frontier.

Space pioneers, as those on the shuttles *Challenger* and *Columbia*, are those who take the greatest risk and have paid the heaviest price. That is why they are heroes. They risk their lives to lift all of humankind. It was over 20 years ago in 1981 when I first worked with President Ronald Reagan on his remarks when he met the first astronauts off of a space shuttle to return from that very first shuttle flight back in 1981. There he was in the Mojave Desert waiting to welcome our astronauts from the first shuttle flight.

The shuttle had proved itself to be a historic accomplishment, an inspiration to the American people; and in those days we needed inspiration. It helped lift our spirits as we saw it ascend to space and then land in California. The first shuttle, of course, that shuttle that landed was the Space Shuttle *Columbia*. Over the years it did a tremendous service for our country and for the world, as did all those astronauts that used and were on the Space Shuttle *Columbia* and the other shuttles.

As we mourn the loss of our astronaut heroes today, let us pledge to keep moving forward in their memory. Let us pledge to move forward with confidence that some day just as there was a Good Ship *Columbia*, which was the *Columbia*, the gem of the ocean that gave us such pride, just as there was the Space Shuttle *Columbia* that lifted our spirits and has given us such pride over these last 20 years, there will again be a transportation system named after *Columbia*, perhaps after this *Columbia*. And it will inspire Americans and the whole world in the future as it will lift us to new heights and new accomplishments in the area of science and in the conquests of those frontiers that lie ahead.

As we move forward today, we mourn this loss. We ask that the families understand that the sacrifice that their family members, that these astronauts have made is deeply appreciated by all of us here in Congress, by all of the American people, and by all of the people throughout the world. They have done well by America. We are grateful that they have lived and given their lives for us, and now we will move forward as is the task of all generations of Americans.

Mr. EHLERS. Mr. Speaker, I rise in strong support of the resolution and to offer my heartfelt prayers on behalf of the families, friends and loved ones of the seven crew members who lost their lives aboard the Space Shuttle *Columbia*. Our whole nation mourns with them.

While this has been a terrible accident, it is important to note that this is only the third accident in the history of the United States space program to result in the loss of life. My home of Grand Rapids, Michigan, especially feels and understands the pain of this loss, as one of our native sons, Roger B. Chafee, was among the first Americans to lose their lives in the space program when the *Apollo 1* cabin was engulfed in a launch pad fire during testing in 1967.

Obviously, we do not have a full understanding of what happened last Saturday, but

I am certain that we, as a nation, will do everything we can to understand what went wrong. As we conduct this investigation, we must commit ourselves to the proposition that the cause of exploration in which these astronauts died will continue. I strongly urge my fellow Members of Congress and the nation as a whole that we must continue to develop our space science program. These missions serve several goals, including valuable scientific and technical research and fulfilling the call of humanity to explore and expand our knowledge.

For example, experiments conducted by the astronauts aboard *Columbia* will enhance our earthquake preparedness and safety, foster our efforts for cleaner air, and assist in strengthening human health. But, beyond the technical value of science in space, with each mission we are deepening our understanding of the conditions and effects of space on the human body. Each piece of knowledge is a stepping stone to further space exploration, enabling a fuller understanding of our universe and satisfying the call of stepping into the unknown.

This endeavor of exploration and discovery is the most appropriate way that we can honor the men and women that President Bush eulogized as ''Seven lives of great purpose and achievement'': Mission Commander Rick Husband; Pilot William McCool; Payload Commander Michael Anderson; Mission Specialists Kalpana Chawla, David Brown, and Laurel Clark; and Payload Specialist Ilan Ramon. May our continued dedication to the work they pursued with their lives be our most significant memorial.

Mr. CAMP. Mr. Speaker, Today, I rise to salute the seven astronauts who lost their lives aboard the Space Shuttle *Columbia*: Commander Rick Husband; Pilot William McCool; Mission Specialists Michael P. Anderson, David M. Brown, Kalpana Chawla, and Laurel Clark; and payload specialist Ilan Ramon, an Israeli.

On January 16, 2002, the *Columbia* left on a 16-day mission that was dedicated to research in physical, life, and space sciences, conducted in approximately 80 separate experiments, and comprised of hundreds of samples and test points. The men and women aboard the *Columbia* traveled over six million miles and labored 24 hours a day to complete this mission. On February 1, 2003, just minutes from completing its mission, the *Columbia* was lost during its reentry into the Earth's atmosphere. This loss was unexpected and terrible and today we remember not only this tragedy, but the seven heroes who were lost and their achievement.

For the families of the seven, we share your grief in this national tragedy. With heavy hearts we as a nation share in your sorrow and pride. My sincere condolences and prayers are with you in this time of great loss. America was blessed to have such men and women serving in the space program. While our space program has experienced tragedy before, it never becomes easy to bear. And today we grieve the loss of these heroes.

Though there are great risks involved in space travel, its benefits to life on earth has been tremendous. The heroes aboard the *Columbia* were fulfilling America's commitment of more than a half century to explore the universe. Their loss does nothing to diminish the great respect that American's have in the space program. Despite this great loss, America will continue to send people into space. The dedication and professionalism of astronauts have impressed us for generations and the crew of the *Columbia* continued this tradition of brave men and women who have traveled into space to honor the American spirit of exploration. These astronauts are an example of everything that we consider honorable. Honoring them with this resolution is just one way we can pay tribute to their memory and accomplishments.

Mr. ORTIZ. Mr. Speaker, I offered my condolences to the families of the brave men and women who flew into the heavens, representing the Earth below them as well as any flight crew could. The mix of men and women, 6 Americans and an Israeli, reflected the international cooperation of the space program, and the diverse ethnic makeup of the United States.

I met Payload Commander Michael P. Anderson some time ago. I saw him in my office in 1999 when he and other astronauts were in my office to see me after his previous trip into space. They gave me a collage of pictures from aboard their spaceship, with an American flag and mission patch. This hangs in my office and I will always remember Commander Anderson—and the other astronauts who perished with him—as special, courageous patriots.

While the tragedy will again spark the debate over the need for human space flight, in this era of technological gains, the need is clear for humans in space. For this nation to be a power in space, we must continue to be in the forefront of human exploration of space. Americans are forever looking forward, dreaming of the stars. While we mourn the fallen astronauts, our nation looks forward at the new frontier of space.

All progress in the past 40 years has taken humans only as far as the moon and our first colony on the International Space Station. That is only the cusp of the exploration of our universe. Already, we have placed a rover on mars and the possibilities and wonders of space travel and exploration are endless. We don't do that for sport; the science conducted in space without the confines of gravity is simply amazing. Today we are enjoying the benefits of the scientific and technological advances space scientists have brought back to Earth over the past 40 years—from medical science to computer chips.

The research conducted aboard the spaceship *Columbia* was for the good of the entire human race. The small scientific steps they were taking for our nation, and the world, continue to be giant steps for mankind, the sort that propel us forward into new space and scientific frontiers. We must never take for granted the absolute danger of each trip into space. It's called a frontier for a reason: it is dangerous and unknown. Our astronauts all know that. They ride a rocket into space, fly among the stars, then re-enter our environment through the outer layer of atmosphere that literally burns at 3,000 degrees. That is an incredibly dangerous ride, each and every time a ship goes up. It is not 100 percent safe, nor are airplanes, yet we will continue to ride in them.

The *Columbia* crew was conducing experiments relating to communications, energy, health and medicine. These are all the areas we must continue to explore as our Earth grows smaller, our energy supplies dwindle, and the cost of medicines spiral. Machines could not begin to conduct meticulous scientific experiments, particularly those on the human body. Only humans have the judgment necessary to explore space; we must not let our fear dictate our exploration of space.

There is no question, as long as there are brave men and women in America who dream of the stars and long to travel among them, we will have a strong, robust space program. We must continue to send brave astronauts into space, complete the International Space Station, and go further into this planetary system and galaxy in this century—and we will. We are will fulfilling the challenge issued by President Kennedy in exploring the frontier of space. We have thrown our cap over the wall of space, and we have no choice but to follow.

Lastly, let me express my concerns for citizens of East Texas traumatized not only by the streaking explosion above them, but also by the pieces of the shuttle falling from the sky around them. Texans have responded as Texans do—we pitch in and help. I am proud of the local response in the areas of Texas and Louisiana where the debris field stretches. Texans have stepped up to the plate to stand guard over pieces of debris simply because there are not enough NASA officials to guard or collect the tonnage of debris.

There is a certain symmetry in losing a space ship in the skies of Texas, the state that gave birth to the modern space program. Texas remains ever a part of the life and legacy of our space exploration. We remain dedicated to the memory of these brave men and women, and are working to find the clues to discover how this tragedy occurred.

America mourns our fallen heroes; and we will always reach for the stars in their memory.

I thank the leadership of the House of Representatives for sponsoring this resolution.

Mr. HASTINGS of Florida. Mr. Speaker, from the earliest of time, man has yearned to explore the unknown—to chart the distant stars. This unquenchable spirit to learn what is beyond the horizon, or over the next hill, is part of who we are. As Americans, this character is, more than anything, a defining part of us as a people. Indeed the America that we lovingly call home is far from the distant lands of most of our early roots.

From Lewis and Clark to the ''iron horse'' and the wagon train, the earliest quest for manned flight and, yes, even the first efforts to explore the heavens are celebrated mileposts on our journey for discovery. The Space Shuttle *Columbia* and the brave crew that she carried into space were, and is, part of this long voyage.

We have always known and accepted the risks associated with our most daring of efforts. This does not, however, lessen the deep pain in our heart or fill the empty void in our soul brought on by this tragedy. Space Shuttle flights were never without risks, though many had grown to view them that way.

Mr. Speaker, it is appropriate that this Congress, indeed, the nation and the world, honor and remember the members of this diverse and international space crew that was lost. We must express our deepest appreciation to them and their families for the sacrifice that they made for the advancement of humanity. For their mission was a noble one.

As a Floridian, the *Columbia* tragedy hits very close to home. Florida's east coast was where the crew trained and prepared for its

mission, and it was to be where they would be reunited with their families and friends after 16 days amongst the stars.

The Kennedy Space Center, located at Cape Canaveral, is no more than 90 minutes north of my Congressional District. On a clear day, my constituents can see the glow of the space shuttle as it launches toward the heavens. In some instances, some have even felt the Earth tremble beneath their feet as the *Columbia* and her sister ships departed Florida's east coast.

We will never forget Air Force Colonel Rick D. Husband, Navy Commander William ''Willie'' McCool, Air Force Lieutenant Colonel Michael P. Anderson, Navy Captain David M. Brown, Dr. Kalpana Chawla, Navy Commander (Captain-select) Laurel Blair Salton Clark, and Colonel, Israeli Air Force, Ilan Ramon. All will occupy a space on life's honor role for their selfless dedication to mankind.

On May 25, 1961, President John F. Kennedy stood before a nation immersed in a race to space with the former Soviet Union and declared, ''I believe that this nation should commit itself to achieving the goal, before this decade is out, of landing a man on the Moon and returning him safely to Earth.'' Barely eight years later, Americans from Florida to Honolulu and from Maine to California heard the famous words of Neil Armstrong as he became the first human being to step foot on the moon. ''That's one small step for man, one giant leap for mankind.''

Since then, well over 300 men and women from more than 25 countries have lived the dream for which so many of us have longed. That is, to see what our planet looks like from the heavens. Outer space is a place where the beauty of the blues and greens of the Earth overshadow the day-to-day difficulties facing Americans and others throughout the world. It is a place where uncertainty is accepted, but answers are always sought. It is a place that every child—male and female, tall and short, black, white, and brown—falls asleep, at least one night in their lives, fantasizing about what it would be like to see the Earth from a place amongst the stars.

These dreams and aspirations, as we all know, were not limited to American children. In Israel, Colonel Ramon's participation in *Columbia's* mission was extremely special, as Ramon was Israel's first ever astronaut. Israelis watched Colonel Ramon's every move with great enthusiasm and anticipation. Updates on his mission and conversations with Israeli news personalities provided the Israeli, community with a much-needed break from a never-ending conflict with the Palestinians. The tragic death of Colonel Ramon, however, means that no one will be returning to Israel to talk about what it was like in space, looking down at a world where violence and terrorism is not so obvious.

Here in America, Dr. Chawla, the first Indian-American astronaut, was another example of breaking down walls for minorities. Her participation in the mission sent a clear message to Indian-American children, and other minorities, that space travel can be a reality for all Americans—regardless of their ethnic background and color of their skin.

Realize, the studies that were being done by Dr. Chawla and others were to impact many of us here on Earth. Captain Anderson, the crew's only African American, was attempting to grow prostate cancer cells, a disease that disproportionately affects black males; Colonel Ramon was studying the effect that dust storms have on global warming; and Commander Clark, one of the crew's medical doctors, was examining how space affects the human body and the lives of other animals and organisms. It is under these studies and findings, as well as others currently underway in the International Space Center, with which the American space program must expand and grow.

In the coming days, months, and years, federal agencies, from NASA to NORAD, will investigate what happened during *Columbia*'s reentry. Their findings will make it safer for Americans and others to visit the heavens, but no investigation will ever replace our seven astronauts, our seven brothers and sisters that we lost last Saturday. And certainly no investigation will ever erase the glowing image of *Columbia* breaking up as it reentered the Earth's atmosphere. That image will forever be etched in our memory, much like those of the *Challenger* and the initial Apollo mission.

Whether it is increasing minority participation in the space program or reaching a new scientific discovery that will save the lives of thousands, the space program remains a vital ingredient in the America spirit of innovation. We have overcome the odds of the past, and are now face to face with the difficulties of the future.

Mr. Speaker, Socrates said in 500 B.C., ''Man must rise above the Earth—to the top of the atmosphere and beyond—for only thus will he fully understand the world in which he lives.'' Every time that we travel amongst the stars, we learn more about the world of which Socrates so eloquently spoke. For it is a world in which we one day hope to live, and may the memories of those who perished on the *Columbia* last Saturday forever guide us on that path.

Ms. SOLIS. Mr. Speaker, on Saturday, our country suffered a staggering loss that reminds us how precious and fragile life truly is. As we watched the debris from the *Columbia* space shuttle fall to the ground, our hearts sank but our resolve only strengthened.

Seven astronauts; 15 educational degrees; more than 800 space hours traveled; working 24 hours a day for 16 days to perform over 80 separate experiments.

Although these numbers are impressive and show their intelligence and qualifications, they do not reflect the fullness of the lives of the crew of the *Columbia.* They do not show the courage that they so obviously possessed. These numbers do not show the love that they had for their families. They don't show their faith or passion for life. And the numbers don't show their dedication to a program that has consistently proved invaluable to our nation's commitment to exploration and has proved necessary for our advancement as a culture, a society and a people.

As we reflect today, I am especially moved by the story of Dr. Kalpana Chawla. Dr. Chawla was born in Karnal, India, a country that shares our nation's value for democracy and advancement of science. Dr. Chawla immigrated to the United States and was naturalized as a citizen before becoming an astronaut in 1994. Never afraid of chances, Dr. Chawala valued the pursuit of knowledge, a priority for all of the crew of the *Columbia.*

On this day of remembrance, my thoughts and prayers are with the many families that lost their loved ones. These brave men and women gave their lives so that our innovative spirit can live on. It is with great gratitude that we acknowledge their sacrifice.

As we remember the *Columbia* and her courageous crew, I stand committed to the NASA program and the spirit of exploration and the pursuit of knowledge that these astronauts exemplified.

Mr. HOLT. Mr. Speaker, I rise today in recognition of the seven astronauts who tragically lost their lives in the space shuttle *Columbia* disaster on Saturday. The crew of the *Columbia,* Rick Husband, William McCool, Michael Anderson, David Brown, Kalpana Chawla, Laurel Blair Salton Clark, and Ilan Ramon lost their lives while on a mission for all of mankind. By exploring, learning, and pushing the boundaries of human understanding, they were providing a service to us all. These men and women were more than astronauts; they were heroes.

Astronauts are the modern expression of our pioneer spirit. Just as Lewis and Clark risked their lives two hundred years ago to explore the uncharted lands of the American West, our astronauts are twenty-first century pioneers who put their lives in danger to explore the vast expanse that lies beyond earth's frontier—space. The journey into space, however, is not exclusively an American effort. As we have learned by the outpouring of sympathy from around the globe, space exploration is an effort that knows no national borders. *Columbia*'s international crew was also a testament to this fact and today our hearts and prayers are with our close friends and allies in India and Israel, as they mourn the loss of astronauts Kalpana Chawla and Ilan Roman.

Columbia's crew carried with them the dreams and hopes for our future; dreams that the research they conducted on protein crystals could someday help develop new life-saving drugs; dreams that a combustion experiment could help reduce pollutants in earth's atmosphere; and dreams that work done on prostate cancer tissue might someday lead to a cure. We must not let these dreams die with them. We must continue to push the boundaries of scientific exploration both in space and here on the earth.

In the aftermath of this tragedy many have tried to quantify the benefits of the manned space program. But most are not quantifiable. How do you measure the sense of earth's fragility and unity inspired by those early pictures of earth from outer space? How do you measure the significance in human history of stepping on the moon? How do you measure the inspiration that man's expeditious into space have given to generations of school children around the world?

As we try to understand what caused the *Columbia* tragedy and as we agonize over what we might have done to prevent it, we must not lose sight of the larger meaning of the space program. Our endeavor into space has always represented the power of the American belief in the possible, in the potential of humanity to achieve what seems unachievable. The loss of the *Columbia* should not put our faith in our potential into question because no endeavor worth undertaking is without risk or sacrifice.

Mr. MARKEY. Mr. Speaker, I rise in support of the resolution.

How many of us when we were young dreamed of being an astronaut, to be one of

those brave humans who left the Earth to explore the mysteries of space? The seven heroic men and women we remember today, Rick Husband, David Brown, Michael Anderson, Laurel Blair Salton Clark, Kalpana Chawla, Ilan Ramon and Willie McCool, lived the dream.

They came from around the world and from every background to work together for the furtherance of mankind's quest of knowledge. These astronauts were on a mission of science, one designed to expand our knowledge of fire, reproduction, construction techniques, prostate cancer, improved crop yields, better drugs, and astronaut health as well as studying the Sun, the Earth, and space by conducting nearly 60 different experiments during their 16-day mission.

While we mourn their sudden loss, we must also prepare to use the knowledge gained both during their mission and from their tragic deaths to help those here on Earth and to prevent such accidents in the future.

Hopefully, last weekend's tragic events will mark not the end of the Space Program, but a new beginning. We will go through a process of investigation, self-examination, and reflection about what happened. But out of that process hopefully will emerge a strengthened U.S. and international space program. We will rededicate our selves and our nation to achieving NASA's mission of advancing the state of human knowledge about outer space, our solar system, and our universe. As the same time, as we continue to explore space, we must determine as best we can the cause of last week's disaster, so that we can make the changes and reforms needed to ensure astronaut and mission safety in the future.

Finally, I would like to extend my sympathies to the families and friends of the seven astronauts. The thoughts and prayers of a grateful nation are with you at this very difficult time. Your loved ones did not die in vain. They died doing something that they loved, but they also died doing something aimed at advancing the frontiers of human knowledge.

Mr. CRANE. Mr. Speaker, on February 1, 2003, we lost seven of mankind's finest. The crew of the Space Shuttle *Columbia* made the ultimate sacrifice, not in a feat of arms, but in the noble quest to expand human knowledge. My deepest thoughts and prayers go to the families of those brave men and women lost in this accident. Their loved ones will be remembered with deep gratitude and admiration for their dedication towards advancing our understanding of new frontiers and discovering ways science can improve our lives.

While space shuttles fly regularly, space travel itself is anything but routine. Its dangers are many but the *Columbia*'s crew was willing to brave them. We in Congress have a duty to them and our astronauts to find the cause of this horrific accident. We can never fully eliminate the danger, but we can manage the risk. I realize that the NASA family is greiving—and they too have my sympathy—but even as we grieve Congress must be willing to ask serious questions about the shuttle program and our nation's goals for the space program.

Can NASA implement the space program's goals with only 3 shuttles, and if not what next? Should a seventh orbiter be built from scratch, or should the *Enterprise* be rebuilt? If the space program can get by with just three shuttles should a new vehicle program be implemented? Five years lapsed between *Challenger*'s loss and *Endeavour*'s first mission. Could a successor program vehicle enter service in the same amount of time that it will take to bring the shuttle fleet back up to four?

Columbia was destroyed on its 28th mission. *Discovery*'s next mission will be its 31st. How many more missions does it have left in it?

Then there's the International Space Station. If a shuttle is damaged prior to re-entry how much assistance could it give? Could emergency facilities be added? Will having a smaller fleet further delay it in becoming fully operational?

Finally where does our space program go from here? Will we continue the trend in manned flight by going no further than low Earth orbit or will humanity again push out beyond our planet and return to the Moon or even go to Mars?

I am confident that NASA and Congress will address these questions. As America's space program continues into the future, we have a responsibility to provide it direction. I believe that the space program will continue to benefit humanity, and we in Congress must do all we can to ensure the safety of our astronauts when they embark on future missions.

Seventeen years ago President Reagan consoled our nation after another group of seven heroes were lost to us in similar, tragic fashion. He ended his remarks by briefly quoting from the poem by an American pilot, John Gillespie Magee Jr., who died in flight. Magee's stirring words are a fitting tribute to those who strive to explore and live in the heavens.

Oh! I have slipped the surly bonds of Earth
And danced the skies on laughter-silvered wings,
Sunward I've climbed and joined the tumbling mirth
Of sun-split clouds—and done a hundred things
You have not dreamed of—wheeled and soared and swung
High in the sunlit silence. Hov'ring there,
I've chased the shouting wind along, and flung
My eager craft through footless halls of air.
Up, up the long, delirious burning blue
I've topped the wind-swept heights with easy grace
Where never lark, or even eagle flew.
And, while silent lifting mind I've trod
The high untrespassed sanctity of space,
Put out my hand, and touched the face of God.

When asked by his brother about what would happen if something went wrong Captain David Brown, a member of *Columbia*'s final crew, replied ''this program will go on.'' He was right but it will not just be this one program that goes on. No matter what setbacks confront us humanity will explore the unknown, brave its dangers and continue our drive to create a better world.

Mr. CALVERT. Mr. Speaker, this past Saturday a tragedy occurred that touched every one of us. We lost seven brave explorers and now grieve along with their friends and family.

In our modern world, we have grown comfortable with the frequent occurrence of space travel, forgetting that with each mission, there is risk. The men and women of *Columbia* knew the risks, and in the name of discovery accepted them.

We owe each one of these brave voyagers a great deal of gratitude and reverence.

As a country we hold life and freedom as our highest values, and it is natural for us to question the meaning behind the *Columbia* mission to determine whether it was worth the loss we feel now. One of the ironies of such a tragedy is that the valuable work these men and women were doing is now on the front pages of every newspaper and in the headlines of our evening news programs. If the mission had been completed as scheduled, there would have been perhaps a column on the back page of the newspaper or a 30 second newsbyte. Outside of the space community, few people are aware of the extraordinary advances being made in the fields of medicine, agriculture, physical and biological science by our space programs.

Our missions into space will continue to hold a measure of risk and I believe we should support these missions in every way possible. Our country has had a tradition of leading the way in exploration in every field, and that tradition should continue. The exploration of space will go on in the name of these seven fine men and women and in the name of all those who went before them.

On January 16 seven astronauts journeyed out of this world and they would go farther than anyone of us imagined; into the greatest unknown. However, their journey is not over and their legacy will never be forgotten God Bless.

Mr. EVERETT. Mr. Speaker, I join with the whole nation and the world in mourning the loss of the seven-member crew of the space shuttle *Columbia* (STS–107).

My condolences go out to the families of Commander Rick Husband, Pilot William McCool, Mission Specialists David Brown, Kalpana Chawla, Michael Anderson, Laura Clark, and Payload Special Ilan Ramon.

The flight of STS–107, seen as routine by many at its beginning, ended in tragedy on February first with the loss of the crew upon *Columbia's* re-entry in the earth's atmosphere as the shuttle was headed for home.

All loss of life is tragic, but it is especially painful when those who represent our best and brightest are suddenly take from us. The crew of *Columbia* gave their lives doing what they loved most—pushing back the boundaries of the unknown while striving to better all humankind. For certain, their mission was not in vain.

America is not finished with space. Indeed, our exploration beyond the veil of our home planet has only just begun. We owe it to the crew of *Columbia, Challenger, Apollo 1*, and all those who despite the risks dared to dream, to continue the beneficial programs of space exploration and experimentation.

We live in an age when the ego and excess of pampered athletes and pop idols underservedly garner the lion's share of national attention. Yet there are plenty of suitable role models for America's youth. Those who wear the uniform of this great Nation in far away lands or while orbiting hundreds of miles above our earth are ''real'' heroes.

Those who rushed the cockpit of United Airlines Flight 93 to save our Nation's Capitol from certain terrorist destruction are heroes, as are the tireless firefighters and emergency workers who labored in the wake of 9/11 to save lives and inspire our land.

Today we say farewell to seven more heroes—the men and women of space shuttle *Columbia*. Their contributions and sacrifice will never be forgotten.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, human space exploration is inherently risky. Distance, speed and an environment that can not support human life combine to make human space flights particularly precarious.

Unfortunately the world has new evidence of the dangers associated with space exploration. Millions watched as images of a singular, brilliant point of light in the sky became two, three, and four points of light as space shuttle *Columbia* broke apart over my home State of Texas.

I join the rest of the country and the world in mourning the seven brave astronauts whom we lost in this national tragedy. The outpouring of sympathy from the citizens of the world is recognition that the crew heroically put their lives on the line in the name of science and research.

More than a decade ago, January 28th, 1986, our country's space program was dealt another tragedy as we lost the crew of the space shuttle *Challenger*. The findings of the ''Report of the Presidential Commission on the Space Shuttle *Challenger* Accident'' (referred to as the Rogers' Commission Report) have changed NASA procedures to make human space flight safe. It is incumbent upon the federal government to conduct a vigorous and comprehensive investigation to uncover and alleviate the events that led to *Columbia*'s accident. I pledge to do what I can to help our space program recover from this terrible setback so these important endeavors can flourish in the future. As a Senior member of the Science Committee, I will work closely with my House colleagues to assist NASA and Harold Gehman Jr. who will lead the special investigative commission.

I am the ranking member of the Science Subcommittee on Basic Research. In this important capacity, I have taken a major leadership role regarding America's commitment to technological development and scientific research and application. As such, I am a firm believer that the United States will continue our space program that has accomplished so much in the areas of research and science. This important and beneficial program is essential to advancing technology.

Specific technological advances made possible by space research include the arteriosclerosis detection, ultrasound scanners, automatic insulin pump, portable x-ray device, invisible braces, dental arch wire, palate surgery technology, clean room apparel, implantable heart aid, MRI, bone analyzer, and cataract surgery tools.

The Space Shuttle Program has yielded many lifesaving medical tests, accessibility advances for the physically challenged, and products that make our lives more safe and enjoyable. Such as:

Digital Imaging Breast Biopsy System—The LORAD Stereo Guide Breast Biopsy system incorporates advanced Charge Coupled Devices (CCDs) as part of a digital camera system. The resulting device images breast tissue more clearly and efficiently. Known as stereotactic large-core needle biopsy, this nonsurgical system developed with Space Telescope Technology is less traumatic and greatly reduces the pain, scarring, radiation exposure, time, and costs associated with invasive surgical biopsies.

Breast Cancer Detection—A solar cell sensor is positioned directly beneath x-ray film, and determines exactly when film has received sufficient radiation and has been exposed to optimum density. Associated electronic equipment then sends a signal to cut off the x-ray source. Reduction of mammography x-ray exposure reduces radiation hazard and doubles the number of patient exams per machine.

Laser Angioplasty—Laser angioplasty with a ''cool'' type of laser, caller an excimer laser, does not damage blood vessel walls and offers precise non-surgical cleaning of clogged arteries with extraordinary precision and fewer complications than in balloon angioplasty.

Blood Serum Research—An astronaut's body, once free of gravity's pull, experiences a redistribution of body fluids that can lead to a decrease in the number of red blood cells and produce a form of space anemia. Monitoring and evaluating blood serum was required to understand these phenomena. However, existing blood-analysis technology required the use of a centrifugation technology that was not practical in space. NASA developed new technologies for the collection and real-time analysis of blood as well as other bodily fluids without the need for centrifugation.

Ultrasound Skin Damage Assessment—Advanced instrument using NASA ultrasound technology enables immediate assessment of burn damage depth, improving patient treatment, and may save lives in serious burn cases.

Lifesaving Light—Special lighting technology developed for plant-growth experiments on Space Shuttle missions is now used to treat brain tumors in children. Doctors at the Medical College of Wisconsin in Milwaukee use light-emitting diodes in a treatment called photodynamic therapy, a form of chemotherapy, to kill cancerous tumors.

Human Tissue Stimulator—Employing NASA satellite technology, the device is implanted in the body to help patient control chronic pain and involuntary motion disorders through electrical stimulation of targeted nerve centers or particular areas of the brain.

3–D Biotechnology—Developed for Space Shuttle medical research, a rotating cell-culture device simulates the microgravity of space. This allows researchers to grow cells in three dimensions. The device may one day help researchers find cures for dangerous infectious diseases and offer alternatives to patients who need organ transplant surgery.

Cool Suit—Custom-made suit derived from space suits circulates coolant through tubes to lower patient's body temperature, producing dramatic improvement of symptoms of multiple sclerosis, cerebral palsy, spina bifida and other conditions.

Programmable Pacemaker—Incorporating multiple NASA technologies, the system consists of the implant and a physician's computer console containing the programming and a data printer. Communicates through wireless telemetry signals.

Ocular Screening—NASA image processing techniques are used to detect eye problems in very young children. An electronic flash from a 35-millimeter camera sends light into the child's eyes, and a photorefractor analyzes the retinal reflexes, producing an image of each eye.

Automated Urinalysis—NASA fluid dynamics studies helped development of system that automatically extracts and transfers sediment from urine sample to an analyzer microscope, replacing the manual centrifuge method.

Medical Gas Analyzer—Astronaut-monitoring technology used to develop system to monitor operating rooms for analysis of anesthetic gasses and measurement of oxygen, carbon dioxide, and nitrogen concentrations to assure proper breathing environment for surgery patients.

Voice-Controlled Wheelchair—NASA teleoperator and robot technology used to develop chair and manipulator that respond to 35 one-word voice commands utilizing a minicomputer to help patient perform daily tasks, like picking up packages, opening doors, and turning on appliances.

Land Mine Removal—The same rocket fuel that helps launch the Space Shuttle is now being used to save lives—by destroying land mines. A flare device, using leftover fuel donated by NASA, is placed next to the uncovered land mine and is ignited from a safe distance using a battery-triggered electric match. The explosive burns away, disabling the mine and rendering it harmless.

Rescue 911—Rescue squads have a new extrication tool to help remove accident victims from wrecked vehicles. The hand-held device requires no auxiliary power systems or cumbersome hoses and is 70 percent cheaper than previous rescue equipment. The cutter uses a miniature version of the explosive charges that separate devices on the Space Shuttle.

Byte Out of Crime—Image-processing technology used to analyze Space Shuttle launch videos and to study meteorological images also helps law enforcement agencies improve crime-solving videos. The technology removes defects due to image jitter, image rotation and image zoom in video sequences. The technology also may be useful for medical imaging, scientific applications and home video.

Product Labeling—NASA needs to identify, track, and keep records on each of the thousands of heat-shield tiles on the Space Shuttle. This required a labeling system that could be put on ceramic material and withstand the rigors of space travel to be readable after a flight. NASA developed high data-density, two-dimensional, machine-readable symbol technology used to mark individual tiles. This novel method of labeling products with invisible and virtually indestructible markings can be used on electronic parts, pharmaceuticals and livestock—in fact on just about anything.

Keep Cool Under Fire—Materials from the Space Shuttle thermal protection system are used on NASCAR racing cars to protect drivers from the extreme heat generated by the engines. This same material is also used to protect firefighters.

Fire Resistant Foam—A unique foam developed for Space Shuttle thermal insulation and packing is now being used as thermal and acoustical insulation in aerospace, marine and industrial products. Since it's also fire resistant, it's being used as well for fire barriers, packaging and other applications requiring either high-temperature or very low-temperature insulation in critical environments. For example, use of these foam products by airframe manufacturers such as Boeing, Lockheed-Martin, and Airbus provides major weight savings, while retaining good thermal and acoustical properties in the various products.

Fire Sighting—A sensitive, gas infrared camera, used by NASA observers to monitor

the blazing plumes from the Space Shuttle's solid rocket boosters is also capable of scanning for fires. Firefighters use this hand-held camera to pinpoint the hotspots of wildfires that rage out of control. Gem Jewelers no longer have to worry about inhaling dangerous asbestos fibers from the blocks they use as soldering bases. Space Shuttle heat-shield tiles offer jewelers a safer soldering base with temperature resistance far beyond the 1,400 degrees Fahrenheit generated by the jeweler's torch.

Jet Stripping—NASA developed a tool that uses powerful jet streams of water to strip paint and primer from the Space Shuttle's solid rocket boosters. A commercial version of this water jet is now used to treat turbine-engine components, airframe components, large aerospace hardware, ships and other mechanical devices, using only pure water. No hazardous chemicals are needed.

Quick Fit Fasterners—Fastening items in space is a difficult task. A Virginia company developed a fastener that can be pushed on, rather than turned. These quick-connect fasteners are flexible and strong, and have been used by NASA astronauts since 1989. The product is now in use by firefighters and nuclear power-plant repair technicians, and has other commercial applications.

Computer Joysticks—Computer games can now be played with all the precision and sensitivity needed for a safe and soft Space Shuttle touchdown. A game-controlling joystick for personal computer-based entertainment systems was modeled after controls used in shuttle simulators. Astronauts used the joystick to practice runway landings and orbit maneuvering.

Toys For Tots—Already successful with its Nerf toy products, Hasbro, Inc. wanted to design a toy glider that a child could fly. Benefitting from NASA wind-tunnel and aerodynamic expertise used in the Space Shuttle program, Hasbro improved the flying distances and loop-to-loop stunts of its toy gliders.

As witnessed, the Space Shuttle can be configured to carry many different types of equipment, spacecraft and scientific experiments. The Space Shuttle is essential in the assembly of the International Space Station (advancing life sciences & technology through long-duration missions) and repairing and servicing the Hubble Space Telescope (enabling many new discoveries in Space Science). As an enabling function, the Space Shuttle is fully engaged in providing services for earth and physical science research. The Space Shuttle also engages the private sector in the development of space by providing flight opportunities for industry, academia and government to conduct applied research relevant to NASA's mission through access to the space environment. I will foresee that cooperative activities with the National Institutes of Health (NIH), the National Science Foundation (NSF), the Department of Defense (DoD) and other U.S. agencies will continue to advance knowledge of health, medicine, science and technology.

STS–107, which was lost on February 1, 2003, was a 16-day mission dedicated to research in physical, life, and space sciences, conducted in approximately 80 separate experiments, comprised of hundreds of samples and test points. With two Americans and a Russian still stationed at the International Space Station, it is imperative that this program not come to a halt. This most unfortunate and tragic loss of five men and two women, representing a mosaic of races and nationalities, will be mourned and these great American heroes will not be forgotten.

Mr. FALEOMAVAEGA. Mr. Speaker, I rise today to pay tribute to the late crew of the space shuttle *Columbia*. Like many of my colleagues, I had the privilege of traveling yesterday to the NASA Johnson Space Center in Houston, Texas to attend a memorial service for the seven heroes we lost on February 1, 2003.

On behalf of the people of American Samoa, I now express American Samoa's deepest condolences in this time of national tragedy. As the Governor of American Samoa noted in his general memorandum issued on February 3, 2003, American Samoa shares a special relationship with the U.S. space program. Five *Apollo* missions had splashdown landings near American Samoa. For four of those landings, American Samoa was also the first landfall for our nation's astronauts.

Like Americans everywhere, we grieve for the lost crew of the space shuttle *Columbia*. We also grieve for the families they left behind. Although our astronauts did not make it back to earth, we join with President Bush in praying that they made it safely home. That their sacrifice may not have been in vain, the United States of America will remain committed to space exploration and we will also fully investigate the cause of Saturday's accident.

Once again, and on behalf of the people of American Samoa, I extend my deepest condolences and heart-felt sympathy of the families and friends of our lost crew. I also pay special tribute and offer my personal condolences to the good people of Israel. The thoughts and prayers of American Samoa are with you. In this time of national and international mourning, may we find peace and may Gold bless America.

Mrs. JONES of Ohio. Mr. Speaker, I rise today to express my condolences to the families of the crewmembers of the *Columbia* Shuttle Mission. I am truly saddened by the loss of these American heroes, and I will support efforts to ensure that the future of exploratory science research lives on for our future generations.

The state of Ohio is known as ''The Birthplace of Aviation,'' and is also the home of 24 astronauts. This exclusive list includes individuals such as: John Glenn, Neil Armstrong, Carl Walz, Michael T. Good, and Tom Henricks.

Cleveland, Ohio is the home of the NASA Glenn Research Facility; one of eight facilities that conduct ground-based research for NASA in North America. On March 1, 1999, NASA renamed its Cleveland center the ''John H. Glenn Research Center at Lewis Field'' in honor of John Glenn.

John Glenn was the first American to orbit the Earth. He served as a United States Senator from Ohio and made a historic return to space aboard the Space Shuttle *Discovery* on October 29, 1998, returning on November 7, 1998. The mission included three microgravity science payloads from NASA Lewis Center.

Ohio astronaut and Cleveland native Carl Walz spent six months in a home away from home: the International Space Station (ISS). Mr. Walz was a part of the Expedition 4 crew that traveled to the ISS aboard the Space Shuttle *Endeavour* when it lifted off on December 5, 2001 to begin the STS–108 mission. He returned to earth on June 5, 2002 during the STS–111 mission. During their stay aboard the ISS, Walz and Expedition 4 crewmate Dan Bursch broke the U.S. space flight endurance record. Mr. Walz also holds the U.S. record for most cumulative time in space, spending 231 days.

Since 1945, NASA Glenn has been a pioneer in rocket engine and propellant technology. This research resulted in the development of the Centaur upper stage, one of NASA Glenn's most significant achievements. The technology made significant contributions to the Apollo program, enabling the massive payloads to support human missions to the moon. Likewise, NASA Glenn has been a pioneer in low-gravity research.

The NASA Glenn Research Center specifically developed experiments for the 16-day *Columbia* mission, STS–107, in the areas of biology, physics, chemistry, and Earth science. These experiments were located both inside and outside the Shuttle, and were the primary focus of the flight crew given that they made up over 60 percent of the mass and 45 percent of the crew time for NASA's Biological and Physical Research portion of the flight.

Some examples of these projects included experiments on: Laminar Soot; Structure of Flame Balls at Low Lewis-number; Water Mist Fire Suppression Experiment; Combustion Module-2 Facility; Critical Viscosity of Xenon; and Space Acceleration Measurement System and Orbital Acceleration Research.

Mr. Speaker, I urge my colleagues to support efforts to ensure that the future of exploratory science research lives on for our future generations.

Mr. WILSON of South Carolina. Mr. Speaker, I rise today to celebrate the life of Dr. Kalpana Chawla, who died tragically aboard the Space Shuttle Columbia, along with six other crew members. Dr. Chawla was the first Indian-American woman in space, and an inspiration to the world.

Born in Karnal, India, she was the youngest of four children. Determined to achieve her dream of space flight, Kalpana was one of the first women ever to enroll in aeronautical engineering at India's Punjab Engineering College. Later she immigrated to the United States in the 1980's and was educated at the University of Texas and the University of Colorado.

Dr. Chawla joined NASA in 1988 with her first flight into space in 1997, as a mission specialist and prime robotic arm operator. She is symbolic of the growing importance of Indian-Americans to our nation's culture.

I join with my fellow House India Caucus Co-Chair JOSEPH CROWLEY, in extending to her family our sincere condolences. The people of the United States owe Dr. Kalpana Chawla a debt of gratitude for her bravery and good work, and join with the people of India in mourning her loss.

Mr. BILIRAKIS. Mr. Speaker, on February 1, 2003, the space shuttle *Columbia* and its crew of seven were lost during *Columbia*'s re-entry into the Earth's atmosphere. Like many Americans, I am deeply saddened by this national tragedy, and my prayers and condolences go out to the families of our fallen astronauts.

The National Aeronautics and Space Administration (NASA) has been sending crews to space and the moon for over four decades, and space flight has long been accepted as ''routine.'' However, space exploration continues to be dangerous endeavor as there is risk associated with each space flight. The crew of the *Columbia* bravely accepted these dangers and faced them for the benefit of all.

Since its creation in 1958, NASA has accomplished many great scientific and technological feats in air and space. As a nation, we can be inspired by the scientific advances accomplished through space exploration. Discoveries made through space research benefit both space science and the quality of our lives on Earth. Just a few examples include laser surgery, computer bar codes, smoke detectors, pacemakers, and water purification.

These amazing developments could not have been accomplished without the brave men and women who perform experiments in space. Though this is a terrible tragedy, we must keep looking forward. NASA and space research will continue to better the everyday lives of people, and the dreams of present and future space explorers will lead to benefits for everyone on Earth.

Mr. PORTER. Mr. Speaker, spaceship Shuttle Pilot Commander William McCool, 41, a beloved father, husband, son and brother was a man who most of the world could only aspire and dream to become. Commander McCool spent his life in the service of his country and in the service of humanity. He dedicated his life to not only his family but to his dream of one day becoming an astronaut. McCool was an experienced Navy pilot with more then 2,800 hours in flight. He graduated second in his 1983 class at the Naval Academy, went on to test pilot school and became an astronaut in 1996. His excitement for space travel was solidified when on his first and last mission he exclaimed, ''there is so much more than what I ever expected, it's beyond imagination, until you actually get up and see it and experience it and feel it.''

The tragic loss of the *Columbia* Space Shuttle crew and their sacrifices will never be forgotten, not by William McCool's family, the families of the other crew members, and not by his countrymen. They were as gracious, courteous and giving in the last weeks of their lives as they were in all the other weeks.

William McCool will forever be remembered for his dedication and contributions to science. His adventurous and brave personality is what made this man into an American hero. The legacy of Commander McCool will vicariously live through the next generation of space explorers, for his bravery in the face of death will surely inspire others to pick up where he left off.

We thank you William McCool for your dedication and love of country. Our thoughts and prayers are with his family.

Mr. COSTELLO. Mr. Speaker, today I join my colleagues in remembering the seven extraordinary men and women aboard the Space Shuttle *Columbia* who gave their lives for the pursuit of science and discovery, and in expressing my condolences to their families. Until the tragic events of last Saturday, shuttle flights for many had become routine events; however, each mission is a high-risk endeavor. We are fortunate to have an astronaut corps comprised of highly trained men and women who regularly bear this risk. Their strong passion for space exploration has immeasurably benefited our nation and the world. We will never forget the dedication and sacrifice of the crew of the *Columbia.*

As a member of the Science Committee, I have followed the space program closely for many years. But its full impact was brought home for me and my constituents in April of 1996, when our hometown hero, Dr. Sandra Magnus, joined NASA. Sandy was born and raised in Belleville, Illinois where she attended Central Junior High School and Belleville West High School. I had the pleasure of accompanying the Administrator of NASA, Mr. Sean O'Keefe, to the Kennedy Space Center for Sandy's first launch on October 7, 2002. To witness a launch is to truly know that space flight is inherently dangerous. But it is also a vital part of the American spirit and the advancement of knowledge, and it is these elements that drive the men and women in the astronaut program to strive for the unknown. If we are to gain a greater understanding of our universe, we must continue the cause of the heroes we lost on Saturday and take every step we can to make future space travel as safe as possible.

We come together today in a period of national and international mourning. Our prayers are dedicated to the heroic crew of *Columbia* and their families. Their names—mission commander Rick Husband, pilot William McCool, payload commander Michael Anderson, mission specialist David Brown, mission specialist Kalpana Chawla, mission specialist Laurel Blair Salton Clark, and payload specialist Ilan Ramon—will live forever in our hearts and minds as dedicated pioneers yearning to reach the stars and who never lost their sense of adventure. I again express my deepest condolences to the families of the crew of the Space Shuttle *Columbia.*

Mr. LEVIN. Mr. Speaker, I rise in strong support of the resolution before the House, which expresses the condolences of the House of Representatives to the families of the astronauts who were lost on the space shuttle *Columbia*. The crew of *Columbia* died doing something important. None of us will forget their courage, dedication and sacrifice and we stand with their families during this difficult time.

In the wake of Saturday's tragedy, we're left with a lot of questions. How did this accident happen? What systems aboard the shuttle failed? Were there warning signs that *Columbia* would be in peril when it returned from orbit? Can the remaining space shuttles be made safe? These questions, and many others, must be candidly answered before the space program can recover from this accident and move forward.

The damage to our nation goes well beyond the loss of *Columbia* and seven extraordinary individuals, and it will not be repaired solely by technological fixes, such as stronger heat-resistant tiles or better insulation on the external fuel tank. I have a young friend named Patrick who was simply devastated when he heard the first news reports that *Columbia* had been lost with no survivors. Patrick is an eight-year-old student in 3rd grade. Like the rest of us, he has many questions. He wanted to know why the astronauts had to die and why there was no way for them to escape from the shuttle when the problem became apparent.

For young children, the space shuttle is much more than a way to launch people and material into orbit. The shuttle embodies a space program they admire and want to be a part of. Many children, like Patrick, are old enough to know about the 1986 *Challenger* accident, but had come to believe the problems had been fixed and that the shuttles were safe. When we lost *Columbia* and its crew on Saturday, we may have also lost a dream shared by many young people of one day growing up to be an astronaut. We need to find a way to repair this damage as well.

All of us know that space flight is inherently risky. This is not a fact we should be comfortable in accepting. We need to spend the time, effort and resources to find ways to make space flight less risky. This is the most important task before us as we look to the future of the space program.

I commend the Leadership on both sides of the aisle for sponsoring this resolution and urge its passage by the House of Representatives.

Mr. SCHIFF. Mr. Speaker, I rise today to commemorate the crew of the Space Shuttle *Columbia*. To their families, I offer my heartfelt condolences. As a nation, we deeply mourn their loss.

These seven brave men and women aboard the *Columbia* represented the best of our country, the community of nations, and of humanity. I have had the privilege of working with NASA scientists, engineers, and astronauts. To these dedicated men and women, their work is a mission, their colleagues are family. Working together across ethnic, religious, and geographical boundaries, they exemplified the synergism of teamwork, in which the whole is greater than the sum of the parts. Just as they did so well, we must continue to display the courage to take on new challenges, seek answers to the mysteries of nature and the world around us, and we must do so together.

Through their spaceflight, the *Columbia* crew inspired us to think, imagine, and dream beyond the world we can see. They bravely faced daunting challenges in order to reveal the wonders of science. Their lives were dedicated to scientific exploration and the betterment of humankind.

They were truly pioneers, bridging the gap between the known and the unknown, venturing into the depths of space. As scientific voyagers, they expanded the boundaries of knowledge, enabling us to learn more about our universe and our own planet. Their quest to answer as yet unanswered questions embodied mankind's continual search for knowledge and truth.

In honor of their memory and their legacy, we must carry on where they have left off. We must reaffirm our commitment as a nation to space exploration and scientific discovery. We must continue to fund our national space program, to explore our solar system and beyond. We must set ambitious and daring goals, such as landing man on Mars. We must, and we shall, continue the journey that the crew of the *Columbia* so bravely began.

Mr. CRENSHAW. Mr. Speaker, I rise today to honor the lives of the crew of the space shuttle *Columbia*.

The loss of the space shuttle *Columbia* is a tragedy of tremendous proportion. The seven *Columbia* astronauts possessed an unquenchable passion to explore and push the boundaries of science and technology. Michael Anderson, David Brown, Kalpana Chawla, Laurel

Clark, Rick Husband, William McCool and Ilan Ramon were not names familiar to most Americans until Saturday's catastrophe. But as the pain of the loss of these seven brave explorers ebbs with time, the resolve to keep their work ongoing must remain ever vigilant.

I, like many Americans, remember huddling with classmates in excitement as Alan Shepard blasted off in the first American manned space flight in May 1961. Ever since then, I followed both the highs and lows of the space program.

From the outset of our manned space program, it was known that lives could be lost exploring space—just as when man explored previous frontiers. Despite the recent tragedy, there are schoolchildren throughout the world that will be inspired by the *Columbia* seven.

As the nation grieves over its terrible loss of this past Saturday, we must also strengthen our resolve to press forward. Those who died did so as heroes. We must not let them die in vain.

I know all Americans share in the sadness brought about by this event. One measure of mankind is the amount of risk taken for the greater good. These astronauts are clearly heroes whose acts we will remember for all of history. My thoughts and prayers are with the crew of *Columbia* and their families.

Mr. WALSH. Mr. Speaker, I rise in support of the Resolution honoring our fallen NASA heroes who perished last Saturday high above the southwestern skies of the United States. I was stunned and heart broken after hearing the news of this tragic event. My mind quickly thought back to the time of 10:44 AM, January 16th, when NASA's *Columbia* Shuttle Mission STS–107 launched into space from the Kennedy Space Center Pad 39A. I was fortunate enough to attend this event with NASA Administrator Sean O'Keefe, along with a number of students and teachers from Fowler High School in Syracuse, my hometown in New York. The Fowler students were there because they had spent three years researching and analyzing a science project that was carried aboard space shuttle *Columbia.*

As I watched the liftoff, I couldn't help but think of the brave men and women aboard *Columbia* as pioneers who were furthering America's vision of discovery that started in 1958 with the creation of NASA. Actually, this vision started long before NASA and space travel. We are a nation of pioneers. NASA and its mission of human space flight and exploration seems to be a natural extension of the Lewis and Clark expeditions commissioned by President Thomas Jefferson in the early 1800s.

Similar to Lewis and Clark's expedition, *Columbia*'s mission was primarily scientific in nature, furthering mankind's understanding of our universe. I was very proud that my district's small corner of the world was part of historic science mission. On their 16-day journey, *Columbia*'s international crew of seven worked 24-hour-a-day shifts to successfully complete all of the research projects in the space, life and physical sciences. The crew, all from diverse backgrounds—including the first Israeli astronaut, was a true reflection of America at its best. They completed their work, did it well, and no doubt were looking forward to their return home to Cape Kennedy last Saturday.

As our Nation and the world watched in horror, we saw *Columbia* literally explode before our eyes some 200,000 miles in the heavens above. The crew of *Columbia* and their families knew and accepted the risks associated with their work. They also realized they were representing something much greater than themselves. They were a shining symbol of America. They were explorers on a great new adventure to benefit mankind. For this I thank both the crew and their families.

As we honor the crew, their families, and NASA itself, we will always hold the *Columbia* astronauts in a special place in our hearts. Their sacrifices were great. With the United States flag at half-staff across the Nation to honor the crew of *Columbia*, NASA and space exploration will move forward. We will find the problem that created the disaster, fix it, and move forward. They may well be the legacy left by *Columbia*; a better, safer shuttle for those who follow them. Somehow I think they would like that. God Bless the crew of *Columbia*, we're deeply proud and grateful for their contributions to both our country and the world community. They will not be forgotten.

Mr. LANGEVIN. Mr. Speaker, today I join my colleagues in expressing my deepest condolences to the families, colleagues and friends of the seven crewmembers lost aboard the Space Shuttle *Columbia.* The American people and the Untied States' space program have suffered a great loss in this tragedy.

These explorers bravely undertook this journey, fulfilling a dream that many work a lifetime to achieve yet few accomplish. *Columbia*'s crewmembers were pilots, physicians, soldiers, scientists, and patriots. Above all they were fathers, mothers, daughters, sons, and friends. It is my hope that this legacy will continue to encourage people around the globe to look beyond the confines of earth for new challenges and inspiration.

There these heroes traveled so far and were so close to returning to their loved ones makes this loss even more upsetting. What had otherwise been a routine and successful mission turned tragic on Saturday morning, and I trust there will be a full investigation into this shocking accident to ensure that future shuttle missions do not meet the same fate.

I join all Rhode Islanders in mourning the tragic loss of Shuttle Commander Rick D. Husband, Pilot William C. McCool, Payload Commander Michael P. Anderson, Mission Specialists David M. Brown, Kalpana Chawla and Laurel Clark and Israel's first astronaut, Ilan Ramon.

My thoughts and prayers are with their loved ones as we remember their lives and honor their immense contributions to space exploration.

Mr. CLAY. I rise today to pay tribute to a very brave and valiant pioneer, Astronaut Michael P. Anderson, one of seven courageous crew members who perished when the space shuttle *Columbia* disintegrated on February 1, 2003. Air Force Colonel Anderson was a Payload Commander aboard space shuttle *Columbia* which had just completed a 16 day scientific journey through space. Tragically, it broke apart just after re-entry into the Earth's atmosphere and only 15 minutes before its scheduled landing at [Kennedy] Space Center.

The entire world was shocked to learn of this tragedy and the citizens of the St. Louis area were just as numbed to learn that Colonel Anderson was the nephew of one of its favorite sons. The reality of this devastation truly hit home and was even more heart wrenching when the St. Louis Post-Dispatch reported that Dr. James DeClue, a friend, constituent and highly respected ophthalmologist, was among the many close relatives to suffer this tragic loss.

Born on Christmas Day, 43-year-old Colonel Anderson considered Spokane, Washington his hometown. He earned a Bachelor of Science degree in physics/astronomy from the University of Washington in 1981. He was commissioned as a second lieutenant in the Air Force and spent four years flying for the strategic Air Command. He later earned a Master of Science degree in physics from Creighton University in 1990 and was selected by NASA as an astronaut in 1994. As Payload Commander aboard *Columbia*, Colonel Anderson was responsible for the shuttle science mission.

As the first African-American to visit a space station during a trip to the Russian *Mir* outpost, Colonel Anderson will serve as inspiration to minority youth everywhere. He bravely ignored the dangers associated with space travel and risked his life because he believed that what he was doing would have great consequences and benefit all mankind for generations to come. By all accounts he was a man of faith who believed that life was a gift and a blessing. Colonel Anderson fulfilled his life's mission on Earth as a scientist and explorer. He had logged more than 211 hours in space and will always be remember for his faith in the future.

Mr. Speaker, I would like to extend my condolences to Colonel Anderson's family and let them know how very proud the St. Louis community is of his remarkable accomplishments. Colonel Anderson set lofty goals for himself and accomplished them. He will live forever in our memories. I ask that my colleagues join me in honoring Colonel Michael P. Anderson.

Mr. RYAN of Wisconsin. Mr. Speaker, on Saturday, our nation was unified in sorrow, as we suffered the shocking loss of seven courageous individuals aboard the space shuttle *Columbia*. Among the astronauts who gave their lives in service to our country and in pursuit of knowledge for the betterment of our world was Commander Laurel Clark of Racine, Wisconsin.

Laurel Clark was an inspiration to the people she came in contact with and to many others who read or heard about her numerous achievements. She dared to dream great things and worked hard to make those dreams a reality. A graduate of Racine's Horlick High School as well as the University of Wisconsin, Doctor Clark is a fine example for our students of how much one dedicated person can accomplish when she sets her mind to it.

Clark was a Commander in the U.S. Navy, a flight surgeon who was trained as an undersea medical officer and served with a submarine squadron in Scotland prior to becoming an astronaut. While her education and career achievements are unquestionably impressive, Clark's inquisitive mind, adventurous spirit and positive outlook are even more remarkable. The e-mail message that she sent to her mother the day before the *Columbia* was to return exemplifies this.

She wrote of seeing ''some incredible sights: lightning spreading over the Pacific, the Aurora Australia lighting up the entire visible horizon with the cityglow of Australia below, the crescent moon setting over the limb of the Earth, the vast plains of Africa and the dunes on Cape Horn. . . '' among other spectacular

sights. She reported flying over Lake Michigan and seeing Wind Point clearly. And Laurel Clark wrote: ''I feel blessed to be here representing our country and carrying out the research of scientists around the world.'' She add: ''Thanks to many of you who have supported me and my adventures throughout the years. This was definitely one to beat all. I hope you could feel the positive energy that beamed to the whole planet as we glided over our shared planet.''

Laurel Clark was not simply admired and respected; she was and is greatly loved. In addition to being a doctor, a scientist, and a pioneer, Laurel Clark was a beloved wife and mother, a sister, a dautghter, a niece and a friend. Our sympathy and prayers are with her family and those close to her. May God bless them and the families and friends of her fellow *Columbia* crew members.

We honor the memory of these heroes, we pray they have found eternal joy and peace, and we take comfort in having been touched by their soaring spirits during their time on Earth.

Mr. TOM DAVIS of Virginia. Mr. Speaker, on the morning of Saturday, February 1st, the men and women of *Columbia* Mission STS–107 were on their way home when they were suddenly and tragically taken from us. Today we offer the respect and gratitude of a grateful nation for their service and their sacrifice.

Over the last few days our Nation has prayed for the family and friends of the lost and have learned of the lives of seven truly extraordinary individuals. Commander Rick Husband, Pilot William McCool, Payload Commander Michael Anderson, Mission Specialist David Brown, Mission Specialist Kalpana Chawla, Mission Specialist Laurel Clark, and Payload Specialist Ilan Ramon understood the risk and were willing to make the ultimate sacrifice for the advancement of humanity.

The crew conducted more than 80 scientific experiments in the physical, life, and space sciences during their voyage. The objective of their mission was to help us solve problems here on Earth through experiments such as growing bone and prostate cancer tissue in search of new treatments; testing new techniques of encapsulating anti-cancer drugs to improve their efficiency; and examining the physics of combustion and fire quenching to gain insights into fire-suppression that cannot be obtained on Earth. Their mission is a reminder of the importance of our space program and the benefits that can be achieved through these efforts.

Our search for understanding and our basic desire to reach into the darkness just beyond our grasp are both the hallmark and the calling of our humanity. As we take these moments to grieve for the lives lost and the families and friends left behind, we also stand here today resolved that space exploration and the cause of research and discovery must go on.

Perhaps it is testimony to the greatness of our society when sending men and women into the heavens seemingly becomes commonplace—and perhaps it is regretful that many of us take notice only when a tragedy such as this occurs. Nevertheless, we were reminded on Saturday that all great endeavors involve great risk. We will go on and continue the work these seven astronauts began. They will go down in history as heroes who paid the ultimate price as pioneers in the frontier of space exploration. For their memories and in their names, we rededicate our efforts to unlock the mysteries of the heavens.

Ms. LEE. Mr. Speaker, I rise today in support of this resolution mourning the loss of the seven astronauts aboard the space shuttle *Columbia* and expressing our deepest sympathies to the loved ones they left behind.

For those of us on the ground, space shuttle flights sometimes almost seem routine. But to those brave few who actually achieve space flight, it is anything but ordinary—in its glories, in its possibilities, and in its risks.

On Saturday we watched in horror as the *Columbia* came crashing down to earth. Our hearts and prayers go out to the friends and families of those on board.

Seven courageous souls reaching for the stars were aboard. Israel lost a beloved son, and India a native daughter who first went out into the world and then dared to soar above it; those nations join us in our grief. All seven on board—Commander Rick Husband; Pilot William McCool; Mission Specialists Michael Anderson, David Brown, Kalpana Chawla, and Laurel Clark; and Payload Specialist Ilan Ramon—were explorers, fliers, scientists, and heroes.

Astronauts floating in space are almost always awestruck by the beauty of the earth shining before them and they often comment on how peaceful our planet looks from space. As they were returning home, filled with thoughts no doubt of the family and friends awaiting them, I hope such a vision comforted these seven brave souls.

The 19th Psalm begins, ''The heavens declare the glory of God, and the sky above proclaims His handiwork.'' The crew of the *Columbia* reached upward to get a closer look at that handiwork, and though today we deeply mourn their deaths, we also celebrate their lives.

To the parents, husbands, wives, friends, and especially the children of those who were lost, our hearts and prayers are with you as we too mourn their loss.

Ms. WATERS. Mr. Speaker, I rise today to offer my heartfelt sympathy to the families of the seven astronauts who lost their lives Saturday morning. My thoughts and prayers are with the families of the crew and the communities that loved and supported them. This was a terrible tragedy that no family should ever have to endure.

Commander Rick Husband, Pilot William McCool, Payload Commander Michael Anderson, Mission Specialist David Brown, Mission Specialist Kalpana Chawla, Mission Specialist Laurel Clark, and Payload Specialist Ilan Ramon gave their lives in the pursuit of knowledge. The seven brave men and women, who composed this crew rose to the top of their fields through hard work and determination. The international crew of the space shuttle *Columbia* was a group of men and women of extraordinary intelligence, brave hearts and dedication to one of the greatest endeavors that mankind has ever known.

The crew was as diverse as America itself. The six Americans were joined by Ilan Ramon, the first Israeli to go into space. Together, regardless of race, religion or national origin, they worked to ensure the integrity of the mission and to conduct scientific experiments that someday might improve the lives of thousands. They accomplished the mission's goals in outstanding fashion.''

I thank these remarkable individuals for their dedication. As a Member of Congress I will not rest until we know why this tragedy happened and I will do everything in my power to ensure that this does not happen again. In the wake of this horrific accident, as we search for the cause, we must not abandon our space program. It has brought so many wonderful innovations in technology and medicine. What we must do is find the root of the problem and provide the means to ensure that the *Columbia* and *Challenger* tragedies are never repeated.

I call on the President and Congress to honor the memories of these heroes by ensuring that NASA has all the necessary resources to protect future astronauts from tragedy.

Mr. RODRIGUEZ. Mr. Speaker, on February 1, 2003, our nation was faced with a tragedy that occurred hundreds of miles above the earth but hit close to our homes and our hearts. The mission of the space shuttle *Columbia* came to an unexpected end in the midst of the Texas skies sixteen minutes away from its destination.

My heart and the hearts of all Americans go out to the families of the seven honorable and courageous astronauts on board. These men and women were heroes fulfilling their goals and dreams in the space program.

Sadly, this tragedy happened almost exactly seventeen years after the January 28, 1986, loss of the seven heroes of the *Challenger* mission. During their mission, astronauts on the *Columbia* took time to honor their fallen comrades from both the *Challenger* and *Apollo* missions. As a nation mourns, the memories of all three tragic events will be remembered with mixed feelings, for the lives lost and for the missions they were set forth to accomplish.

The *Columbia* mission was assisted by the Lyndon B. Johnson Space Center located in the state of Texas. The primary responsibility of the center is for the designing and developing of space shuttles used for human journey into space as well as training them and participating in programs devoted to medical and engineering experiments. We in Texas are proud to be the home of this integral part of the space program. I commend them in every effort and share their deep sorrow for this tragic loss.

I would like to extend my appreciation and that of a grateful nation to those who assisted in the search for debris. Their ranks include volunteers, fire fighters, and National Guard members. Among those working are local East Texas residents who have taken the time to aid their country by collecting the remnants of *Columbia* and protecting the locations of debris. These volunteers have helped authorities document the information from this tragic event. The combined efforts of the volunteers represent the caring, giving spirit of Americans.

The space shuttle symbolizes the hope for our global future, to reach out as one world into the stars. On *Columbia*, the United States was not the only country represented. Astronaut Kalpana Chawla was the first Indian-born woman to enter space. Her native India and her adopted United States will always remember her efforts and accomplishments. Ilan Ramon, a distinguished colonel in the Israeli Air Force made history as the first Israeli astronaut to ever venture the realms beyond Earth. Israel's pioneer into space was lost, but his spirit of exploration and international cooperation will live on.

Space exploration has been an important part of the technological advancements achieved during this last century. As we embark upon a new one, the need to explore the unknown and venture beyond remains compelling. The families of the *Columbia* astronauts have made bold statements on behalf of their loved ones urging us to keep their dreams alive, ''Their hearts were full of enthusiasm, pride in country, faith in their God, and a willingness to accept the risk in pursuit of knowledge. Knowledge that might improve the quality of life for all mankind.'' This knowledge that we grasp and the essence to know more has kept our nation's space exploration program alive as it will continue to do so for the sake of our children. We best honor these fallen heroes by continuing their work, building a more robust space program for the future.

Mr. FOLEY. Mr. Speaker, I rise in strong support of the House resolution honoring the crew of the Space Shuttle *Columbia* and expressing our condolences to the families of those heroes on STS–107. I also rise in support of our national space program, to which the *Columbia* crew dedicated their lives.

Shuttle flight seems like almost a routine event. Another space shuttle leaves Cape Canaveral to conduct experiments, launch satellites, or link up with the International Space Station. Sometimes, a shuttle launch isn't even deemed newsworthy. As a result, many had begun to forget the tremendous contributions to science and peace that result from the shuttle program. Many also had forgotten that these missions were fraught with danger. But every shuttle launch is dangerous, not because of a lack of skill or dedication in NASA, but because of the nature of the mission—taking fragile people and machines through the atmosphere and into the unforgiving environment of space.

The world received a tragic reminder of the danger of space travel when we lost the *Columbia* on Saturday morning. It was a mission that reflected the best values of the space program. The crew of STS–107 included the first Israeli astronaut, Payload specialist Ilan Ramon, and Indian-born Mission Specialist Kaplana Chawla. The other crew members were Commander Rick D. Husband, Pilot William C. McCool, Mission Specialist David M. Brown, Mission Specialist Michael P. Anderson, and Mission Specialist Laura B. Clark. My sympathies go out to the families of these heroes and also to the people of Israel and India.

Columbia was the first Shuttle flown in April 1981. In its 28th and final mission, *Columbia* conducted important experiments to benefit life sciences and microgravity research.

NASA has now appointed both internal and external boards to investigate the accident. The House Science Committee will also initiate an investigation as it did after the loss of the *Challenger* in 1986. Of course, it is too early to determine the cause of the accident. However, I urge that the investigators be given all the resources necessary to find that cause and be given the authority to made specific recommendations to avoid similar tragedies in the future. These changes must be completed as soon as possible to avoid unnecessary delays that could set back the progress and security that comes from our manned space flight program. For the crew of *Columbia* and their families, I cannot reiterate enough the profound grief we all share. My sympathy and prayers are with them all.

Mr. GALLEGLY. Mr. Speaker, my thoughts and prayers go out to the families and friends of the seven men and women of space shuttle *Columbia.* All seven astronauts were talented and dedicated.

Columbia was commanded by Commander Rick Husband, 45, an Air Force colonel from Amarillo, Texas. Pilot William McCool, 41, was a Navy commander from Lubbock, Texas. Payload commander Michael Anderson, 43, was an Air Force lieutenant colonel. Mission specialist David M. Brown, 46, was a Navy captain, pilot and doctor. Mission specialist Laurel Blair Salton Clark, 41, was a Navy diving medical officer aboard submarines, then a flight surgeon who became an astronaut in 1996.

Payload specialist Ilan Ramon, 48, a colonel in Israel's air force whose mother and grandmother survived the Auschwitz death camp, market the first Israeli citizen in space. Kalpana Chawla, 41, emigrated to the United States from India in the 1980s and became an astronaut in 1994. It was her second flight.

Many of the lost astronauts have children. All were loved. They are heroes and they will be missed.

May God care for our fallen heroes and their families and friends.

Mr. ETHERIDGE. Mr. Speaker, I rise in strong support of this resolution expressing condolences to the families of the crew of the space shuttle *Columbia*.

The loss of space shuttle *Columbia* is felt deeply across the nation and the globe, and our thoughts and prayers are with the families of the astronauts. These shuttle missions have become so routine that many take them for granted, but these astronauts are truly pioneering American heroes, pushing the envelope in the pursuit of science. America and my constituents in North Carolina continue to support NASA and its mission to explore the universe to expand human knowledge about God's creation.

As a member of the House Science committee overseeing NASA I am confident that we will get to the bottom of this tragedy and that Americans will continue to reach for the stars.

Mr. TERRY. Mr. Speaker, among the many tributes to the brave men and women aboard the space shuttle *Columbia,* let me add my condolences to each of the families that suffered a loss in this tragedy. These seven individuals devoted their lives to advancing our dreams of space exploration. In their hometowns, in our schools and communities, as well as in space, they worked to enhance our appreciation for their mission. They took time to educate everyone from the youngest aspiring astronauts to those of us who simply marveled at their achievements.

In particular, Michael P. Anderson affected the constituents of Nebraska's second Congressional District. Michael was born in Plattsburg, NY, but was stationed at Offutt Air Force Base in Nebraska from 1986 to 1990. At Offutt, Michael flew EC–135s, or Looking Glass, missions. By 1990 he had earned his master's degree in physics from Creighton University in Omaha. Then in 1994, Michael was selected to join NASA as a future astronaut. In 1998, on his first mission to space, he became the first African-American to visit a space station. Even though he logged over 211 hours of space flight time, Michael never forgot his time in Nebraska.

Michael's friends and former professors at Creighton frequently corresponded with him via email, even when he was in space. His continued relationship with the university provided unique opportunities to students and faculty. Michael's determination to inspire young people was evident in his visits to schools not just in the district I represent, but in communities across the country. His lessons still resonate with the students of Jesuit Middle School he visited in 1998. Before making his visit, Michael stepped into his NASA uniform and just as easily stepped into the role of hero to his young audience.

Michael, as well as the other six astronauts aboard the *Columbia,* left a legacy of proud service. They were all active in their communities and all of them touched many lives. We will miss them, in Nebraska and around the world, and we will not forget their inspiring influence.

Mr. THORNBERRY. Mr. Speaker, the seven astronauts who perished last Saturday on the space shuttle *Columbia* are heroes who gave their lives serving our Nation and mankind. Their loss has been felt deeply not only across America, but in Israel, India, and elsewhere around the world.

The Panhandle and South Plains of Texas have been particularly hard hit by this tragedy because two of the astronauts came from our part of the State. *Columbia* Commander Rick Husband was born and raised in Amarillo. He grew up wanting to be an astronaut and earned his pilot's license at the age of 17. He attended Amarillo High School and graduated from Texas Tech University. Rick and his wife Evelyn were married in Amarillo.

Columbia pilot Willie McCool graduated from Coronado High School just down the road in Lubbock. There he earned the nickname ''Cool Willie'' and made his mark in the classroom. He also made his mark as a member of the track and cross country teams and as an area runner. In 1978, he won a road race in the Lubbock area. Among those competing that day was a local resident by the name of George W. Bush.

The Panhandle and South Plains of Texas join the Nation and the world in mourning the loss of the seven astronauts of *Columbia.* We pray for their families. We honor their courage, their enthusiasm for the mission, and their determination to advance the frontiers of knowledge. And of course, we will always be proud of Rich Husband and Willie McCool. They are not only heroes for the ages, they are also—and forever will be—heroes of our own.

Mr. Speaker, at this point I would like to formally submit for the record an editorial from the Amarillo Globe News, which explains in greater depth how our area feels at this time.

[From the Amarillo Globe News, Feb. 4, 2003]

EDITORIAL: HUSBAND'S ROOTS A SOURCE OF PRIDE

AMARILLO SHOULD HONOR ITS OWN

Rick Husband never forgot where he came from.

In many ways, he was the perfect example of Amarillo—humble, friendly, dedicated, faithful and committed to achieving his dreams.

These qualities are found in abundance in Amarillo and the Panhandle, an area known for its wide expanses and breathtaking sky but also cherished for the people that truly make the Golden Spread golden.

Col. Husband epitomized these characteristics.

Even those who didn't know him personally felt as if they had a connection.

He was raised here, went to school here and worshiped here.

And though his aspirations took Rick Husband far away, even to the far reaches of space, he remained, indeed, one of us.

This is what made Saturday's tragedy so horrific, so painful and so unbelievable.

When the space shuttle *Columbia* came crashing down in pieces, it seemed as if Amarillo lost a piece of itself.

As the plans to memorialize one of Amarillo's greatest sons begin, this is what needs to be remembered about Col. Husband, not only out of respect and remembrance, but also for the benefit of future generations.

The community has a difficult task in trying to capture the legacy of Rick Husband.

While there are many possibilities, Rick Husband was first and foremost an individual willing to assume the sacrifice and risk of his dream to become an astronaut.

It seems only fitting that a statute of Rick Husband, proudly clad in the uniform he earned, be a strong consideration. In turn, this statute should be prominently displayed, perhaps near City Hall.

Col. Husband was proud of his hometown, and a state highway road sign signifying Amarillo as the home of Rick Husband, *Columbia* commander, also should be a possibility.

There are many ways Amarillo can honor Col. Husband's memory.

What should be remembered is that no matter how far he went, even to places where few have gone before, Rick Husband stayed true to the values and beliefs of home.

Amarillo should be proud.

Mr. BISHOP of Georgia. Mr. Speaker, people in Georgia's Second District tell me they felt a deep personal loss when they learned about the fate of *Columbia* and her crew of seven. From what I've read and observed on television, this is the way people felt throughout the country and around the world—not only in India and Israel where two of the crew members were from, but also in places that have no direct connection with the international space program.

People, everywhere, felt as if they had lost members of their own family.

And, of course, we did.

Although those of us who serve together in Congress may not always want to claim each other as relatives, we are, in fact, all part of one family—as American citizens . . . and as children of God.

The *Columbia* was on a scientific mission.

The magnificent men and women who flew in her risked their lives to explore the unknown and expand the boundaries of understanding.

Their cause was the cause of humanity.

As we mourn their loss, let us pledge to keep their cause alive.

Mr. HOBSON, Mr. Speaker, I rise in support of this resolution to express my sincere condolences to the families of the crew members of the Space Shuttle *Columbia*.

It is with great sorrow that the U.S. House of Representatives is considering this resolution. It is rare that the United States, as a whole, experiences such a sense of loss, and I have not personally known it since the events of September 11. There is not one American who has not been affected by this sad and terrible accident. This tragic loss does not, however, end with the United States. With a diverse crew aboard the shuttle, this loss is truly being felt around the world.

Last Saturday morning as I began my day as routine as anyone else in America, seven brave astronauts began their triumphant return home from space. Their mission had been one of scientific research and experimentation, and had been highly successful. So many missions before them had ventured into the great mystery known as space, and helped put the United States at the cutting edge of space exploration. Most have returned to us safely. In the coming weeks, NASA and a team of investigators will determine exactly what happened last Saturday morning, and why *Columbia* did not return safely.

We will go back to space. Every time a shuttle mission launches into space, everyone aboard the orbiter knows they are putting themselves into harms way, and have chosen one of the most dangerous professions known. While we have been visiting space for several decades, and safety has always been our number one priority, each astronaut knows the dangers associated. It is now times to reassess our safety measures, insure that never happens again, and press forward with our manned space flight program as those seven brave souls would want us to do.

This tragedy has so profoundly impacted our public consciousness because space travel resonates with the human desire to move forward and to learn more about our existence and our place in the universe. The men and women of the space shuttle *Columbia* were pioneers just like the members of the Lewis and Clark Expedition, the Wright Brothers, the expedition to the North and South Poles, the Apollo Moon landings and other great exploits in human exploration and discovery.

We will always mourn the loss of the crew of the shuttle *Columbia* but we will never give up our quest for knowledge.

Mr. Speaker, I join today with my colleagues, the families and friends of all those in the NASA family, and people across the globe in support of this resolution.

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I come to the floor today to honor the men and women tragically lost on the space shuttle *Columbia*.

These seven astronauts represent the very principles—honor, bravery and dedication—that Americans have looked up to since the beginning of space travel. These heroes are the epitome of what every child in modern times aspires to be. Exploring the last undiscovered frontier is one achievement that only few have done, but all have eagerly sought to do.

While America will mourn the loss of these brave heroes for years to come, let us never forget the importance of space travel. Like explorers from Columbus to Amelia Earheart, the crew of the space shuttle *Columbia* reached frontiers that are only a dream to most of us. In doing so, they have provided mankind with a better understanding of a world we have only begun to discover.

These young men and women leave behind families that have been equally dedicated to the goals of this crew and the future of space travel. I extend my deepest gratitude to these families for the sacrifices they have made in order to help this crew achieve their dreams of space travel.

I ask my colleagues to join me in honoring the seven members of the space shuttle *Columbia* crew who have brought the heroic bravery of past explorers to the horizons of future frontiers.

Ms. McCARTHY of Missouri. Mr. Speaker, I rise today in grief and gratitude to remember the seven brave men and women who perished in the February 1st disaster of the space shuttle *Columbia.* In the words of the President from the memorial service on February 4, ''We remember not only one moment of tragedy, but seven lives of great purpose and achievement.'' Commander Rick D. Husband, pilot William C. McCool, payload commander Michael P. Anderson, payload specialist Ilan Ramon, mission specialist David M. Brown, mission specialist Kalpana Chawla, and mission specialist Laurel Clark now take their places in our collective memory, alongside the seven astronauts lost in the 1986 *Challenger* disaster.

The President, NASA, the House Science Committee and the Senate Science Committee have each begun their investigations. What we learn from these inquiries will enable us to improve our international space program for the betterment of mankind.

My heart goes out to the families who have just lost their loved ones who gave themselves to the greater service of mankind. While the world mourns the loss of the *Columbia* crew, my community joins the extending condolences to the family of Commander Laurel Clark, whose sister lives in Kansas City. Laurel's sister, Lynne Salton, joined the observers for the launch of *Columbia* on January 16th and was anxiously awaiting her older sister's return on Saturday. We cannot know the magnitude of the loss they feel.

In memory of their bravery I wish to share a poem by John Gillespie Magee, Jr., entitled ''High Flight''. It was quoted at the memorial service for the 1986 *Challenger* disaster, and is etched on the memorial plaque at Challenger Memorial Park in Clear Lake, Texas.

Oh! I have slipped the surly bonds of Earth
And danced the skies on laughter-silvered wings;
Sunward I've climbed, and joined the tumbling mirth
Of sun-split clouds,—and done a hundred things
You have not dreamed of—wheeled and soared and swung
High in the sunlit silence. Hov'ring there,
I've chased the shouting wind along, and flung
My eager craft through footless halls of air . . . .

Up, up the long, delirious burning blue
I've topped the wind-swept heights with easy grace
Where never lark, or ever eagle flew—
And, while with silent, lifting mind I've trod
The high untrespassed sanctity of space,
Put out my hand, and touched the face of God.

Mr. Speaker, I join my colleagues in honoring the memory of the seven brave souls who were aboard the illfated space shuttle, *Columbia*, and who will now dance above us in the ether.

Mr. PLATTS. Mr. Speaker, I rise to join with my colleagues in paying tribute to the five brave men and two brave women of the space shuttle *Columbia*, whose lives were tragically lost Saturday morning:

Col. Rick Husband, a husband and father, faithful member of his church's choir, and an astronaut.

Kalpana Chawla, Ph.D., born in India and emigrated to the United States. She loved both her countries, and she was an astronaut.

Commander William McCool, a husband and father, recipient of multiple Navy medals, and an astronaut.

Captain David Brown, a physician and humanitarian, and an astronaut.

Commander Laurel Clark, a wife and mother, recipient of numerous Navy medals, and an astronaut.

Lt. Col. Michael Anderson, a husband and father, recipient of multiple Air Force medals, a Sunday school teacher, and an astronaut.

Col. Ilan Roman, a husband and father, a hero to his people in Israel, and an astronaut. He is said to have carried with him on *Columbia's* fateful flight a small Torah scroll used at a bar mitzvah in a Nazi concentration camp.

Not just their families, but their Nations—and the world—mourn the passing of these seven individuals because of what they represent, the very best in humanity: bravery, a pioneering spirit, the desire to learn, and the peaceful advancement of mankind.

We will forever remember and always be grateful for the heroic sacrifices made by these courageous souls, along with their families, on behalf of all humanity.

Ms. SCHAKOWSKY. Mr. Speaker, I join people from around the world in paying tribute to the men and women of the space shuttle *Columbia* who were lost on Saturday, February 1st. I offer my deepest condolences to their families and loved ones. On that sad day, the United States, the State of Israel and India lost seven brave visionaries. But during their time on our planet, those heroes were living their dreams of reaching out for the stars. They risked their lives for the sake of improving the lives of all humanity.

To truly honor the legacy of these fallen heroes and their accomplishments, the United States must remain committed to lead the world in space exploration. These courageous individuals were well aware of the risks involved with space travel, but that did not deter them from pursuing their goals. We have experienced tragedy in this arena before, but we have never forgotten the spirit of those lost. It is unfortunate that tragedy has struck again but we must learn from the past and carry on. The United States must continue to improve and stay dedicated to its space program.

The crew of the *Columbia* represented so many different parts of our world. There was Mission Commander Colonel Rick Husband, a NASA veteran since 1994. Lieutenant Colonel Michael Anderson, the Payload Commander, had logged more than 211 hours in space. Dr. Kalpana Chawla emigrated to the United States from India and was the first Indian woman to travel to space. Payload Specialist Colonel Ilan Ramon was Israel's first ever astronaut. Pilot William McCool, Mission Specialist Dr. David M. Brown, and Mission Specialist Dr. Laurel Blair Salton Clark were all making their first ever space flight. All will be remembered as patriots who sacrificed their lives for the greater good.

When we peer into the night sky and observe the stars shining above, let us never forget all those that strived to reach them. We thank them for their sacrifice in the name of discovery for humankind.

Mr. KING of New York. Mr. Speaker, I rise today to honor the lives of the seven astronauts who perished on Saturday as they returned from space aboard the space shuttle *Columbia:* Commander Rick D. Husband, Pilot William C. McCool, Payload Commander Michael P. Anderson, Mission Specialist Kalpana Chawla, Mission Specialist David M. Brown, Mission Specialist Laurel B. Clark, and Payload Specialist Ilan Ramon. These brave people risked their lives to further mankind's understanding of science, medicine, and the universe in which we live.

While we send our condolences to their family, friends, and co-workers, we remember that these individuals died while living out a dream. We cannot forget or neglect this dream. It is our obligation to continue this legacy.

Our hearts go out to the families of these courageous individuals. We will never forget them nor their quest to advance mankind.

Mr. CASTLE. Mr. Speaker, I rise today to recognize the loss of the brave and dedicated seven-member crew of the space shuttle *Columbia.* This tragic event has left an indelible mark on all Americans. *Columbia* was the first operational shuttle built for NASA. It was used for the very first shuttle flight on April 12, 1981. We mourn Commander Rick Husband, Pilot William ''Willie'' McCool, Payload Commander Michael P. Anderson, Mission Specialist David M. Brown, Mission Specialist Kalpana Chawla, Mission Specialist Laurel Blair Salton Clark, and Israeli Payload Specialist Ilan Ramon. *Columbia*'s seven-member crew represented America's best as well as a growing international partnership in meeting this important challenge of the future.

From John Glenn's first orbit of the Earth, to the Apollo Eleven's landing on the moon, and now the final stages of completion of the first international space station, the United States has been and will continue to be the world's leader in space exploration. As the nation mourns and NASA begins its investigation to determine the cause of this tragic event, I believe the people of Delaware and the nation remain strongly committed to the U.S. space program.

Delaware has strong ties to the US space program. ILC Dover Inc., a company based in Frederica, Delaware, has made space suits for NASA since the days of the *Apollo* program and Neil Armstrong's first steps on the moon. Its workers made parts of two spacesuits onboard during *Columbia*'s mission. These suits would have been worn during any space walk portion of the mission. ILC Dover is now in the process of constructing impact bag systems that will be used on probes scheduled to fly to Mars this summer. All the employees of ILC Dover, Inc. work with heavy hearts these days as they remember loss of the crew they have worked all these years to protect.

Delawareans enthusiasm for the space program is evident in their desire to educate their children about our space program. This past year, I was very pleased to visit the future campus of the Delaware Aerospace Education Foundation's Innovation, Technology and Exploration Center. This $25 million facility will have its ground breaking this Spring in Smyrna, Delaware. It will feature 40,000 square feet of an interactive museum, planetarium, and theater. Through the leadership of Dr. Stephanie Wright, the foundation sponsors numerous programs that promote math, science, and technology education through youth academies, presentations, symposiums, events, and professional development for teachers. I hope the new Aerospace Education Center will work to honor the sacrifices made by the *Columbia* crew through their upcoming programs.

Mr. Speaker, I salute the crew and supporting members of this *Columbia* mission. Americans understand the excitement and risks that come with the important job that NASA undertakes everyday. It is this bold and courageous effort that demonstrates America's commitment to leading the world in the future of space exploration. Although I am saddened by our nation's tragic loss, I am very proud to be an American and will continue to work for an effective space program to benefits NASA's mission in Delaware, the nation, and the world and beyond.

Mr. LARSON of Connecticut. Mr. Speaker, exploring the unknown has always been perilous. Magallan died in the Philippines defending his men as they were circumnavigating the globe. Lewis and Clark faced numerous dangers as they were exploring the bounds of the American frontier. There is no longer any terra incognita, so man's curiosity has led him to explore space. We are still literally light years away from exploring what our grandchildren will one day be familiar with. As we embark on our quest to find out what our galaxy holds, we have almost forgotten that it takes a great deal of bravery to strike out into the unknown, and that it is not without great risk.

On February 1 we were reminded of the danger that we had almost forgotten. Among the seven crewmembers was Dr. Kalpana Chawla. Dr. Chawla grew up in an impoverished small town in India where women are not expected to get an education, much less float in the weightlessness of space. Nevertheless, she persevered, and is an inspiration to anyone in grinding poverty whose dreams may be laughed at. Pilot Willie McCool was the son of a Vietnam veteran who finished second in his Naval Academy class, evidence that we are sending the best and brightest out on these dangerous missions so they may accomplish these important objectives. Navy Captain David M. Brown was a gymnast at the College of William and Mary, and when he addressed the campus in September he noted that what he was doing was similar to what the College's founders did when they came over from England, and that they faced similar risks. Air Force Lieutenant Colonel Michael P. Anderson watched Neil Armstrong and Buzz Aldrin on the historic *Apollo 11* flight in 1969, and the excitement never left him. He served as an inspiration to minority children across the United States as he was one of the first African-Americans to join NASA in 1994. The shuttle's commander, Rick D. Husband, was a model of perseverance. He tried and failed three times to get into NASA, but he never gave up hope that one day he too could soar into the cosmos, and on the fourth try was accepted. He was a talented pilot who had been able to fly since the age of 18. Navy Commander Laurel Blair Salton Clark was no stranger to the dangers of the unknown; she had conducted medical evacuations from submarines before joining NASA.

Finally, there was Illan Ramon. He was the son of a Holocaust survivor and had fought in the Yom Kippur War and the Iraeli-Lebanese conflict, so his bravery was proven well before that fateful Saturday morning. he was an Israeli Air Force pilot who served as an inspiration to his country, which is in a time of turmoil, doubt and suffering. He showed us all that space does not belong to America, but that it is for all of mankind to experience, regardless of nationality or religion.

Columbia's name comes from Christopher Columbus. He too faced the dangers of hurtling into the unknown, yet without him America would not be what it is today. We were the first nation to put men on the moon because we are instilled with Columbus's spirit of wonder, curiosity, and adventure. We want to learn and explore, know everything there is to be known and then share it with the world. This is why we have NASA, why we have space shuttles, and, regrettably, why these seven souls lost their lives over Texas that blue morning.

For their service and dedication to this vision, I thank them on behalf of my constituents and my children. Their lives will be filled with inspiration and wonder thanks to these brave heroes' dedication and commitment to the noble enterprise of scientific discovery.

Mr. CASE. Mr. Speaker, I humbly rise in support of H. Res. 51. I want to thank the Majority and Minority Leaders for bringing this resolution to the House floor on a completely united basis.

Mr. Speaker, what happened on the morning of February 1st was truly a world tragedy. The crew of the space shuttle *Columbia*, returning from a productive sixteen day scientific mission to the International Space Station, was lost over Texas. My heart goes out to the families of Michael Anderson, David Brown, Kalpana Chawla, Laurel Clark, Rick Husband, William McCool, and Ilan Ramon, the heroic crew now known as the *Columbia* 7.

On Saturday, we were all again reminded of the dangers of space exploration. Many Americans, my self included, vividly remember January 28, 1986, when the space shuttle Challenger was lost a minute and thirteen seconds into its launch. That tragedy, as well as Saturday's, shocked our nation and focused national attention on the space program and the courageous men and women who risk their lives in the name of science and exploration. The heroic crew of the *Columbia* was composed of seven of our best and brightest men and women, who reflected the diversity of our nation and world and embodied a new spirit of international cooperation.

The *Columbia* tragedy was especially trying and painful for my home state, for one of our heroes met the same fate in the 1986 *Challenger* tragedy. Lt. Col. Ellison Onizuka was from my home island, the Big Island of Hawaii.

Lt. Col. Onizuka was the ultimate local boy made good and the first Japanese-American to fly into space. Like those on the *Columbia* 7, he was a strong advocate for exploration, education and adventure. He once said, ''From your vantage point, your education and imagination will carry you to places which we won't believe possible . . . Think of the new horizons you can explore.''

He knew the risks, that there was a significant chance that something could go wrong on a space mission. But he was a dreamer, just like all heroes and leaders. In reinforcing his strong support for man's commitment to exploring new boundaries, he said: ''Make your life count . . . and your world will be a better place because you tried . . . Every generation has the obligation to free men's minds for a look at new worlds . . . to look out from a higher plateau than the last generation.''

Ellison's words still ring true today, and his actions embody the spirit of space exploration and scientific experimentation. He certainly would have said, notwithstanding the loss of the *Columbia*, that we must go on.

Mr. SHAYS. Mr. Speaker, I join my colleagues in extending my condolences to the families, friends and colleagues of the seven *Columbia* crew members.

Many of us watched with awe and pride as the Space Shuttle *Columbia* lifted off on its first mission on April 12, 1981. It made history as the first shuttle to orbit earth, a tangible expression of human aspiration.

The destruction of the *Columbia* is a tragedy for our country, for the families of the lost astronauts and for the nation of Israel. These brave men and women deserve our admiration and respect and their families deserve our love and support.

Forty years after President Kennedy challenged Americans to reach the moon, this disaster is a sober reminder that space travel remains a daring and dangerous endeavor. The *Columbia* crew willingly braved those dangers to help improve the lives of all mankind.

As we celebrate their courageous spirit and mourn their death, we must dedicate ourselves to conducting a complete and thorough investigation of what went terribly wrong at the outer ring of the Earth's atmosphere, forty miles above Texas. Our history, our thirst for knowledge and our curiosity about what lies beyond demands that we learn from this tragedy and ensure the safety of future missions.

Mr. CRAMER. Mr. Speaker, I rise today to honor the lives of the seven astronauts onboard the Space Shuttle *Columbia* Mission STS–107. The group of brave men and women can never be replaced. They were truly among the best and the brightest, and America—as well as the entire world—has suffered a tremendous loss.

However, in the midst of our grief, we must use their sacrifice as inspiration to continue our efforts to explore space. As we've heard through their families and friends, the *Columbia* crew would have wanted their colleagues to continue in their footsteps.

Harry Truman once said, ''Men make history and not the other way around . . . Progress occurs when courageous, skillfull leaders seize the opportunity to change things for the better.'' These great leaders on the Space Shuttle *Columbia* sought to change things for the better, and would want future generations to continue to reach for those same goals.

Space exploration is not only a critical part of our heritage, but it is vital to the future of our nation. It increases our understanding of the world that we live in and the Universe around us. The extreme conditions that can only be found in space provide us with a unique research laboratory that we could never recreate on Earth. Our nation has established itself as the leader in space exploration, which contributes greatly to the American spirit. Space exploration inspires our youth and leads to a more scientifically literate society.

The astronauts onboard the Shuttle *Columbia* believed all of these same things, which is why they declared—and sacrified—their lives for their mission of scientific discovery. I'd share to share with you something Gus Grisson, who lost his life to a fire on *Apollo 1* in 1967, once said: ''If we die, we want people to accept it. We're in a risky business, and we hope that if anything happens to us it will not delay the program. The The conquest of space is worth the risk of life.''

While the crew of *Apollo 1* had different missions, the goal of space exploration remains the same. Judging by the lives the *Columbia* crew members led and their dedication to space exploration, I believe they lived by these same words. These astronauts knew and accepted the risks of space travel, and gave their lives performing a research mission with the purpose of improving our lives back here on Earth.

We must press on and continue the mission they began. While we grieve today, we soon must focus on the astronauts that have been onboard the International Space Station since November and the astronauts who will continue to explore in space. They must know that we are dedicated to doing our best to provide for their safety. For the health of our nation and for the future generations that will no doubt benefit from the research conducted in space, we must continue with their missions.

Mr. Speaker, we must demand that these astronauts did not die in vain, instead we should cherish and learn from their sacrifice to ensure the safety and success of future missions.

I'd like to close with a quote by Dr. Laurel Clark. One experiment she was working on during orbit was to study a silkworm cocoon hatching. When we saw the moth, Dr. Clark remarked, ''There was a moth in there, and it still had its winges crumpled up, and it was just starting to pump its wings up. Life continues in lots of places, and life is a magical thing.''

I think we can learn from Dr. Clark's faith in life and trust that the lives of these seven men and women will continue in some other places, just as she witnessed a moth's life continue in space.

Mr. MEEK of Florida. Mr. Speaker, I join with my colleagues in honoring the brave men and women of the Space Shuttle *Columbia,* in celebrating their lives and marveling at their achievements; in mourning their passing and extending whatever solace and comfort we can to their families and loved ones.

Space travel is important to our country, but it is particularly important to my State of Florida. All Floridians take pride in Cape Canaveral. Thousands of Floridians are part of the team that puts the shuttle together, loads up its space cargo and launches it into space.

Everyone who has ever seen a shuttle launch goes away feeling differently; about our country, certainly, but also about the nature of human beings on this Earth. For we are a curious species.

Our entire history, in countless tales that preceded Jason and the Argonauts, and in countless voyages that followed the voyage of Columbus, is a long, long saga of people trying to go places no one has ever been; seeing things no one has ever seen; and learning things that no one has ever known. And this is the type of people that the men and women of the *Columbia* were.

As is so often the case in life, we have learned more about them after their deaths than we knew when they were living. But what we have learned is that they were truly remarkable people—people with dreams who worked hard, studied hard, exercised discipline, raised their families, served their communities and their country. Each of these astronauts would be a fine role model for our sons and daughters.

Our hearts and prayers go out to their families. I hope they can take some comfort in knowing how much their strength and the lives of their loved ones have touched so many they have never met.

In the words of Abraham Lincoln, speaking about another great national tragedy at the Battle of Gettysburg, ''It is for us the living, rather, to be dedicated here to the unfinished work which they . . . have thus far so nobly advanced.''

Mr. Speaker, almost 100 years ago, Orville Wright took off from a launching rail in North Carolina and flew for 12 seconds and a distance of 120 feet. Space shuttle *Columbia* took off from Florida and flew for 16 days at a distance of 6.6 million miles. Because of the special people that these astronauts were, I marvel to think about how long and how far our great, great grandchildren will fly 100 years from today.

Mr. MATHESON. Mr. Speaker, Saturday's tragedy was both unexpected and shocking. It evoked memories of an earlier American tragedy, the 1986 Space Shuttle *Challenger* disaster. But we must remember that this terrible loss shows the continued bravery of the American space program. We forget so easily the immense risks associated with space exploration, and I commend those individuals who continue to put themselves at great risk in order for all of us to live in a more enlightened and advanced society.

In the wake of this tragedy, NASA and the Congress must work together to initiate the most complete and thorough investigation possible in order to prevent similar tragedies in the future. The work of exploration is ongoing and we must be vigilant in maintaining standards of safety. Larger questions about the future of our journey into space must also be addressed by Congress.

It is important that we also remember the three crewmembers still on board the International Space Station who lost valued friends and peers. I am hopeful that they will safely return to Earth as soon as possible.

I extend my deepest sympathies to the families of the heroic crew of Space Shuttle *Columbia.* I am certain that the men and women at NASA are struggling with their grief, as well, and my thoughts are with them also.

Let us all remember the remarkable individuals who reached the stars and lived lives of great American accomplishment.

Ms. WATSON. Mr. Speaker, words are not sufficient to describe how I felt on Saturday morning when the Chairman of the Democratic Caucus announced that the space shuttle *Columbia* had gone down. My heart goes out to the families and friends of the seven courageous men and women astronauts. We mourn the tragic loss of *Columbia*'s crew, whose lives were precious to all Americans.

Today, as NASA and the Nation continues to struggle with shock and sadness, I want to take this opportunity to commend three Dorsey High School Students from my Congressional District—Atiabet Ijan Amabel, Christina Mojarro, and Juan Carlos Ortega—for participating in the STARS Academy Research Mission with an experiment that was placed aboard space shuttle *Columbia*.

The STARS Academy is an online cultural and scientific global learning program. It incorporates a standards based curriculum in math, science, language arts, geography, and technology. On the STS–107 mission, schools from six countries developed life and physical sciences experiments, while working with astronauts, space scientists, engineers, and other experts. For this mission the participating schools came from:

Australia, Spider Experiment;

Israel, Crystalline Fiber Growth;

Japan, Medaka Fish Growth;

USA, Syracuse Ants Experiment;

Liechtenstein, Carpenter Bee Experiment; and

China, Silk Worm Experiment.

These students were involved for over two years.

Just over one year ago this wonderful project came to my attention, and I immediately approached Principal Mahmud of Dorsey High School with the idea. The Dorsey science students were required to write an essay explaining why they wanted to participate in the STARS Academy. The three students represent some of the best and finest that Los Angeles Unified School District has to offer. If you do nothing else but read their essays you will know why.

Although the Dorsey students joined STARS late in the program, I was pleased that they could participate in this most worthy and highly sophisticated scientific experiment. It is this kind of event that can provide the inspiration to a young man or woman to pursue a career in science and space exploration.

After the July 2002 launch postponement, and the Chinese students' visa problems, the Dorsey students were challenged to move from observers to collaborators on the Silk Worm Experiment. This bi-national experiment investigates the effects of microgravity on silkworm larvae development and silk production. Juan, Christina, and Amabel fully constructed the silk worm habitat and installed it aboard the payload module, prior to *Columbia*'s launch.

I applaud the dedication of LA Unified Instructional Technology Administrator Joe Oliver for his work with the students to instruct them in a short amount of time. Joe changed his focus from a little of everything to Silk Worm 101, and was pleasantly surprised at how quickly the students learned the new material. I am especially proud of Christina Mojarro, Juan Ortega, and Amabel Atiabet who have represented themselves, their families, Dorsey High School, LAUSD, California's 33rd District, and Los Angeles, so well.

Mr. Speaker, despite the tragic events, this is an historic moment for Dorsey High School and its students who participated in the Silk Worm Experiment. Their projects and dedication to science are fitting honors to the astronauts who lost their lives and an inspiration to all future space explorers.

Mr. ROTHMAN. Mr. Speaker, I wish to offer my strong support for the resolution.

As they have been since Saturday, my prayers and thoughts are with the families and friends of the seven space shuttle *Columbia* astronauts who lost their lives. Our Nation mourns with them and the people of Israel and India who each lost a native hero in this terrible disaster.

The tragedy that has befallen our Nation touches each and every American deeply and personally. Throughout our modern history, the NASA program and the astronauts who have courageously committed their lives to space exploration have represented the hope and promise of the future. In an endless universe with so many unknowns, these brave men and women are the ones who set out to find the answers that further the understanding of our existence and provide the keys to the technology of the future.

When that promise of our future is suddenly struck with great tragedy, we feel an emptiness deep within us. While we mourn, we must remember that space travel must go on and that we must continue to explore space in order to advance the causes and abilities of humankind.

As a Congressman, I have had the honor of personally getting to know a number of our NASA astronauts, having brought them to speak to students at several Bergen and Hudson County elementary and middle schools. As the astronauts made their presentations and discussed their experiences, I saw the eyes of the children light up with wonder, amazement, and admiration. Our astronauts, who are some of the brightest people on our planet, are heroes and as inspiration to all of us, and in particular to our children, who see the hope of a better tomorrow for themselves through the eyes of our space explorers.

As we try to find the answers behind this disaster, all Americans must unite and draw strength from one another in order to heal and move forward. May God bless our heroes who were lost as well as their families and loved ones, and may God bless America.

Mr. UDALL of Colorado. Mr. Speaker, I rise in support of this resolution and in tribute to the *Columbia* seven. Today we mourn them all. We mourn Commander Rick Husband, Pilot William McCool, Mission Specialists Michael Anderson, David Brown, Kalpana Chawla, and Laurel Clark, and Payload Specialist Ilan Ramon.

All seven of the *Columbia* left behind husbands and wives and family and friends. They were role models to young people everywhere who dreamed of space. They symbolized possibility and achievement to Americans, Indians, Israelis, and citizens of the world. They gave their lives in exploration for America and the world. They hold a special place in all of our hearts.

I would like to say a few words about Dr. Chawla, who earned her doctorate in aerospace engineering at the University of Colorado. Dr. Chawla was the second former CU student to be lost on a NASA mission, joining Ellison Onizuka, who died in the *Challenger* accident in 1986.

Mr. Speaker, I've included an article from the Denver Post detailing how Dr. Chawla spent five hours on *Columbia* salvaging the broken space experiment of students at the Colorado School of Mines. Because of Dr. Chawla's help, the students were able to download almost all of the data they had hoped for through a satellite link.

Those who knew Dr. Chawla talk about her incredible determination and drive and her ability to achieve against so many odds. A friend of hers from India said that ''She never

had the feeling that because she was a girl, there were things she should not do.'' She left India, but she never forgot it. Beginning in 1998, at her urging, NASA invited high school students from India to take part in a summer space experience program in Houston. One of the students who visited Houston remembered something Dr. Chawla said to her there: ''Whatever you believe in, do—just follow your dreams.''

In his State of the Union address announcing his vision to put a man on the moon, President Kennedy said that ''it will not be one man going to the moon . . . it will be an entire nation.'' And it has been an entire nation supporting our men and women in space, dreaming their dreams along with them, following their adventures, as a way to satisfy our own curiosity, to stimulate our own sense of discovery and wonder.

I am committed to doing all I can to honor the memory of our brave astronauts. The House Science Committee's Subcommittee on Space and Aeronautics, of which I am a member, will be conducting hearings to try to understand what happened to *Columbia*, to make sure such a tragedy never happens again, and to help NASA recover and begin anew its mission of discovery. I intend to take an active part in those hearings.

The exploration of space remains one of the great adventures of all time. I am committed to keeping the dream alive, and along with it, the spirits of the *Columbia* seven.

[From the Denver Post, Feb. 2, 2003]

(By Dave Curtin)

Astronaut Kalpana Chawla became a hero to students at Colorado School of Mines when she went beyond NASA protocol to spend five hours Monday salvaging their broken space experiment.

But more than that, Chawla and her six crewmates made the students feel like their best friends and equals in space science as they worked closely together during the past week.

''They were real people. They didn't put themselves above anyone else. They made us feel important,'' said Ned Riedel, who helped design the Mines experiment, a system designed to fight fire in space and on Earth. He worked directly with the astronauts from Johnson Space Center in Houston until he returned to Colorado on Friday.

Chawla worked tirelessly to fix a pesky leak on the Mines firefighting experiment as five students and professors watched, riveted, from payload control at the space center.

When she was finished with the fixes, the experiment worked like a charm and data flowed to the students on the ground for a week, saving the future of the project.

Students couldn't believe the time Chawla and the other astronauts devoted to their experiment. It was only one of 80 aboard the 16-day flight, including one by international high school students coordinated by the University of Colorado.

And they couldn't believe how unassuming the astronauts were since meeting them 2½ years ago and training them on the experiment.

''They were incredibly nice people. Easy-going and down-to-earth people,'' said Riedel. ''Working the mission with them, they were just fantastic. The timeline in space didn't allow the time we needed to get it online, and they gave it to us anyway,'' he said.

''We learned things we never expected. We celebrated all the way to the end. We were ecstatic, which makes this even more horrible,'' Riedel said. ''When I head, I cried. I thought of their families. Now I'm just shocked. I can't get over it.''

''They sacrificed time from their meals and other things to give us time not scheduled for our experiment,'' said David Petrick, a Mines graduate who also returned Friday from Johnson Space Center, where he worked with the astronauts.

The school's new-generation firefighting system produces a fine-water mist in spacecraft and has commercial applications on Earth, including in office towers.

A 1996 international ban on ozone-depleting Halon 1301 as a chemical fire suppressant has created an urgent need for other environmentally friendly fire suppressants. The ban went into effect in 2000.

Using water droplets one-tenth the size of a human hair, the Mines mister creates a fog that sucks the heat out of fire, preventing its spread and saving lives.

It's preferable to conventional water sprinklers because it causes less damage to expensive equipment such as computers. It's also an attractive alternative for planes and ships traveling with weight limits, said Frank Schowengerdt, director of Mines' Center for Commercial Application of Combustion in Space, one of 17 NASA-funded commercial space-research centers in the country.

The experiment on board *Columbia* was a tightly sealed 1½-foot cannister with a tiny propane flame that ignited a gas mixture so researchers could examine how the mist worked in space.

Thanks to the astronauts' devotion, the students were able to download 90 percent of the data they had hoped for through a satellite link last week.

''This experiment that the shuttle crew worked so hard to repair a few days ago will move forward in their honor, and we will use the data they gleaned in space to build a firefighting system they would be proud of,'' Schowengerdt said. ''And we will think of a way to name it after them. They made all the difference.''

The students were stunned at how humble the shuttle crew was as they worked together over the months.

''What makes them extra special is you could walk up to them and they would remember your name and have a beer with you,'' Riedel said.

That happened to Riedel and Petrick in December during final simulation exercises, when the students bumped into the shuttle crew at Petey's, an astronaut after-hours hangout near Johnson Space Center.

''I knew Ilan Ramon because he's an astronaut, but it floored me that he remembered my name and started introducing me around like I was his best friend,'' Riedel said. ''That's just the kind of people they all were.''

The students were grieving on Saturday, feeling the loss of their science partners—astronauts they had come to call friends.

''We were walking on sunshine Friday,'' Petrick said. ''The Mission Control folks were smiling at us because we were dancing and singing, we were so happy. Then on Saturday we woke to this happening.''

''I thought on Monday it was going to be a tragedy because we wouldn't be able to get any data for our experiment,'' Riedel said.

''Now I know the definition of tragedy,'' he said, breaking into tears.

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

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

The Clerk will report the resolution.

The Clerk read as follows:

H. RES. 51

Whereas the House of Representatives has learned with profound sorrow of the tragedy during re-entry of the space shuttle program of the National Aeronautics and Space Administration, involving the Columbia Shuttle Mission STS–107 and its crew consisting of Rick D. Husband (commander), William C. McCool (pilot), Michael P. Anderson (payload commander), David M. Brown (mission specialist), Kalpana Chawla (mission specialist), Laurel Blair Salton Clark (mission specialist), and Ilan Ramon (payload specialist): Now, therefore, be it

Resolved, That the House of Representatives expresses its condolences to the families of the crew members of the Columbia shuttle mission; and be it further

Resolved, That the Clerk communicate these resolutions to the families of the Columbia crew; and be it further

Resolved, That when the House of Representatives adjourns today, it adjourns as a further mark of respect to the memory of the valiant crew members of the Columbia shuttle mission.

□ 1730

The SPEAKER pro tempore (Mr. SHIMKUS). Pursuant to the order of the House of today, the previous question is ordered.

The question is on the resolution.

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

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

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this resolution are postponed until later today.

COMMUNICATION FROM THE HON. LUIS GUTIERREZ, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable LUIS GUTIERREZ, Member of Congress:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, February 5, 2003.

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

DEAR MR. SPEAKER: This is to formally notify you, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a civil subpoena for documents issued by the Circuit Court for Cook County, Illinois.

After consulting with the Office of General Counsel, I will make the determinations required by Rule VIII.

Sincerely,

LUIS V. GUTIERREZ,
Member of Congress.

MILLENNIUM CHALLENGE ACT OF 2003—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 108–37)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on International Relations, the Committee on Ways and Means, the Committee on the Judiciary, the Committee on Resources, and the Committee on Government Reform and ordered to be printed:

To the Congress of the United States:

I am pleased to transmit a legislative proposal to establish the Millennium Challenge Account and the Millennium Challenge Corporation. Also transmitted is a section-by-section analysis.

The Millennium Challenge Account (MCA) represents a new approach to providing and delivering development assistance. This new compact for development breaks with the past by tying increased assistance to performance and creating new accountability for all nations. This proposal implements my commitment to increase current levels of core development assistance by 50 percent over the next 3 years, thus providing an annual increase of $5 billion by fiscal year 2006. To be eligible for this new assistance, countries must demonstrate commitment to three standards—ruling justly, investing in their people, and encouraging economic freedom. Given this commitment, and the link between financial accountability and development success, special attention will be given to fighting corruption.

The goal of the Millennium Challenge Account initiative is to reduce poverty by significantly increasing economic growth in recipient countries through a variety of targeted investments. The MCA will be administered by a new, small Government corporation, called the Millennium Challenge Corporation, designed to support innovative strategies and to ensure accountability for measurable results. The Corporation will be supervised by a Board of Directors chaired by the Secretary of State and composed of other Cabinet-level officials. The Corporation will be led by a Chief Executive Officer appointed by the President, by and with the advice and consent of the Senate. This proposal provides the Corporation with flexible authorities to optimize program implementation, contracting, and personnel selection while pursuing innovative strategies.

The Millennium Challenge Account initiative recognizes the need for country ownership, financial oversight, and accountability for results to ensure effective assistance. We cannot accept permanent poverty in a world of progress. The MCA will provide people in developing nations the tools they need to seize the opportunities of the global economy. I urge the prompt and favorable consideration of this legislation.

GEORGE W. BUSH.

THE WHITE HOUSE, *February 5, 2003.*

AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND THE KINGDOM OF NORWAY ON SOCIAL SECURITY—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 108–38)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Ways and Means and ordered to be printed:

To the Congress of the United States:

Pursuant to section 233(e)(1) of the Social Security Act, as amended by the Social Security Amendments of 1977 (Public Law 95–216, 42 U.S.C. 433(e)(1)), I transmit herewith the Agreement Between the United States of America and the Kingdom of Norway on Social Security, with a related administrative agreement, both signed at Oslo on November 30, 2001. This revised Agreement is intended to modify certain provisions of the original United States and Norwegian Agreement, which was signed in Washington on January 13, 1983, and, upon its entry into force, will replace the 1983 Agreement.

The revised United States-Norwegian Agreement is similar in objective to the other social security agreements already in force with Austria, Belgium, Canada, Chile, Finland, France, Germany, Greece, Ireland, Italy, Korea, Luxembourg, The Netherlands, Portugal, Spain, Sweden, Switzerland, and the United Kingdom. Such bilateral agreements provide for limited coordination between the United States and foreign social security systems to eliminate dual social security coverage and taxation, and to help prevent the lost benefit protection that can occur when workers divide their careers between two countries. The revised United States-Norwegian Agreement contains all provisions mandated by section 233 and other provisions, which I deem appropriate to carry out the purposes of section 233, pursuant to section 233(c)(4).

I also transmit for the information of the Congress a report prepared by the Social Security Administration explaining the key points of the Agreement, along with a paragraph-by-paragraph explanation of the provisions of the principal agreement and the administrative agreement. Annexed to this report is the report required by section 233(e)(1) of the Social Security Act, a report on the effect of the Agreement on income and expenditures of the United States Social Security program and the number of individuals affected by the Agreement. The Department of State and the Social Security Administration have recommended the Agreement and related documents to me.

I commend the United States-Norwegian Social Security Agreement and related documents.

GEORGE W. BUSH.

THE WHITE HOUSE, *February 5, 2003.*

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 35 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1803

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. LATOURETTE) at 6 o'clock and 3 minutes p.m.

MAKING IN ORDER AT ANY TIME CONSIDERATION OF H.J. RES. 18, FURTHER CONTINUING APPROPRIATIONS, FISCAL YEAR 2003

Mr. YOUNG of Florida. Mr. Speaker, I ask unanimous consent that it shall be in order at any time, without intervention of any point of order, to consider in the House the joint resolution (H.J. Res. 18) making further continuing appropriations for the fiscal year 2003, and for other purposes; the joint resolution shall be considered as read for amendment; the joint resolution shall be debatable for one hour, equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations; and the previous question shall be considered as ordered on the joint resolution to final passage without intervening motion except one motion to recommit.

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

There was no objection.

GENERAL LEAVE

Mr. YOUNG of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.J. Res. 18, 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.

FURTHER CONTINUING APPROPRIATIONS, FISCAL YEAR 2003

Mr. YOUNG of Florida. Mr. Speaker, pursuant to the previous order of the House, I call up the joint resolution (H.J. Res. 18) making further continuing appropriations for the fiscal year 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. 18 is as follows:

H.J. RES. 18

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 ''February 20, 2003''.

The SPEAKER pro tempore. Pursuant to the previous order of today, 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.

Mr. Speaker, the legislation before the House, H.J. Res. 18, will extend the current CR and allow the government to continue to operate until February 20, 2003. I think all Members know that we are currently working to conclude the conference agreement for an omnibus appropriations bill for fiscal year 2003. It is our hope that we are finally reaching a point in this process where we can look forward to having a vote on that conference report.

It is our plan to meet in formal conference on Monday evening, to conclude that conference as soon as possible, and to have this conference report before the House either Tuesday or Wednesday. We do hope to conclude fiscal year 2003 business. It has been a long time coming. There have been a lot of reasons why the fiscal year 2003 bills have not reached conclusion, but I will tell Members that the Committee on Appropriations in the House reported all of our bills except two which we introduced directly to the floor. I would stand in strong support and commendation of the Committee on Appropriations on both sides of the aisle because, as a committee, we did our job.

There were other obstacles placed in our path as we moved along the process. Hopefully, we have overcome those, and we are now deciding how to settle the differences between the House and the Senate.

Mr. Speaker, I think it might be interesting for Members to see this. This is not a copy of the bill. This in small, fine print is merely a copy of thousands of differences between the House and the Senate that we have been working with diligently for the last couple of weeks. I hope that we can expedite this process.

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

Mr. OBEY. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, this is the eighth continuing resolution to come before this body necessitated by the fact that we are now in the fifth month of the new fiscal year and still do not have a budget. We have not provided the funds that should be provided for homeland security. The Congress has not provided the funds that should be provided for first responders, for education, to deal with some Medicare and Medicaid problems, and there are many other concerns as well associated with the late action of the Congress on the appropriation bills.

None of that fault lies with the chairman of the Committee on Appropriations. He has tried his dead level best to bring appropriations bills to the floor in a timely fashion. He has been shut off by decisions made at a higher pay grade. At this point, this House has no choice except to once again extend the continuing resolution.

But there are, nonetheless, some items which I think are necessary to take action on because time is running out. The clock is running on a number of crucial problems. For that reason, and I will take the time to explain it now so I do not have to do it twice in the interest of saving time. For that reason, at the appropriate time I will offer a motion to recommit which instructs the Committee on Appropriations to report back an amended version of the continuing resolution that adds two urgent provisions related to payment rates for medical services to Medicare patients.

The existing continuing resolution already contains several provisions relating to entitlement benefits, including extensions of the Transitional Assistance to Needy Families program, TANF, and the transitional Medicaid benefits program. This motion simply adds two more time-sensitive items relating to Medicare.

First, the motion calls for continuation of Medicare payment rates for doctors at the current level, thereby suspending the 4.4 percent cut now scheduled to take place on March 1.

There has already been a 5.4 percent cut in Medicare payments to doctors that took effect in January, 2002. These payment cuts make it difficult for doctors to meet their expenses and can only make it harder for Medicare patients to find a doctor willing to treat them. The problem is especially acute in rural areas which are already suffering from shortages of doctors and other health care providers.

Second, the motion would take a first step toward redressing the imbalances in the Medicare payments rate that right now puts rural hospitals at a serious disadvantage. Under current law, hospitals in large urban areas receive a base payment rate that is higher than the rate for all other hospitals. The Medicare Payments Advisory Commission has recommended eliminating this differential, noting that Medicare operating margins for rural hospitals are now substantially lower than for large urban hospitals. That just confirms what many of us have been hearing back home, that most rural hospitals are facing serious financial difficulty that jeopardizes their ability to provide quality care.

This motion calls for raising base payment rates for rural and small city hospitals up to the rate for large urban areas. These two provisions are just first steps toward redressing imbalances in Medicare payment rates. Congress needs to overhaul the faulty formulas that led to the steep cuts in payment rates and to address a range of issues that place rural areas and many States at a disadvantage. But to gain time for the appropriate committees and the Congress to deal with these broader issues, we need immediate fixes to the immediate problem. That is what this motion seeks to do.

Both of these items in the motion are also included in the Senate-passed omnibus appropriations package that is now in conference, the conference to which the gentleman from Florida (Mr. YOUNG) just referred. Hopefully, a conference agreement on that measure will be finished quickly and with these items included. But we should also include these measures in the continuing resolution as a backup, which is what this motion would do.

Furthermore, adoption of this motion would also send a strong signal to House conferees on the omnibus appropriations package and to the House leadership regarding the sentiment of the House on the urgent need to fix Medicare payment rates. Even though the 4.4 percent cut in Medicare physician payments is just weeks away, the House has done nothing effective to forestall that cut. The problem is urgent. The House needs to act now. That is what this motion will attempt to do.

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 California (Mr. STARK).

Mr. STARK. Mr. Speaker, I thank the gentleman from Wisconsin (Mr. OBEY) for bringing this bipartisan motion to recommit and giving us all an opportunity to correct some technical problems in Medicare that both parties have agreed to.

The physician payments were cut last year; and if nothing is done, they will be cut again. There is absolute agreement between the administration and those of us on the Subcommittee on Health of the Committee on Ways and Means that that was an error in the calculation formula and it must be fixed. There has been a great deal of gamesmanship over this area, but I think it is time to take care of it.

The Senate in its omnibus funding bill increased the Medicare payments for physicians and rural hospitals. This provision for physicians is temporary but would be in effect for the rest of this year.

□ 1815

I do not normally favor, much less encourage, legislating Medicare provisions in an appropriations bill; but it is clear that this is the only way to get this done in a timely fashion. The Senate has passed these provisions. And so it clearly need not hold up the CR. A few hours ago, in a hearing before the Committee on Ways and Means, when asked whether the President supports the Senate-passed physician fix, OMB Director Daniels testified that he did. In fact, he said yesterday that the President would support any number of measures to fix it.

I realize that the chairman of the Committee on Ways and Means may not be happy with this, but the Committee on Ways and Means has looked the other way when the leadership puts wage reclassifications and other targeted Medicare provisions in appropriations bills. So I would hope for those of you who come from rural districts, and we are only talking about $250 million for rural hospitals, it is a provision that was consistent with the nonpartisan adviser to the House,

MedPAC, who recommended that we help these rural hospitals with this small amount. It is consistent with the Health and Human Services provision that we must change the physician reimbursement. It is not permanent. It helps cure the problem for the remainder of this year.

I hope that all Members will take this opportunity to see this as a carefully crafted way to help our physician community and to provide for the rural hospitals this small amount that is needed. There is no reason to oppose it. I know of no reasonable opposition. It has been passed in the Senate overwhelmingly, I think unanimously; and it is under the Republican leadership. With the White House supporting it, with Health and Human Services supporting it, who could be against it? I urge all my colleagues to accept the motion to recommit.

Mr. OBEY. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from Pennsylvania (Mr. MURTHA), well known for his objection to short debates.

Mr. MURTHA. Mr. Speaker, knowing that we are not going to vote before 6:30 regardless of the situation, I thought I would put my suggestion in about Medicare reimbursement. I see the chairman of the committee here, my good friend, the gentleman from California (Mr. THOMAS). There is no person that has more concern about the hospitals than him. In my latest campaign, all I heard from my hospitals, in a rural area, We need more reimbursement. I know this is not the right vehicle. I know the vehicle should be the Committee on Ways and Means. I understand that. But these hospitals are bleeding. They are losing money. The biggest employer in every single community that I have is the hospitals and people related to the hospitals. If we do not do something, and I do not have to tell the Members who are here on the floor, if we do not do something, the doctors' reimbursement is going to go down 4.4 percent.

This will raise, not a lot, but it will raise the percentage that rural hospitals get equal to the urban hospitals. There can be all kinds of excuses why urban hospitals ought to get better reimbursement, but their problem is, the facts of life, we are having a difficult time in Pennsylvania, in my district in western Pennsylvania. Because of malpractice, we are losing doctors. That has got nothing to do with this bill, but the other thing is reimbursement for small hospitals. I meet periodically, I would say every 6 months, with administrators from hospitals. These instructions do not mean anything. It is like some of the resolutions we pass. They do not mean a damn thing, and all of us know they do not mean anything; but the point is we would send a signal, hopefully, to the chairman of the Committee on Ways and Means that we have got to do something about this.

A lot of times we passed instructions by unanimous vote and we went into committee and we obviously had no jurisdiction; we did not do anything about it. But here where this is so serious and so many hospitals are suffering, we need to voice our concern about the reimbursement in rural hospitals. I would hope that my good friend, the chairman of the committee, would listen to us and when he comes into his first meeting, one of the first things that he does in the Committee on Ways and Means, and I hope he would join us today in urging that something be done about this. I know, I voted a lot against instructions, because I felt like we did not need to be instructed; but in this particular case, I think it is so important that I would hope that all the Members would join the gentleman from Wisconsin (Mr. OBEY) in passing this instruction to the conferees to do something about Medicare.

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

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

Mr. Speaker, again, this continuing resolution merely extends the date of the previous CR until February 20 to give us time to conclude the conference meetings. For those who were not on the floor when I made the point before, what I am holding in my hand here is not a copy of the bill. It is a copy of the thousands of differences that we have in this bill between the two bodies. We are closing in on this. We plan to have the conference meeting on Monday evening. I would really not like to interrupt the process that is ongoing now that looks like it might give us a successful conclusion. So when we get to the issue of the motion to recommit with instructions, I would hope that the membership would understand that we are at that delicate stage now. We are about to wrap up the fiscal year 2003 business. We are already beginning the fiscal year 2004 process. Let us defeat the motion to recommit with instructions.

I compliment my friend, the gentleman from Wisconsin (Mr. OBEY). Every one of his motions to instruct is really appetizing and they are really inviting and they are really votes that you would like to cast; and he works hard at developing these really good motions. I would make a deal with him if we cannot conclude this by the 20th, then I think we will give serious consideration to his next motion to instruct, but I really feel confident that we are going to conclude this with this last CR.

Mr. Speaker, I would ask that we defeat the motion to instruct and that we pass the CR; and hopefully the next time Members see me here at this microphone, I will be promoting a conference report that we will all love to hate. I do not think any of us are going to like it, but it will be a way to conclude the fiscal year 2003 appropriations bills.

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

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

The joint resolution is considered read for amendment, and pursuant to the previous order of today, 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. Without the motion's adoption, Mr. Speaker, I certainly am.

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. 18) to the Committee on Appropriations with instructions to report the same back promptly with an amendment further amending Section 101 of Public Law 107–229 to:

1. Maintain Medicare payment rates for physician services at FY 2002 levels; and

2. Set the base amount for computing Medicare payments to hospitals in small urban areas and rural areas equal to the higher base amount applicable to hospitals in large urban areas.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. OBEY) is recognized for 5 minutes in support of his motion.

Mr. OBEY. Mr. Speaker, I will not take the 5 minutes. I have already explained the motion. Let me simply say I think the need for it is self-evident. It is certainly obvious that small rural hospitals are in a tough financial situation and need relief, and it is certainly obvious that if the scheduled reduction in physician payments under Medicare goes into effect that it will negatively affect many, many Medicare patients.

I might not offer this amendment if I thought that the conference was going more smoothly than it is, but certainly in a number of subcommittees there are raging controversies yet to be resolved, and I think under those circumstances it is important that we go on record in support of this proposition.

The SPEAKER pro tempore. Is the gentleman from Florida in opposition to the motion to recommit?

Mr. YOUNG of Florida. Mr. Speaker, I claim the time in opposition to the motion, and I yield such time as he may consume to the gentleman from California (Mr. THOMAS), the chairman of the Committee on Ways and Means.

Mr. THOMAS. Mr. Speaker, I thank the chairman for yielding the time.

Well, here we go again. I heard the gentleman from Wisconsin say that he was opposed to the continuing resolution without the motion to recommit added to it. If you read the motion to recommit very carefully, it uses a word

which, if that word is used and the motion to recommit passes, it will kill the continuing resolution. I know one word sometimes does not mean a lot. If you say ''I you'' and do not say ''love'' or ''hate,'' you really do not get the meaning of what you are trying to say.

The word the gentleman from Wisconsin included in his motion to recommit is ''promptly.'' What in the world is the difference between ''promptly'' or, let us choose another word, ''forthwith''? The difference is the difference between ''I love you'' and ''I hate you.'' Why? Because if you include ''forthwith'' in the bill, it means it would be immediately changed as the gentleman says he wants, it is reported right back on the floor, and we go forward. If you include the word ''promptly,'' it kills the bill.

So do not pay attention to anything that is said after the word ''promptly,'' because it does not mean anything. If you pass the motion to recommit with ''promptly'' in it, it kills the measure.

Let us examine what he says he wants. He has picked two items out of the motion to recommit. There are more provisions, you can imagine the Senate could not limit itself to two provisions, that they would want to try to legislate on an appropriations bill. They also said, Let's help Home Health Services, $40 million. Let's put $492 million in for bioterrorism. Let's put $120 million in for community access. Those are not in here.

So if you really want to help folks, they should have put everything in that the Senate did. The trouble is, it is all headed with ''promptly,'' which means it does not make any difference what you put in here.

My friend and colleague, the chairman of the Committee on Appropriations, made an offer to my friend from Wisconsin about future motions to recommit. I will give you a flat-out promise. If you will change ''promptly'' to ''forthwith'' and if you will heed the advice of our friend, the gentleman from Pennsylvania (Mr. MURTHA), and say, Let's have malpractice reform, and you put that in your motion to recommit, the House has passed it a number of times; the Senate will not.

If we really wanted to make a difference, we would not stand up here with a motion that kills the bill and say, This is what we want. Let us get serious. Do we have to address problems in Medicare? Of course we do. Do we have to do something about the flawed physicians formula? Of course we do. Will we? Yes, we will.

What we should not be doing is holding out a false promise of part of what the Senate wants to do under a motion to recommit, that if you believe the promise is real and vote for the motion to recommit, you in fact kill the continuing resolution.

Mr. OBEY. Mr. Speaker, will the gentleman yield on that point?

Mr. THOMAS. I yield briefly to the gentleman from Wisconsin.

□ 1830

Mr. OBEY. Mr. Speaker, tell me then, is the gentleman objecting to the fact that the Republican chairman of the Committee on the Budget and the Republican chairman of the Senate Finance Committee has asked us to take this action?

Mr. THOMAS. Mr. Speaker, reclaiming my time, if the term ''promptly'' is in a motion to recommit, you kill the CR. You do not help it. You do not nurture it. You do not defend positions that the Senate has placed in the appropriations. You kill it.

If the gentleman had put ''forthwith,'' he would have been helping. I cannot believe, based upon the time and experience the gentleman from Wisconsin has had in this body, that he does not know that ''promptly'' kills it and ''forthwith'' helps it. That is the difference between ''I love you'' and ''I hate you.''

Mr. Speaker, I yield to the gentleman from Iowa (Mr. NUSSLE), the chairman of the Committee on the Budget.

Mr. NUSSLE. Mr. Speaker, this is a very important issue to Iowa and many States, but am I understanding the gentleman correctly? Not only will it kill this bill but does it not also shut down the government? So if I vote for this and it fails and the CR does not pass, it shuts down the government and we do not get anything we want?

Mr. THOMAS. The gentleman is absolutely correct. It not only kills the bill; it stops the government.

The SPEAKER pro tempore (Mr. LATOURETTE). All time for debate on the motion to recommit has expired.

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.

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.

Pursuant to the provisions of clause 9 of rule XX, the Chair will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the question of passage and then on the question of adoption of H. Res. 51.

The vote was taken by electronic device, and there were—yeas 195, nays 215, not voting 24, as follows:

[Roll No. 18]

YEAS—195

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)
Capps
Capuano
Cardin
Cardoza
Carson (IN)
Carson (OK)
Case
Clay
Clyburn
Conyers
Cooper
Cramer
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley (CA)
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Ford
Frank (MA)
Frost
Gordon
Green (TX)
Grijalva
Gutierrez
Hall
Harman
Hastings (FL)
Hill
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley (OR)
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind
Kleczka
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
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
Payne
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
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stenholm
Strickland
Stupak
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Turner (TX)
Udall (CO)
Udall (NM)
Van Hollen
Velazquez
Visclosky
Waters
Watson
Watt
Waxman
Weiner
Wexler
Wilson (NM)
Woolsey
Wu
Wynn

NAYS—215

Aderholt
Akin
Bachus
Baker
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Bereuter
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Boozman
Bradley (NH)
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
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
Garrett (NJ)
Gerlach
Gibbons
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
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCotter
McCrery

McHugh
McInnis
Mica
Miller (FL)
Miller (MI)
Moran (KS)
Murphy
Musgrave
Myrick
Nethercutt
Ney
Northup
Norwood
Nunes
Nussle
Osborne
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
Ryun (KS)
Saxton
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Toomey
Turner (OH)
Upton
Vitter
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—24

Bono
Brady (TX)
Brown, Corrine
Burton (IN)
Costello
Cubin
DeGette
Doyle
Filner
Gallegly
Gephardt
Gilchrest
Gonzalez
Jefferson
Lipinski
McKeon
Miller, Gary
Ose
Rush
Ryan (WI)
Schiff
Scott (GA)
Sullivan
Tanner

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LATOURETTE) (during the vote). Members are advised that there are approximately 2 minutes remaining on this vote.

□ 1849

Messrs. TANCREDO, WALSH, CRENSHAW, LINCOLN DIAZ-BALART of Florida, Ms. ROS-LEHTINEN and Ms. DUNN changed their vote from ''yea'' to ''nay.''

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

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. SCOTT of Georgia. Mr. Speaker, on rollcall No. 18, the Obey motion to recommit with instructions, I was unavoidably detained. Had I been present, I would have voted ''yea.''

Mr. FILNER. Mr. Speaker, on rollcall No. 18, due to the arrival of my first grandchild, Madeline, I missed the vote. Had I been present, I would have voted ''yea.''

Stated against:

Mr. OSE. Mr. Speaker, on rollcall No. 18, I was inadvertently detained. Had I been present, I would have voted ''nay.''

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.

EXPRESSING CONDOLENCES OF THE HOUSE TO THE FAMILIES OF THE CREW MEMBERS OF THE ''COLUMBIA'' SHUTTLE MISSION

The SPEAKER pro tempore. The pending business is the question of agreeing to the resolution, House Resolution 51, on which the yeas and nays are ordered.

The Clerk read the title of the resolution.

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

The vote was taken by electronic device, and there were—yeas 404, nays 0, not voting 30, as follows:

[Roll No. 19]

YEAS—404

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Ballance
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Becerra
Bell
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Boozman
Boswell
Boucher
Boyd
Bradley (NH)
Brady (PA)
Brown (OH)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burns
Burr
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
Cox
Cramer
Crane
Crenshaw
Crowley
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Dooley (CA)
Doolittle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emanuel
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Feeney
Ferguson
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frank (MA)
Franks (AZ)
Frelinghuysen
Frost
Garrett (NJ)
Gerlach
Gibbons
Gillmor
Gingrey
Goode
Goodlatte
Goss
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hensarling
Herger
Hill
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley (OR)
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Janklow
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick
Kind
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
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, George
Mollohan
Moore
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Napolitano
Neal (MA)
Nethercutt
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
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
Ryan (OH)
Ryun (KS)
Sabo
Sanchez, Linda T.
Sanchez, Loretta
Sanders
Sandlin
Saxton
Schakowsky
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
Sweeney
Tancredo
Tauscher
Tauzin
Taylor (MS)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Toomey
Towns
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)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—30

Ballenger
Beauprez
Bono
Brady (TX)
Brown, Corrine
Burton (IN)
Costello
Cubin
DeGette
Doyle
Filner
Gallegly
Gephardt
Gilchrest
Gonzalez
Gordon
Hefley
Jefferson
Lipinski
McKeon
Millender-McDonald
Miller, Gary
Nadler
Ose
Rush
Ryan (WI)
Schiff
Sullivan
Tanner
Taylor (NC)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). The Chair would announce to all Members there are 2 minutes remaining on this vote.

□ 1856

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. MILLENDER-McDONALD. Mr. Speaker, on rollcall No. 19 had I been present, I would have voted ''yea.''

Mr. GALLEGLY. Mr. Speaker, on February 5, 2003, I was unavoidably detained and unable to vote on H. Res. 51. However, had I been here I would have voted ''yea.''

Mr. FILNER. Mr. Speaker, on rollcall No. 19, due to the arrival of my first grandchild, Madeline, I missed the vote. Had I been present, I would have voted ''yea.''

Mr. OSE. Mr. Speaker, on rollcall No. 19, I was inadvertently detained. Had I been present, I would have voted ''yea.''

Mr. BEAUPREZ. Mr. Speaker, on rollcall No. 19, I was inadvertently detained. Had I been present, I would have voted "yea."

Mr. BALLENGER. Mr. Speaker, on rollcall No. 19, had I been present, I would have voted "yea."

APPOINTMENT AS DIRECTOR OF CONGRESSIONAL BUDGET OFFICE

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

OFFICE OF THE SPEAKER,
HOUSE OF REPRESENTATIVES,
Washington, DC, February 5, 2003.

Pursuant to the provisions of Section 201 (a)(2) of the Congressional Budget and Impoundment Control Act of 1974, Public Law 93–344, the Speaker of the House of Representatives and the President pro tempore of the Senate hereby appoint Mr. Douglas Holtz-Eakin as Director of the Congressional Budget Office for the term of office expiring on January 3, 2007.

J. DENNIS HASTERT,
Speaker of the House of Representatives.
TED STEVENS,
President pro tempore of the Senate.

RESIGNATION AS MEMBER OF COMMITTEE ON RESOURCES

The SPEAKER pro tempore (Mr. SIMPSON) laid before the House the following resignation as a member of the Committee on Resources:

U.S. CONGRESS,
HOUSE OF REPRESENTATIVES,
January 30, 2003.

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

DEAR SPEAKER HASTERT: Effective today, I resign from the House Committee on Resources. Thank you for your attention to this matter.

Sincerely,

JOEL HEFLEY,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

RESIGNATION AS MEMBER OF COMMITTEE ON RESOURCES

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Resources:

U.S. CONGRESS,
HOUSE OF REPRESENTATIVES,
Washington, DC, February 5, 2003.

Hon. J. DENNIS HASTERT, Speaker of the House,
Washington, DC.

DEAR MR. SPEAKER. Effective February 5, 2003, I hereby resign from the Committee on Resources.

Sincerely,

GEORGE MILLER,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

RESIGNATION AS MEMBER OF COMMITTEE ON SCIENCE

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Science:

HOUSE OF REPRESENTATIVES,
Washington, DC, February 5, 2003.

Hon. J. DENNIS HASTERT,
House of Representatives,
Washington, DC.

DEAR SPEAKER HASTERT: In order to comply with the rules of the Democratic Caucus so that I may serve on the Committee on the Budget, I hereby take a leave of absence from the Committee on Science. Pursuant to the rules of the Democratic Caucus, I understand that my rights for seniority on the Science Committee will be preserved and that my seniority will continue to accrue.

Sincerely,

BRIAN BAIRD,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

RESIGNATION AS MEMBER OF COMMITTEE ON AGRICULTURE

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Agriculture:

HOUSE OF REPRESENTATIVES,
Washington, DC, February 5, 2003.

Hon. J. DENNIS HASTERT,
Speaker of the House of Representatives,
The Capitol, Washington, DC.

DEAR MR. SPEAKER: Effective February 5, 2003, I hereby resign my position on the Agriculture Committee.

Sincerely,

LEONARD BOSWELL,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

RESIGNATION AS MEMBER OF COMMITTEE ON AGRICULTURE

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Agriculture:

HOUSE OF REPRESENTATIVES,
Washington, DC, February 5, 2003.

Hon. J. DENNIS HASTERT,
Speaker of the House Representatives,
The Capitol, Washington, DC.

DEAR MR. SPEAKER: Effective February 5, 2003 I hereby resign my position on the House Agriculture Committee, due to my permanent appointment to the House Armed Services Committee.

Thank you for your consideration of this matter.

Sincerely,

RICK LARSEN,
Member of Congress.

The SPEAKER pro tempore: Without objection, the resignation is accepted.

There was no objection.

RESIGNATION AS MEMBER OF COMMITTEE ON RESOURCES

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Resources:

HOUSE OF REPRESENTATIVES,
Washington, DC, February 5, 2003.

Hon. J. DENNIS HASTERT,
Speaker of the House of Representatives,
The Capitol, Washington, DC.

DEAR MR. SPEAKER: Effective February 5, 2003, I hereby resign my position on the Resources Committee due to my permanent appointment to the International Relations Committee.

Sincerely,

ADAM SMITH,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

RESIGNATION AS MEMBER OF COMMITTEE ON FINANCIAL SERVICES

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Financial Services:

HOUSE OF REPRESENTATIVES,
Washington, DC, February 5, 2003.

Hon. J. DENNIS HASTERT,
Speaker of the House of Representatives,
The Capitol, Washington, DC.

DEAR MR. SPEAKER: Effective February 5, 2003, I hereby resign my position on the Financial Services Committee due to an error in H. Res. 35 and my permanent appointment to the Transportation and Infrastructure Committee.

Sincerely,

LINCOLN DAVIS,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

RESIGNATION AS MEMBER OF COMMITTEE ON SCIENCE

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Science:

HOUSE OF REPRESENTATIVES,
Second District, New York, February 5, 2003.

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

DEAR MR. SPEAKER: Effective February 5, 2003, I hereby resign my position on the Science Committee due to my permanent appointment to the Armed Services Committee.

Sincerely,

STEVE ISRAEL,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

RESIGNATION AS MEMBER OF COMMITTEE ON GOVERNMENT REFORM

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Government Reform:

HOUSE OF REPRESENTATIVES,
Washington, DC, February 5, 2003.

Hon. J. DENNIS HASTERT,
Speaker of the House, The Capitol,
Washington, DC.

DEAR MR. SPEAKER: Effective February 5, 2003, I will be taking a leave of absence from

the Government Reform Committee due to my appointment as the Ranking Member of the Select Committee on Homeland Security.

Sincerely,

JIM TURNER,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

□ 1900

ELECTION OF MEMBERS AND DELEGATES TO CERTAIN STANDING COMMITTEES OF THE HOUSE

Mr. CLYBURN. Mr. Speaker, by direction of the Democratic Caucus, I offer a privileged resolution (H. Res. 52) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 52

Resolved, That the following named Members and Delegates be and are hereby elected to the following standing committees of the House of Representatives:

(1) COMMITTEE ON AGRICULTURE: Mr. Alexander, Mr. Ballance, Mr. Cardoza, Mr. Scott of Georgia, Mr. Marshall, Mr. Case.

(2) COMMITTEE ON ARMED SERVICES: Mr. Israel, Mr. Larsen of Washington, Mr. Cooper, Mr. Marshall, Mr. Meek of Florida, Ms. Bordallo, Mr. Alexander.

(3) COMMITTEE ON THE BUDGET: Ms. Majette.

(4) COMMITTEE ON EDUCATION AND THE WORKFORCE: Mr. Case, Mr. Grijalva, Ms. Majette, Mr. Ryan of Ohio, Mr. Van Hollen.

(5) COMMITTEE ON FINANCIAL SERVICES: Mr. Emanuel (to rank immediately after Mr. Miller of North Carolina), Mr. Davis of Alabama.

(6) COMMITTEE ON GOVERNMENT REFORM: Mr. Van Hollen, Ms. Linda T. Sánchez, Mr. Ruppersberger.

(7) COMMITTEE ON HOUSE ADMINISTRATION: Mr. Larson of Connecticut, Ms. Millender-McDonald, Mr. Brady of Pennsylvania.

(8) COMMITTEE ON INTERNATIONAL RELATIONS: Mr. Smith of Washington, Ms. McCollum, Mr. Bell.

(9) COMMITTEE ON RESOURCES: Mr. Grijalva, Mr. Cardoza, Ms. Bordallo.

(10) COMMITTEE ON SCIENCE: Mr. Bell, Mr. Bishop of New York, Mr. Miller of North Carolina, Mr. Davis of Tennessee.

(11) COMMITTEE ON SMALL BUSINESS: Mr. Ballance, Mr. Ryan of Ohio.

(12) COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT: Mr. Mollohan.

(13) COMMITTEE ON VETERANS' AFFAIRS: Mr. Michaud.

Mr. CLYBURN (during the reading). Mr. Speaker, I ask unanimous consent that the resolution be considered as read and printed in the RECORD.

The SPEAKER pro tempore (Mr. SIMPSON). Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

LEGISLATIVE PROGRAM

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

Mr. HOYER. Mr. Speaker, I rise for the purposes of inquiring of the distinguished majority leader the schedule for the coming week.

Mr. DELAY. Mr. Speaker, will the gentleman yield?

Mr. HOYER. I yield to the gentleman from Texas.

Mr. DELAY. Mr. Speaker, I appreciate the gentleman from Maryland yielding to me.

Mr. Speaker, the House will convene on Tuesday at 12:30 p.m. for morning hour and 2 p.m. for legislative business. We will consider several measures under suspension of the rules at that time. There will be no votes in the House before 6:30 p.m. next Tuesday.

On Wednesday, the House will meet at 10 a.m.; and we expect to consider H.R. 395, the Do-Not-Call Implementation Act, to restrain rampant telemarketers. Additionally, we hope to consider the conference report on House Joint Resolution 2, which will finish up the 2003 appropriations process. However, if the conference report is not ready for floor consideration, the House will need to consider another continuing resolution.

On Thursday, the House will meet at 10 a.m. We expect to consider the Welfare Reform Reauthorization Act.

I am happy to answer any questions the gentleman may have.

Mr. HOYER. Reclaiming my time, Mr. Speaker, I thank the gentleman for the information. I would ask the distinguished majority leader, when does he expect the conferees will complete their work on the omnibus? Does the gentleman have any idea?

I notice the gentleman says, ''if it is available.'' Does the gentleman have any information on when it may be available and completed?

Mr. DELAY. If the gentleman will continue to yield, Mr. Speaker, I have talked to the chairman of the Committee on Appropriations. He is working all through the weekend.

As the gentleman may know, the Republican Caucus is going to spend this weekend in retreat. The chairman and some of the conference members are not going on that retreat so they can work through the weekend. They hope to be able to have a formal conference meeting Monday, Monday evening, and start the formal process at that time, hopefully getting the conference report to the floor by Wednesday.

Mr. HOYER. I thank the gentleman for that answer.

Now, Mr. Speaker, I would like to know, and as I said last week, because of the process we are pursuing Members are not as knowledgeable, perhaps, as they otherwise would be on exactly what is going on. Can the majority leader inform me as to how much time he would expect to give Members, A, to review the conference report, and then to have consideration of it on the floor, and what procedures might be available to them on the floor?

Mr. DELAY. Mr. Speaker, I cannot advise the gentleman on what procedures may be available to them on the floor.

As the gentleman knows, the conference report is a privileged motion not subject to amendment. The Members, I do not know about the gentleman's side of the aisle, but my side of the aisle are very aware that the appropriations process is ongoing. I have been overwhelmed with requests and issues that are in that bill, as the chairman has, and Members are working as hard as they can to make sure their concerns are taken care of in the appropriations bill and in that process.

We are hoping that the Members will have sufficient time. This is, again, an unusual process, and the bill itself is huge, but we are hoping that we can give the Members sufficient time to review the bill. But if Members are interested, they ought to be consulting with the staff of the Committee on Appropriations right now as to what is in the bill and what might come to the bill so they might be prepared for voting on it on Wednesday.

Mr. HOYER. Reclaiming my time, Mr. Speaker, the staff of the Committee on Appropriations is now very upset with the gentleman for that recommendation.

Mr. DELAY. I retract that remark.

Mr. HOYER. The staff clearly is overwhelmed because they are trying to move ahead, covering 11 appropriation bills, in a short period of time.

I appreciate the gentleman's observation that there is going to be an attempt made to give the Members sufficient time when the report is issued, when the conference report is issued from the committee, to at least have 24 hours to review it and come to grips with what is in it. Because, again, the process has been one in which we have not had many of the bills, as the gentleman knows, on the floor for consideration in the House in the first instance, much less the conference reports, while the Senate, obviously, had a fuller debate on most of the pieces of legislation.

Mr. Speaker, I would ask the gentleman again, I would like to ask him about the Welfare Reform Reauthorization Act which he indicates may be on the floor next Thursday. If it comes on the floor next Thursday, can the gentleman tell me how whether it is going to go to committee, to the Committee on Ways and Means for consideration, or whether it will go directly to the Committee on Rules and be reported out by the Committee on Rules?

Mr. DELAY. If the gentleman will continue to yield, Mr. Speaker, we intend to use an unusual procedure to bring the bill straight to the floor because of many reasons, not the least of which is that reforming welfare, as the gentleman knows, has been an incredible success. The reauthorization was vitally important; and many of these programs, these successful programs, are working under short-term extensions. We think it is vitally important to get this program reauthorized and, most importantly, get to the Senate.

I might remind the gentleman that we passed the welfare reform I think 2 years ago and never got through the Senate and sat on the desk, and it never was considered by the Senate. That bill, by the way, has had more than 20 hearings and multiple markups, and we feel that Members have had plenty of opportunity to consider the bill. We want to expedite the process and not jeopardize the great success that we have seen over the time of the welfare reform.

As far as the Committee on Rules is concerned, if the gentleman will continue to yield, it will go straight to the Committee on Rules discharging from the committees. The chairman is standing right beside me. I would anticipate very soon that he will announce a filing deadline for amendments this evening and will meet sometime next week to consider those amendments.

Mr. HOYER. Mr. Speaker, reclaiming my time, I thank the leader for that information with reference to how it is going to be considered.

As the gentleman, as the leader will recall, and I am sure the chairman of the Committee on Rules will recall, when last considered, the Democrats, the minority, was given a substitute, and a waiver was given with respect to that substitute as well. We would hope that that would be repeated again this year.

Again, notwithstanding the accelerated consideration, clearly we would hope that we would be able to offer, with an appropriate waiver, an alternative to the proposal that emanates from the Committee on Rules.

Could the leader tell me whether that is the intention?

Mr. DELAY. If the gentleman will yield further, Mr. Speaker, I have watched the chairman of the Committee on Rules work for many years now, going on 9 years as chairman of the Committee on Rules, I believe. The whole time that he has been chairman he has, I think, treated the minority with utmost and extreme fairness.

Mr. HOYER. Reclaiming my time just briefly, Mr. Leader, we do not have time to debate that issue; but I will yield back to the gentleman.

Mr. DELAY. I think that he is ultimately fair and will treat the minority fairly as it comes to the welfare reform bill.

To be serious about it, I think the minority deserves to be heard on welfare reform, especially welfare reform, and the chairman will treat them fairly.

Mr. HOYER. Reclaiming my time, Mr. Speaker, the last time this bill was considered the chairman will recall a waiver was given because of the budget objections that might lie.

Would the chairman contemplate a similar waiver being offered?

Mr. DREIER. Mr. Speaker, will the gentleman yield?

Mr. HOYER. I yield to the gentleman from California.

Mr. DREIER. I thank the gentleman for yielding, Mr. Speaker, and appreciate the kind remarks from the distinguished majority leader.

I just want to say that I am prepared, when this colloquy comes to an end, to make an announcement that we are going to be considering this. What I will tell the gentleman is that, while we cannot at this juncture anticipate exactly what the structure of the rule will be, we clearly do plan to offer the opportunity for Members to submit their amendments. I will say right now, as I will in the announcement, the formal announcement that I will make in a couple of minutes, that we will really have a preference for amendments in the nature of a substitute, which is what we have traditionally done on the issue of welfare reform.

Until our committee works its will on this issue it would be early to say, but as the majority leader has said, we clearly want to ensure that the minority has an opportunity to be heard on this question.

I am hoping very much that we will have strong bipartisan support at the end of the day for what will be truly an historic welfare reform measure that will do exactly what the leader has said; that is, to take advantage and encourage people to get into the work force and create a modicum of responsibility, which is what this is all about.

Mr. HOYER. I thank the gentleman for his comments.

Reclaiming my time, Mr. Speaker, as some know, I was one of those who voted for the welfare reform bill.

Mr. DREIER. I know the gentleman did.

Mr. HOYER. I believe that we have made great strides. I believe that there are, obviously, different times that confront us at this point in time; but I think, given where we are, that both sides may still be pretty much in the same position they were in last time.

I would, without asking further questions, urge my friends on the majority side to provide for that full and open debate and not allow a technicality which would result from a lack of waiver to preclude a substantive alternative to be debated on this floor and the different perspectives that Members might have being aired.

I think that is good for the American public, I think it is good for the House of Representatives, and I think it is good for the final product. I would hope that would be done. We certainly anticipated the gentleman's announcement, and we will be offering a substitute in a timely fashion on Tuesday next, as I understand the chairman will announce.

Mr. DREIER. By 5 p.m., Mr. Speaker.

Mr. HOYER. I do not want to announce it for the gentleman, but I appreciate it. I appreciate the comments of the leader and the chairman of the Committee on Rules.

ADJOURNMENT TO FRIDAY, FEBRUARY 7, 2003; AND ADJOURNMENT FROM FRIDAY, FEBRUARY 7, 2003 TO TUESDAY, FEBRUARY 11, 2003

Mr. DELAY. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10 a.m. on Friday, February 7; and, further, that when the House adjourns on Friday, February 7, it adjourn to meet at 12:30 p.m. on Tuesday, February 11, for morning hour debates.

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

There was no objection.

□ 1915

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. DELAY. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

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

There was no objection.

ANNOUNCEMENT REGARDING AMENDMENT PROCESS FOR H.R. 4, PERSONAL RESPONSIBILITY, WORK, AND FAMILY PROMOTION ACT OF 2003

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

Mr. DREIER. Mr. Speaker, the Committee on Rules may meet the week of February 10, although I think it is pretty obvious that we are anticipating our meeting in the week of February 10, to grant a rule which could limit the amendment process for floor consideration of H.R. 4, the Personal Responsibility, Work and Family Promotion Act of 2003.

Any Member wishing to offer an amendment should submit 55 copies of the amendment and one copy of a brief explanation of the amendment to the Committee on Rules in room H–312 of the Capitol by, as I said earlier, 5 p.m. on Tuesday, February 11.

Members should draft their amendments to the bill as it was introduced on February 4. Members should be aware that the Committee on Rules intends, as I said earlier, to give priority to amendments offered as complete substitutes.

Members should use the Office of Legislative Counsel to ensure that their amendments are properly drafted and should check with the Office of the Parliamentarian to be certain that their amendments comply with the rules of the House.

SALUTE TO ROBERT L. WALKER

(Mr. HEFLEY asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. HEFLEY. Mr. Speaker, I rise today to pay tribute to Robert L. Walker, who, after 4 years of outstanding service as chief counsel and staff director of the Committee on Standards of Official Conduct, is leaving to become chief counsel and staff director for the Senate Select Committee on Ethics.

Rob served the committee under two different chairman, myself and my colleague, the gentleman from Texas (Mr. SMITH). I speak for the gentleman from Texas (Mr. SMITH), the ranking minority member, the gentleman from California (Mr. BERMAN), and all of my colleagues on the committee, past and present, in thanking Rob for his nonpartisan dedication to the committee and to the House. We express gratitude to Rob for his tireless work, his sense of fairness, his judiciousness and, most importantly, his impartiality.

Mr. Speaker, Rob Walker is the epitome of the nonpartisan professional staff required by the House and by the Committee on the Standards of Official Conduct for the important position he held. Rob advised the members of the committee and guided the staff in an impartial and absolutely fair manner.

As our counsel, in all aspects of his work Rob brought a profound sense of wisdom and respect for the history and precedents of the committee, the House and the American tradition of equal justice under the law. He carefully and faithfully balanced the rights of the committee and the House with the important due process rights of respondents and witnesses.

Mr. Speaker, Rob came to the committee from the Senate Ethics Committee, where he previously served as counsel. Prior to coming to Capitol Hill, he was a prosecutor at the U.S. Attorney's Office for the District of Columbia and at the public integrity section of the Department of Justice. He has both a bachelor's degree and a law degree from the University of Pennsylvania and a master's degree from Stanford University. Rob is married to Dr. Alice Weiss and they have three children: Aaron, Daniel, and Madeleine. Devotion to his family and his distinguished professional record have earned Rob the personal and professional respect and friendship of the members of the committee and his colleagues on the staff.

Mr. Speaker, we wish Rob Walker and his family well in his new position. Although this House and the Committee will miss him, we will long remember his distinguished service to the House of Representatives.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. DOYLE (at the request of Ms. PELOSI) for today on account of illness.

Mr. RYAN of Wisconsin (at the request of Mr. DELAY) for today on account of attending a memorial service for *Columbia* shuttle astronaut Dr. Laurel Clark of Racine, Wisconsin.

ENROLLED BILL SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly an enrolled bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 16. An act to authorize salary adjustments for Justices and judges of the United States for fiscal year 2003.

ADJOURNMENT

Mr. DREIER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

The SPEAKER pro tempore. Pursuant to House Resolution 51, the House stands adjourned until 10 a.m. Friday, February 7, as a further mark of respect to the memory of the valiant crew members of the *Columbia* shuttle mission.

Thereupon (at 7 o'clock and 16 minutes p.m.), pursuant to House Resolution 51, the House adjourned as a further mark of respect to the memory of the valiant crew members of the *Columbia* shuttle mission until Friday, February 7, 2003, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

511. A letter from the Deputy Secretary, Department of Defense, transmitting notification of the transport of a chemical warfare agent, pursuant to 50 U.S.C. 1512(4); to the Committee on Armed Services.

512. A letter from the Secretary of the Navy, Department of Defense, transmitting the Secretary's determination and findings that it is in the public interest to use other than competitive procedures for a specific procurement, pursuant to 10 U.S.C. 2304(c)(7); to the Committee on Armed Services.

513. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Extension of DoD Pilot Mentor-Protege Program [DFARS Case 2002-D029] received January 9, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

514. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Trade Agreements Act — Exception for U.S.-Made End Products [DFARS Case 2002-D008] received January 9, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

515. A letter from the Administrator, Food and Nutrition Service, Department of Agriculture, transmitting the Department's final rule — Special Supplemental Nutrition Program for Women, Infants and Children: Exclusion of Military Housing Payments (RIN: 0584-AD34) received January 8, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

516. A letter from the Attorney Advisor, NHTSA, Department of Transportation, transmitting the Department's final rule — Federal Motor Vehicle Safety Standards; Platform Lift Systems for Accessible Motor Vehicles Platform Lift Installations on Motor Vehicles [Docket No. NHTSA-02-13917; Notice 1] (RIN: 2127-AD50) received December 31, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

517. A letter from the Senior Legal Advisor, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Emmetsburg, Sanborn and Sibly, Iowa and Brandon, South Dakota) [MM Docket No.01-65, RM-10078, RM-10188, RM-10189] received January 6, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

518. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's three report on nuclear nonproliferation in South Asia for the period of April 1 to September 30, 2001, October 1, 2001 to March 31, 2002 and April 1 to September 30, 2002, pursuant to 22 U.S.C. 2376(c); to the Committee on International Relations.

519. A letter from the Director, Defense Security Cooperation Agency, transmitting the Department of the Air Force's proposed lease of defense articles to the Government of Jordan (Transmittal No. 01-03), pursuant to 22 U.S.C. 2796a(a); to the Committee on International Relations.

520. A letter from the Director, International Cooperation, Department of Defense, transmitting a copy of Transmittal No. 34-02 which informs you of our intent to sign a Memorandum of Understanding (MOU) between the United States, France the United Kingdom, and the NATO AEW&C Programme Management Organisation concerning Projects for the E-3 AEW&C Fleets, pursuant to 22 U.S.C. 2767(f); to the Committee on International Relations.

521. A letter from the Secretary, Department of Homeland Security, Department of Homeland Security, transmitting the Department's final rule — Production or Disclosure of Official Information in Connection with Legal Preceedings (RIN: 1601-AA01) received January 24, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

522. A letter from the Secretary, Department of Homeland Security, Department of Homeland Security, transmitting the Department's final rule — Freedom of Information Act and Privacy Act Procedures — received January 24, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

523. A letter from the Chairman, Federal Maritime Commission, transmitting the Commission's semiannual report on the activities of the Office of Inspector General for the period April 1, 2002 to September 30, 2002, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 8G(h)(2); to the Committee on Government Reform.

524. A letter from the Director, Information Security Oversight Office, transmitting a copy of the Information Security Oversight Office's (ISOO) ''Report to the President'' for 2001; to the Committee on Government Reform.

525. A letter from the General Counsel, National Labor Relations Board, transmitting the Board's inventory of inherently governmental and commercial activities; to the Committee on Government Reform.

526. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule — Retirement Coverage and Service Credit Elections Available to Current and Former Nonappropriated Fund Employees (RIN: 3206-AJ72) received January 27, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

527. A letter from the Chief Administrative Officer, transmitting the quarterly report of

receipts and expenditures of appropriations and other funds for the period October 1, 2002, through December 31, 2002 as compiled by the Chief Administrative Officer, pursuant to 2 U.S.C. 104a; (H. Doc. No. 108 — 36); to the Committee on House Administration and ordered to be printed.

528. A letter from the Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule — Oklahoma Regulatory Program [OK-028-FOR] received January 13, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

529. A letter from the Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule — Kentucky Regulatory Program [KY-234-FOR] received January 13, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

530. A letter from the Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule — Kentucky Regulatory Program [KY-240-FOR] received January 13, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

531. A letter from the Independent Counsel, Office of Independent Counsel, transmitting the annual report for the Office of Independent Counsel-Barrett, pursuant to 28 U.S.C. 595(a)(2); to the Committee on the Judiciary.

532. A letter from the Deputy Assistant Attorney General, Department of Justice, transmitting the Department's final rule — Establishment of Minimum Safety and Security Standards for Private Companies That Transport Violent Prisoners [OAG 100F; AG Order No. 2640-2002] (RIN: 1105-AA77) received January 27, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

533. A letter from the Secretary of the Commission, Federal Trade Commission, transmitting the Commission's final rule — Premerger Notification; Reporting and Waiting Period Requirements — received January 27, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

534. A letter from the Assistant Chief Counsel, TSA, Department of Transportation, transmitting the Department's finl rule — Aviation Security: Private Charter Security Rules [Docket No. TSA-2002-12394; Amendment No. 1544-3] (RIN: 2110-AA05) received January 2, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

535. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Ineligibility for an Airman Certificate Based on Security Grounds [Docket No.: FAA-2003-14293; Amendment Nos. 61-108, 63-32, 65-44] (RIN: 2120-AH84) received January 27, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

536. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30348; Amdt. No. 3039] received January 27, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

537. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule — Safety Zone; Outer Continental Shelf Facility in the Gulf of Mexico [CGD08-01-043] (RIN: 2115-AG31) received January 27, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

538. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule — Drawbridge Operation Regulation; Gulf Intracoastal Waterway, Houma, LA [CGD08-02-022] (RIN: 2115-AE47) received January 27, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

539. A letter from the Regulations Officer, FMCSA, Department of Transportation, transmitting the Department's final rule — Commercial Driver's License Standards, Requirements, and Penalities; Commercial Driver's License Program Improvements and Noncommercial Motor Vehicle Violations [Docket Nos. FMCSA-2001-9709 and FMCSA-00-7382] (RIN: 2126-AA60 and RIN: 2126-AA55) received January 27, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

540. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportstion, transmitting the Department's final rule — Security Zone; Waters adjacent to Embarcadero Park and Campbell Shipyard, San Diego, CA [[COTP San Diego 03-002] (RIN: 2115-AA97) received January 27, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

541. A letter from the Deputy General Counsel, Department of Veterans Affairs, transmitting the Department's final rule — VA Acquisition Regulation: Simplified Acquisition Procedures for Health-Care Resources (RIN: 2900-AI71) received January 22, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

542. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule — Section 6038 — Returns required with respect to controlled foreign partnerships [TD 9033] (RIN: 1545-BB36) received January 2, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

543. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule — Rulings and determination letters (Rev. Proc. 2003-18) received January 27, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

544. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule — Rulings and determination letters (Rev. Proc. 2003-17) received January 27, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

545. A letter from the Secretary, Department of Defense, transmitting notification approving a payment to the Government of Tajikistan, pursuant to Public Law 107-206; jointly to the Committees on Armed Services and Appropriations.

546. A communication from the President of the United States, transmitting a report detailing the progress of spending by the executive branch during the last two quarters of Fiscal Year 2002 in support of Plan Colombia, pursuant to Public Law 106 — 246, section 3204(e) (114 Stat. 576); (H. Doc. No. 108 — 35); jointly to the Committees on International Relations and Appropriations, and ordered to be printed.

547. A letter from the Congressional Liaison Officer, United States Trade and Development Agency, transmitting notification of prospective funding obligations requiring special notification under Section 520 of the Kenneth M. Ludden Foreign Operations, Export Financing, and Related Programs Appropriations Act, Fiscal Year 2002; jointly to the Committees on International Relations and Appropriations.

548. A letter from the General Counsel, Office of Compliance, transmitting a copy of the Occupational Safety and Health Report for the 107th Congress, pursuant to Public Law 104 — 1, section 215(e) (109 Stat. 18); jointly to the Committees on House Administration and Education and the Workforce.

549. A letter from the Chairman, National Transportation Safety Board, transmitting a copy of the Board's appeal letter to OMB regarding the initial determination of the FY 2004 budget request, pursuant to 49 U.S.C. 1113; jointly to the Committees on Transportation and Infrastructure and Appropriations.

550. A letter from the Director, Office of Management and Budget, transmitting a report identifying accounts containing unvouchered expenditures that are potentially subject to audit by the Comptroller General, pursuant to 31 U.S.C. 3524(b); jointly to the Committees on the Budget, Appropriations, and Government Reform.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. GREENWOOD (for himself, Mr. MURTHA, Mr. COX, Mr. SENSENBRENNER, Mr. TAUZIN, Mr. THOMAS, Mr. GOODE, Mr. FERGUSON, Mr. GERLACH, Mrs. CAPITO, Mr. FEENEY, Mr. KIRK, Mrs. BIGGERT, Mr. PLATTS, Mr. SHAYS, Mr. FRELINGHUYSEN, Mr. MURPHY, Mr. PETERSON of Minnesota, Mr. LUCAS of Kentucky, Mr. STENHOLM, Mr. TAYLOR of Mississippi, Mr. HOBSON, Ms. GRANGER, Mrs. JOHNSON of Connecticut, Ms. DUNN, Mr. ROGERS of Michigan, Ms. GINNY BROWN-WAITE of Florida, Mr. HAYES, Mr. LEACH, Mr. OTTER, Mr. GRAVES, Mr. LATOURETTE, Mr. FLETCHER, Mr. WELDON of Florida, Mr. TIBERI, Mr. HAYWORTH, Mr. CRANE, Mr. PORTMAN, Mr. SULLIVAN, Mr. SOUDER, Mr. CANNON, Mr. SHAW, Mr. MCHUGH, Mr. MCKEON, Mr. LEWIS of Kentucky, Mrs. NORTHUP, Mr. SESSIONS, Mr. HULSHOF, Mr. PUTNAM, Mr. GILCHREST, Mr. KNOLLENBERG, Mr. HOUGHTON, Mr. REGULA, Mr. TOM DAVIS of Virginia, Mr. FORBES, Mr. PETERSON of Pennsylvania, Mr. LOBIONDO, Mr. BOEHLERT, Mr. NUSSLE, Mr. SHUSTER, Mr. TIAHRT, Mr. STEARNS, Mr. GILLMOR, Ms. HART, Mr. WALSH, Mr. CRENSHAW, Mr. BARTON of Texas, Mr. KELLER, and Mr. COLLINS):

H.R. 5. A bill to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system.

By Mr. TAUZIN (for himself, Mr. DINGELL, Mr. BILIRAKIS, Mr. BROWN of Ohio, and Mr. HILL):

H.R. 531. A bill to amend title XXI of the Social Security Act to extend the availability of allotments for fiscal years 1998 through 2001 under the State Children's Health Insurance Program (SCHIP); to the Committee on Energy and Commerce.

By Mr. LANTOS (for himself, Ms. PELOSI, Mr. GEORGE MILLER of California, Ms. ESHOO, Ms. LEE, Mrs. TAUSCHER, Mr. HONDA, Mr. THOMPSON of California, Mr. STARK, and Ms. LOFGREN):

H.R. 532. A bill to revise the boundaries of the Golden Gate National Recreation Area in the State of California, to restore and extend the term of the advisory commission for the recreation area, and for other purposes; to the Committee on Resources.

By Mr. EVANS (for himself, Mr. RODRIGUEZ, Mr. FILNER, Mr. GUTIERREZ, Ms. CORRINE BROWN of Florida, Mr. SNYDER, Mr. MCINTYRE, Mr. SANDERS, Mr. SERRANO, and Mr. WAXMAN):

H.R. 533. A bill to amend title 38, United States Code, to provide for health benefits and certain other benefits to be furnished by the Department of Veterans Affairs to any individual who has spina bifida and is the natural child of a veteran who, while in military service, was exposed to a herbicide agent; to the Committee on Veterans' Affairs.

By Mr. WELDON of Florida (for himself, Mr. STUPAK, Mr. SENSENBRENNER, Mr. SMITH of Texas, Mr. CHABOT, Mr. LUCAS of Kentucky, Mr. CANNON, Mr. HALL, Mr. KELLER, Ms. HART, Mr. TAYLOR of Mississippi, Mr. DELAY, Mrs. MYRICK, Mr. BACHUS, Mr. BLUNT, Mr. FLETCHER, Mr. NORWOOD, Mr. PITTS, Mr. SHIMKUS, Mr. STEARNS, Mr. SMITH of New Jersey, Mr. VITTER, Mr. GOODE, Mr. WOLF, Mr. BRADY of Texas, Mr. HOEKSTRA, Mr. KILDEE, Mr. ADERHOLT, Mr. WICKER, Mr. COSTELLO, Mr. SAM JOHNSON of Texas, Mr. LEWIS of Kentucky, Mr. SHUSTER, Mr. GOODLATTE, Mr. PICKERING, Mr. BURTON of Indiana, Mr. HUNTER, Mr. CANTOR, 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. CAMP, Mr. DUNCAN, Mr. CRENSHAW, Mr. KING of New York, Mr. WAMP, Mr. FOSSELLA, Mr. COMBEST, Mr. HAYES, Mr. TIAHRT, Mr. BURNS, Mr. HOSTETTLER, Mrs. EMERSON, Mr. ISSA, Mr. CRANE, Mr. FEENEY, Mr. BUYER, Mr. FERGUSON, Mr. GRAVES, Mr. DOOLITTLE, Mr. BARRETT of South Carolina, Mr. GREEN of Wisconsin, Mr. SULLIVAN, Mr. ROGERS of Alabama, Mr. BROWN of South Carolina, Mr. KINGSTON, Ms. ROS-LEHTINEN, Mr. POMBO, Mr. RENZI, Mr. HYDE, Mr. WHITFIELD, Mr. WELLER, Mr. PETRI, Mr. TOOMEY, Mr. BURGESS, Mr. DEMINT, Mr. HERGER, Mr. ORTIZ, Mr. REYES, Mr. MOLLOHAN, Mr. MANZULLO, Mr. NEY, and Mr. LAHOOD):

H.R. 534. A bill to amend title 18, United States Code, to prohibit human cloning; to the Committee on the Judiciary.

By Mr. ACEVEDO-VILA (for himself, Mrs. CHRISTENSEN, Mr. RANGEL, Mr. TOWNS, Ms. VELAZQUEZ, Mr. BACA, Mr. SERRANO, Mr. GUTIERREZ, Ms. BORDALLO, Ms. SOLIS, Mrs. NAPOLITANO, Mr. BECERRA, and Mr. PASTOR):

H.R. 535. A bill to provide access to welfare tools to help Americans get back to work; 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. ANDREWS:

H.R. 536. A bill to amend the Occupational Safety and Health Act of 1970 to provide for coverage under that Act of employees of States and political subdivisions of States, and for other purposes; to the Committee on Education and the Workforce.

By Mr. ANDREWS:

H.R. 537. A bill to authorize the grant program for elimination of the nationwide backlog in analyses of DNA samples at the level necessary to completely eliminate the backlog and obtain a DNA sample from every person convicted of a qualifying offense; to the Committee on the Judiciary.

By Mr. ANDREWS:

H.R. 538. A bill to amend the Federal Rules of Evidence to establish a parent-child privilege; to the Committee on the Judiciary.

By Mr. ANDREWS:

H.R. 539. A bill to amend the Immigration and Nationality Act to provide for the admission to the United States for permanent residence without numerical limitation of spouses of permanent resident aliens; to the Committee on the Judiciary.

By Mr. ANDREWS:

H.R. 540. A bill to amend title 9, United States Code, to allow employees the right to accept or reject the use of arbitration to resolve an employment controversy; to the Committee on the Judiciary.

By Mr. ANDREWS:

H.R. 541. A bill to amend the Internal Revenue Code of 1986 to provide for employee benefits for work site employees of certain corporations operating on a cooperative basis; to the Committee on Ways and Means.

By Mr. BAKER:

H.R. 542. A bill to repeal the reservation of mineral rights made by the United States when certain lands in Livingston Parish, Louisiana, were conveyed by Public Law 102-562; to the Committee on Resources.

By Mr. BAKER:

H.R. 543. A bill to amend the Internal Revenue Code of 1986 to provide special rules for the determining the amount allowed as a deduction for a charitable contribution of apparently wholesome food which is inventory; to the Committee on Ways and Means.

By Mr. BILIRAKIS:

H.R. 544. A bill to amend the Internal Revenue Code of 1986 to allow employers a tax credit for hiring displaced homemakers; to the Committee on Ways and Means.

By Mr. CAMP (for himself, Mr. DEUTSCH, Mr. ISRAEL, Mr. ETHERIDGE, and Mr. WELDON of Pennsylvania):

H.R. 545. A bill to provide for the establishment of a scientific basis for new firefighting technology standards, improve coordination among Federal, State, and local fire officials in training for and responding to terrorist attacks and other national emergencies, and for other purposes; to the Committee on Science.

By Mr. CASE (for himself and Mr. ABERCROMBIE):

H.R. 546. A bill to revise the boundary of the Kaloko-Honokohau National Historical Park in the State of Hawaii, and for other purposes; to the Committee on Resources.

By Mr. CASTLE:

H.R. 547. A bill to expand the Federal tax refund intercept program to cover children who are not minors; to the Committee on Ways and Means.

By Mr. MILLER of Florida (for himself, Mr. SCHROCK, Mr. MORAN of Virginia, Mr. DUNCAN, Mr. SAXTON, Mr. EDWARDS, Mr. ISRAEL, Mr. HOLDEN, Mr. LUCAS of Kentucky, Mr. GIBBONS, Mr. WILSON of South Carolina, Mr. PAUL, Mr. VITTER, Mr. FOLEY, Mr. RODRIGUEZ, Mr. WHITFIELD, Mr. MICA, Mrs. CHRISTENSEN, Mr. ADERHOLT, Mr. MANZULLO, Mr. LANTOS, Mr. TIBERI, Mr. FILNER, Mr. BROWN of South Carolina, Mr. JEFFERSON, Mr. MCGOVERN, Mr. WU, Mr. SMITH of New Jersey, Mr. MCINNIS, Ms. WOOLSEY, Mr. BROWN of Ohio, Mr. LAMPSON, Mr. UDALL of New Mexico, Mr. TURNER of Texas, Ms. ROS-LEHTINEN, Ms. HART, Mr. PETRI, Mr. SANDLIN, Mr. CARSON of Oklahoma, Mr. KINGSTON, Mr. LYNCH, Mr. ISTOOK, Mr. QUINN, Mr. BAKER, Ms. CORRINE BROWN of Florida, Mrs. JONES of Ohio, Mr. WALDEN of Oregon, Mr. SIMMONS, Mr. DAVIS of Florida, Mr. BOOZMAN, Mr. BEAUPREZ, Mr. BACA, Mr. SMITH of Washington, Mr. LINCOLN DIAZ-BALART of Florida, Mr. PICKERING, Ms. CARSON of Indiana, Mr. GOODE, Mr. MCINTYRE, Mr. SOUDER, Mr. CRENSHAW, Mr. RAHALL, Mr. FROST, Ms. GINNY BROWN-WAITE of Florida, Mr. TERRY, Mr. FRANK of Massachusetts, Mr. JENKINS, Mr. OLVER, Mr. GREEN of Texas, Mr. PUTNAM, Mr. GREEN of Wisconsin, Mr. GRIJALVA, Mr. BOYD, Mr. KENNEDY of Rhode Island, Mr. PALLONE, Mr. WYNN, Mr. LATOURETTE, Mrs. WILSON of New Mexico, Mr. BELL, Mr. JONES of North Carolina, Mr. TANCREDO, Mr. TOM DAVIS of Virginia, Mr. CRAMER, Mrs. MCCARTHY of New York, Mr. BURR, Mr. EVANS, Mr. BILIRAKIS, Mr. CUNNINGHAM, Ms. NORTON, Mr. GOSS, Mr. HONDA, Ms. HOOLEY of Oregon, Ms. BERKLEY, Mr. LAHOOD, Mrs. MUSGRAVE, Mr. HINCHEY, Mr. ROSS, Mrs. EMERSON, Mr. OTTER, Mr. PASTOR, Ms. SOLIS, Mr. COMBEST, Mr. KLINE, Mr. MCCRERY, Mr. OBERSTAR, Ms. KILPATRICK, Mr. DEUTSCH, Mr. ROTHMAN, Mr. PEARCE, Mr. SANDERS, Mr. WOLF, Mr. HAYWORTH, Mr. COSTELLO, Ms. KAPTUR, Ms. HARRIS, Mr. ROYCE, Mr. KING of New York, Ms. LINDA T. SANCHEZ of California, and Mr. MATHESON):

H.R. 548. A bill to amend title 10, United States Code, to increase the minimum Survivor Benefit Plan basic annuity for surviving spouses age 62 and older, to provide for a one-year open season under that plan, and for other purposes; to the Committee on Armed Services.

By Mr. DEMINT:

H.R. 549. A bill to suspend temporarily the duty on certain power weaving textile machinery; to the Committee on Ways and Means.

By Mr. DEMINT:

H.R. 550. A bill to suspend temporarily the duty on certain ink-jet textile printing machinery; to the Committee on Ways and Means.

By Mr. DEMINT:

H.R. 551. A bill to suspend temporarily the duty on certain other textile printing machinery; to the Committee on Ways and Means.

By Mr. DEMINT:

H.R. 552. A bill to suspend temporarily the duty on certain textile machinery; to the Committee on Ways and Means.

By Mr. DEMINT:

H.R. 553. A bill to suspend temporarily the duty on Chemical RH water-based (iron toluene sulfanate); to the Committee on Ways and Means.

By Mr. DEMINT:

H.R. 554. A bill to suspend temporarily the duty on Chemical NR Ethanol-based (iron toluene sulfanate); to the Committee on Ways and Means.

By Mr. DEMINT:

H.R. 555. A bill to suspend temporarily the duty on tantalum capacitor ink; to the Committee on Ways and Means.

By Mr. DEMINT:

H.R. 556. A bill to suspend temporarily the duty on certain manufacturing equipment; to the Committee on Ways and Means.

By Mr. DEMINT:

H.R. 557. A bill to suspend temporarily the duty on certain manufacturing equipment; to the Committee on Ways and Means.

By Mr. DEMINT:

H.R. 558. A bill to suspend temporarily the duty on certain manufacturing equipment; to the Committee on Ways and Means.

By Mr. DEMINT:

H.R. 559. A bill to suspend temporarily the duty on certain manufacturing equipment; to the Committee on Ways and Means.

By Mr. DEMINT:

H.R. 560. A bill to suspend temporarily the duty on certain manufacturing equipment; to the Committee on Ways and Means.

By Mr. DEMINT:

H.R. 561. A bill to suspend temporarily the duty on certain manufacturing equipment; to the Committee on Ways and Means.

By Mr. DEMINT:

H.R. 562. A bill to suspend temporarily the duty on thermal release plastic film; to the Committee on Ways and Means.

By Mr. DEMINT:

H.R. 563. A bill to suspend temporarily the duty on certain formulated silver paints and pastes to coat tantalum anodes colloidal precious metals; to the Committee on Ways and Means.

By Mr. DEMINT:

H.R. 564. A bill to suspend temporarily the duty on polymer masking material for aluminum capacitors (UPICOAT); to the Committee on Ways and Means.

By Mr. DEMINT (for himself and Mr. SPRATT):

H.R. 565. A bill to provide emergency assistance to certain small business concerns that have suffered substantial economic injury from drought; to the Committee on Small Business.

By Mr. CUNNINGHAM (for himself and Mrs. DAVIS of California):

H.R. 566. A bill to amend the impact aid program under the Elementary and Secondary Education Act of 1965 to clarify the formula used to compute payments to local educational agencies with respect to eligible federally connected children; to the Committee on Education and the Workforce.

By Mrs. JO ANN DAVIS of Virginia:

H.R. 567. A bill to direct the Secretary of the Interior to conduct a study of the suitability and feasibility of establishing the Northern Neck National Heritage Area in Virginia, and for other purposes; to the Committee on Resources.

By Mr. TOM DAVIS of Virginia (for himself, Mr. HOYER, Mr. GILCHREST, Mr. GREENWOOD, Mr. FORBES, Mr. MORAN of Virginia, Mr. SCOTT of Virginia, Mr. WYNN, Mr. HOLDEN, Mr. HOEFFEL, Mr. HINCHEY, Mr. WOLF, Mr. GOODLATTE, Ms. NORTON, Mr. BARTLETT of Maryland, Mr. CARDIN, Mr. CUMMINGS, Mrs. JO ANN DAVIS of Virginia, Mr. HOUGHTON, Mr. PETERSON of Pennsylvania, Mr. RUPPERSBERGER, and Mr. VAN HOLLEN):

H.R. 568. A bill to amend the Federal Water Pollution Control Act to provide assistance for nutrient removal technologies to States in the Chesapeake Bay watershed; to the Committee on Transportation and Infrastructure.

By Ms. DUNN (for herself, Mr. MCDERMOTT, Mr. RAMSTAD, Mr. DEUTSCH, and Mr. FERGUSON):

H.R. 569. A bill to amend title XVIII of the Social Security Act to establish procedures for determining payment amounts for new clinical diagnostic laboratory tests for which payment is made under the Medicare Program; to the Committee on Energy and Commerce, and in addition to the Committee on 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. FOLEY (for himself, Mr. WELLER, Mr. MATSUI, Mrs. JOHNSON of Connecticut, Mr. POMEROY, Mr. MCCRERY, Mr. HAYWORTH, Mr. RAMSTAD, Mr. MCINNIS, Mr. LEWIS of Georgia, Mr. DOGGETT, Mr. BECERRA, Mrs. JONES of Ohio, Ms. BERKLEY, Mr. STENHOLM, Mr. LEACH, Mrs. DAVIS of California, Mr. PAUL, Mr. WU, Mr. STUPAK, Mr. UDALL of New Mexico, Mr. LANGEVIN, Mr. WALDEN of Oregon, Mrs. TAUSCHER, Mr. HINCHEY, Mr. SANDERS, Mr. SHAYS, Mr. INSLEE, Mr. SNYDER, Mr. ENGEL, Mr. FRANK of Massachusetts, Mr. SIMPSON, Mr. OTTER, Mrs. CAPPS, Mr. ABERCROMBIE, Mr. KENNEDY of Minnesota, Mr. EHLERS, Mr. GREEN of Wisconsin, Mr. SMITH of Washington, Mr. HOEFFEL, Mr. SHERMAN, Mr. DEUTSCH, Mr. DELAHUNT, Mr. GREENWOOD, Mr. LUCAS of Oklahoma, Mr. WELDON of Florida, Mr. GUTKNECHT, Mr. SIMMONS, Ms. WOOLSEY, Mr. BEREUTER, Mr. LATHAM, Mr. REHBERG, Mr. BOUCHER, Mr. FROST, Mr. LINCOLN DIAZ-BALART of Florida, and Mr. MORAN of Kansas):

H.R. 570. A bill to amend the Internal Revenue Code of 1986 to provide a 5-year extension of the credit for electricity produced from wind; to the Committee on Ways and Means.

By Mr. FOLEY (for himself, Mr. MCINNIS, Mr. HERGER, Mr. GIBBONS, Mr. MCHUGH, Mr. TIBERI, Mr. MILLER of Florida, Mr. ROGERS of Kentucky, Mr. CRENSHAW, Mr. GREEN of Wisconsin, Mr. SMITH of Michigan, and Mr. WELDON of Florida):

H.R. 571. A bill to amend the Internal Revenue Code of 1986 to provide a shorter recovery period for the depreciation of certain restaurant buildings; to the Committee on Ways and Means.

By Mr. FOSSELLA:

H.R. 572. A bill to amend the Internal Revenue Code of 1986 to increase the limitation on capital losses applicable to individuals; to the Committee on Ways and Means.

By Mr. HAYWORTH:

H.R. 573. A bill to amend the Internal Revenue Code of 1986 to exempt certain sightseeing flights from taxes on air transportation; to the Committee on Ways and Means.

By Mr. HAYWORTH (for himself and Mr. GIBBONS):

H.R. 574. A bill to amend the Internal Revenue Code of 1986 to treat gold, silver, and platinum, in either coin or bar form, in the same manner as stocks and bonds for purposes of the maximum capital gains rate for individuals; to the Committee on Ways and Means.

By Mr. HEFLEY:

H.R. 575. A bill to expedite the process by which the Secretary of the Interior and the Secretary of Agriculture may utilize military aircraft to fight wildfires, and for other purposes; to the Committee on Agriculture, and in addition to the Committees on Resources, Government Reform, and 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. HOUGHTON (for himself, Mr. QUINN, and Mr. REYNOLDS):

H.R. 576. A bill to provide for the transfer to the Secretary of Energy of title to, and full responsibility for the possession, transportation, and disposal of, radioactive waste associated with the West Valley Demonstration Project, and for other purposes; to the Committee on Energy and Commerce.

By Mr. HOYER (for himself, Ms. NORTON, Ms. CORRINE BROWN of Florida, Mr. MCHUGH, Mr. WOLF, Mr. HOEFFEL, Mr. WAXMAN, Mr. HOLT, Mr. COSTELLO, Mr. LANTOS, Mr. RAHALL, Mr. VAN HOLLEN, Mr. FILNER, Mr. OLVER, Mr. HINCHEY, Mr. ISRAEL, Mr. HOLDEN, Mr. CONYERS, Mr. DEUTSCH, Mr. HYDE, Mr. PRICE of North Carolina, Mr. WYNN, Mr. FROST, Mr. MORAN of Virginia, Mr. KANJORSKI, Mr. BRADY of Pennsylvania, and Mr. KILDEE):

H.R. 577. A bill to amend chapter 89 of title 5, United States Code, to increase the Government contribution for Federal employee health insurance; to the Committee on Government Reform.

By Mr. HULSHOF (for himself, Mr. JEFFERSON, Mr. MCCRERY, and Mr. COLLINS):

H.R. 578. A bill to amend the Internal Revenue Code of 1986 to repeal the 4.3-cent motor fuel excise taxes on railroads and inland waterway transportation which remain in the general fund of the Treasury; to the Committee on Ways and Means.

By Mr. HUNTER (for himself, Mr. PITTS, Mr. STEARNS, Mr. BOOZMAN, Mr. CRANE, Mr. RYUN of Kansas, Mr. DOOLITTLE, Mr. RENZI, Mr. HOSTETTLER, and Mr. FORBES):

H.R. 579. A bill to implement equal protection under the 14th article of amendment to the Constitution for the right to life of each born and preborn human person from the moment of fertilization; to the Committee on the Judiciary.

By Mr. ISRAEL:

H.R. 580. A bill to direct the Secretary of Transportation to issue regulations requiring turbojet aircraft of air carriers to be equipped with missile defense systems, and for other purposes; to the Committee on Transportation and Infrastructure, 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 Mrs. JOHNSON of Connecticut (for herself, Mrs. MALONEY, Mr. SMITH of New Jersey, Mr. ROGERS of Michigan, Mr. SIMMONS, Mr. KILDEE, and Mr. POMEROY):

H.R. 581. A bill to amend title 18, United States Code, to provide that certain sexual crimes against children are predicate crimes for the interception of communications, and for other purposes; to the Committee on the Judiciary.

By Ms. KAPTUR (for herself and Mr. PRICE of North Carolina):

H.R. 582. A bill to amend the Packers and Stockyards Act, 1921, to provide the Secretary of Agriculture with administrative authority to investigate live poultry dealers, and for other purposes; to the Committee on Agriculture.

By Mr. KENNEDY of Minnesota (for himself, Mr. LIPINSKI, Mr. HAYES, Mr. GOODE, Mr. HASTINGS of Washington, Mr. FOSSELLA, Mr. LATOURETTE, Mr. SENSENBRENNER, Mr. ENGLISH, Mr. SIMMONS, Mr. MCHUGH, Mr. FORD, Mr. MARIO DIAZ-BALART of Florida, Mr. PETERSON of Minnesota, Mr. WELDON of Florida, Mr. CHOCOLA, and Mr. TOWNS):

H.R. 583. A bill to amend the Internal Revenue Code of 1986 to allow individuals a refundable credit against income tax for the purchase of private health insurance, and to establish State health insurance safety-net programs; to the Committee on Energy and

Commerce, and in addition to the Committee on 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. KING of New York (for himself, Mr. OBERSTAR, Mr. WICKER, Mr. MCDERMOTT, Mr. OTTER, Mrs. MCCARTHY of New York, Mr. WILSON of South Carolina, Ms. CORRINE BROWN of Florida, Mr. BEREUTER, Mr. BROWN of Ohio, Mr. QUINN, Mr. STRICKLAND, Mr. WOLF, Mr. MCHUGH, Mr. TIBERI, Mr. LYNCH, Mr. HUNTER, Mr. REYNOLDS, Mr. SOUDER, Mr. COSTELLO, Mr. PAUL, Mr. GREEN of Wisconsin, Mr. TIAHRT, Mr. SMITH of New Jersey, Mr. WALDEN of Oregon, Mr. BARTLETT of Maryland, Mr. SIMMONS, Mr. WAMP, Mr. GORDON, Ms. NORTON, Mr. LINCOLN DIAZ-BALART of Florida, and Mr. FLETCHER):

H.R. 584. A bill to amend the Internal Revenue Code of 1986 to allow penalty-free withdrawals from individual retirement plans for adoption expenses; to the Committee on Ways and Means.

By Mr. KUCINICH:

H.R. 585. A bill to amend the Internal Revenue Code of 1986 to impose a windfall profit tax on crude oil and products thereof; to the Committee on Ways and Means.

By Mr. LARSON of Connecticut (for himself, Mr. FORBES, Mr. WELDON of Pennsylvania, Ms. ESHOO, Mr. SCHROCK, Mr. HONDA, Mrs. JO ANN DAVIS of Virginia, Mr. MCDERMOTT, Mr. SIMMONS, and Ms. WOOLSEY):

H.R. 586. A bill to enable the United States to maintain its leadership in aeronautics and aviation by instituting an initiative to develop technologies that will enable future aircraft with significantly lower noise, emissions, and fuel consumption; to reinvigorate basic and applied research in aeronautics and aviation, and for other purposes; to the Committee on Science.

By Mr. LATOURETTE:

H.R. 587. A bill to amend title 40, United States Code, to add Ashtabula, Mahoning, and Trumbull Counties, Ohio, to the Appalachian region; to the Committee on Transportation and Infrastructure.

By Mr. LATOURETTE:

H.R. 588. A bill to amend title XVIII of the Social Security Act to provide for coverage under the Medicare Program of immunosuppressive drugs for Medicare beneficiaries who receive an organ transplant without regard to when the transplant was received; 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. LEACH (for himself, Mr. ABERCROMBIE, Mr. ANDREWS, Mr. BACA, Mr. BALLANCE, Ms. BALDWIN, Mr. BECERRA, Mr. BELL, Ms. BERKLEY, Mr. BISHOP of Georgia, Mr. BISHOP of New York, Ms. BORDALLO, Mr. BRADY of Pennsylvania, Ms. GINNY BROWN-WAITE of Florida, Mr. BURNS, Mr. CAPUANO, Mr. CARDOZA, Mr. CARSON of Oklahoma, Ms. CARSON of Indiana, Mr. CASE, Mr. CLAY, Mr. CONYERS, Mr. COOPER, Mr. COSTELLO, Mr. CUMMINGS, Mr. DAVIS of Alabama, Mrs. JO ANN DAVIS of Virginia, Ms. DELAURO, Mr. DEUTSCH, Mr. DINGELL, Mr. DUNCAN, Mr. ENGLISH, Mr. ETHERIDGE, Mr. EVANS, Mr. FALEOMAVAEGA, Mr. FATTAH, Mr. FILNER, Mr. FOLEY, Mr. FORBES, Mr. FORD, Mr. FOSSELLA, Mr. FRANK of Massachusetts, Mr. FROST, Mr. GONZALEZ, Mr. GREEN of Wisconsin, Mr. GRIJALVA, Mr. GUTIERREZ, Mr. HASTINGS of Florida, Mr. HINCHEY, Mr. HOLDEN, Mr. HONDA, Mr. ISRAEL, Ms. JACKSON-LEE of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KANJORSKI, Mr. KENNEDY of Rhode Island, Mr. KILDEE, Mr. KING of Iowa, Mr. LANGEVIN, Mr. LANTOS, Mr. LATOURETTE, Ms. LEE, Mr. LEWIS of Georgia, Mr. LIPINSKI, Mrs. LOWEY, Mr. LYNCH, Ms. MAJETTE, Mrs. MALONEY, Mr. MARKEY, Mr. MATSUI, Mrs. MCCARTHY of New York, Ms. MCCOLLUM, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. MCNULTY, Mr. MEEHAN, Ms. MILLENDER-MCDONALD, Mr. MORAN of Virginia, Mr. NEAL of Massachusetts, Mrs. NORTHUP, Ms. NORTON, Mr. OBERSTAR, Mr. OWENS, Mr. PALLONE, Mr. PASCRELL, Mr. PAYNE, Mr. PETRI, Mr. PLATTS, Mr. PORTMAN, Mr. RANGEL, Mr. REGULA, Mr. REYES, Mr. RODRIGUEZ, Mr. ROGERS of Alabama, Ms. ROS-LEHTINEN, Mr. ROSS, Mr. RUSH, Mr. RYAN of Ohio, Mr. SABO, Mr. SANDERS, Mr. SCHIFF, Mr. SERRANO, Mr. SHAYS, Mr. SIMMONS, Mr. SKELTON, Ms. SLAUGHTER, Mr. SMITH of Washington, Mr. SOUDER, Mr. SPRATT, Mr. STRICKLAND, Mr. TERRY, Mr. THOMPSON of Mississippi, Mr. UPTON, Mr. VAN HOLLEN, Mr. WAMP, Ms. WATSON, Mr. WAXMAN, Mr. WELDON of Pennsylvania, Mr. WEXLER, Ms. WOOLSEY, and Mr. WYNN):

H.R. 589. A bill to require the Secretary of the Treasury to mint coins in commemoration of Dr. Martin Luther King, Jr; to the Committee on Financial Services.

By Mr. LEACH (for himself and Mr. BOSWELL):

H.R. 590. A bill to direct the Secretary of the Army to convey the remaining water supply storage allocation in Rathbun Lake, Iowa, to the Rathbun Regional Water Association; to the Committee on Transportation and Infrastructure.

By Mr. LEVIN (for himself, Mr. HOEFFEL, Mr. OLVER, Mr. WEINER, Mr. MCNULTY, Ms. SLAUGHTER, Ms. KAPTUR, Mr. WELDON of Pennsylvania, Mr. GUTIERREZ, Mr. QUINN, Mr. PALLONE, Mr. SMITH of New Jersey, Mr. KILDEE, Mr. HINCHEY, Ms. BERKLEY, Mr. WOLF, Ms. WATSON, Mr. ENGEL, Ms. KILPATRICK, Mr. BERMAN, Mr. JEFFERSON, Mr. PAYNE, Mr. DOGGETT, Mr. LIPINSKI, Mr. HOLT, Mr. LANGEVIN, Mrs. LOWEY, Mr. KUCINICH, Mr. DAVIS of Illinois, and Mrs. MALONEY):

H.R. 591. A bill to authorize the Ukrainian Congress Committee of America to establish a memorial on Federal land in the District of Columbia to honor the victims of the Ukrainian famine-genocide of 1932-1933; to the Committee on Resources.

By Mr. LIPINSKI (for himself, Mr. DAVIS of Illinois, Mr. KIRK, Mr. COSTELLO, Mr. EMANUEL, Ms. SCHAKOWSKY, Mr. GUTIERREZ, Mr. MANZULLO, Mr. SHIMKUS, Mr. JOHNSON of Illinois, Mr. EVANS, and Mr. BOSWELL):

H.R. 592. A bill to expand aviation capacity; to the Committee on Transportation and Infrastructure.

By Mr. LOBIONDO (for himself, Mr. CAPUANO, Mr. WILSON of South Carolina, Mrs. BONO, Mr. SCOTT of Virginia, Ms. DELAURO, Mr. DOOLEY of California, and Mrs. CAPITO):

H.R. 593. A bill to correct certain inequities in the second round of designation of empowerment zones and enterprise communities; to the Committee on Financial Services, 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.

By Mr. MCKEON (for himself, Mr. LYNCH, Mr. FILNER, Mr. BOEHLERT, Mr. BERMAN, Mr. RODRIGUEZ, Mr. SIMMONS, Mr. BAIRD, Mr. MCGOVERN, Mr. HOLDEN, Mr. STRICKLAND, Ms. WOOLSEY, Mr. FROST, Mr. HALL, Mr. SOUDER, Mr. LOBIONDO, Mr. STARK, Mr. GREEN of Texas, Mr. STUPAK, Mr. GEORGE MILLER of California, Mr. LIPINSKI, Mr. TURNER of Texas, Mr. COSTELLO, Mr. HINCHEY, Ms. SOLIS, Mr. GILLMOR, Ms. JACKSON-LEE of Texas, Mr. WELDON of Pennsylvania, Mr. WAXMAN, Mr. CUNNINGHAM, Mr. JENKINS, Mr. MCHUGH, Mrs. CAPPS, Mr. MARKEY, Mr. LANTOS, Mr. HINOJOSA, Mr. SCHIFF, Mr. WHITFIELD, Mr. LINCOLN DIAZ-BALART of Florida, Mr. SHERMAN, Mr. BAKER, Mr. ISAKSON, Mr. LAHOOD, Mr. WELLER, Mr. SHIMKUS, Mr. PAUL, Mr. DOOLITTLE, Mr. CALVERT, Mr. WILSON of South Carolina, Mr. LATOURETTE, Mr. ABERCROMBIE, Ms. BALDWIN, Ms. MCCOLLUM, Mr. GIBBONS, Mr. PLATTS, Mr. ISRAEL, Mr. MICHAUD, Mr. COMBEST, Mr. BEREUTER, Mr. DOYLE, Mr. FRANK of Massachusetts, Ms. MCCARTHY of Missouri, Ms. WATSON, Mr. OLVER, Mr. CARSON of Oklahoma, Ms. SCHAKOWSKY, Mr. NEAL of Massachusetts, Mr. LAMPSON, Ms. HOOLEY of Oregon, Mr. STENHOLM, Ms. MILLENDER-MCDONALD, Mr. PALLONE, Ms. HARMAN, Mr. KENNEDY of Rhode Island, Ms. ROYBAL-ALLARD, Mr. WU, Mr. GORDON, Mr. EDWARDS, Mr. BROWN of Ohio, Mr. HONDA, Ms. LEE, Mr. SANDLIN, Mr. LEWIS of California, Mr. ALLEN, Mr. LUCAS of Kentucky, Mrs. NAPOLITANO, Mr. BONILLA, Mr. BLUMENAUER, Ms. LINDA T. SANCHEZ of California, Mr. PAYNE, Ms. LORETTA SANCHEZ of California, and Mrs. DAVIS of California):

H.R. 594. A bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions; to the Committee on Ways and Means.

By Mr. MICA:

H.R. 595. A bill to provide compensation for certain World War II veterans who survived the Bataan Death March and were held as prisoners of war by the Japanese; to the Committee on Armed Services.

By Mr. NORWOOD:

H.R. 596. A bill to amend title I of the Employee Retirement Income Security Act of 1974 to exclude from preemption State causes of action to enforce determinations under group health plans based on medical necessity; to the Committee on Education and the Workforce.

By Mr. NORWOOD:

H.R. 597. 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 protect consumers in managed care plans and other health coverage; to the Committee on Energy and Commerce, and in addition to the Committees on Education and the Workforce, 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. OWENS:

H.R. 598. A bill to establish a commission to study the establishment of a national education museum and archive for the United

States; to the Committee on Education and the Workforce.

By Mr. OWENS:

H.R. 599. A bill to amend the Elementary and Secondary Education Act of 1965 to provide grants to improve the infrastructure of elementary and secondary schools; to the Committee on Education and the Workforce.

By Mr. OWENS:

H.R. 600. A bill to require disclosure of the sale of securities by insiders of issuers of the securities to be made available to the Commission and to the public in electronic form before the transaction is conducted, and for other purposes; to the Committee on Financial Services.

By Mr. OWENS:

H.R. 601. A bill to direct the Architect of the Capitol to enter into a contract to revise the statue commemorating women's suffrage located in the rotunda of the United States Capitol to include a likeness of Sojourner Truth; to the Committee on House Administration.

By Mr. OWENS:

H.R. 602. A bill to provide compensation for the families of noncombatants killed in United States military actions in Afghanistan after September 11, 2001; to the Committee on International Relations.

By Mr. OWENS:

H.R. 603. A bill to provide for adjustment of immigration status for certain aliens granted temporary protected status in the United States because of conditions in Montserrat; to the Committee on the Judiciary.

By Mr. OWENS:

H.R. 604. A bill to amend the Immigration and Nationality Act to provide for legal permanent resident status for certain undocumented or nonimmigrant aliens; to the Committee on the Judiciary.

By Mr. OWENS:

H.R. 605. A bill to provide for permanent resident status for any alien orphan physically present in the United States who is less than 12 years of age and to provide for deferred enforced departure status for any alien physically present in the United States who is the natural and legal parent of a child born in the United States who is less than 18 years of age; to the Committee on the Judiciary.

By Mr. OWENS:

H.R. 606. A bill to amend title 49, United States Code, to provide that individuals who are eligible to join the Armed Forces of the United States are also eligible to be security screening personnel; to the Committee on Transportation and Infrastructure.

By Mr. OWENS:

H.R. 607. A bill to amend the Internal Revenue Code of 1986 to provide more revenue for the Social Security system by imposing a tax on certain unearned income and to provide tax relief for more than 80,000,000 individuals and families who pay more in Social Security taxes than income taxes by reducing the rate of the old age, survivors, and disability insurance Social Security payroll tax; to the Committee on Ways and Means.

By Mr. OWENS:

H.R. 608. A bill to provide for prices of pharmaceutical products that are fair to the producer and the consumer, and for other purposes; 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. PALLONE:

H.R. 609. A bill to accord honorary citizenship to the alien victims of the September 11, 2001, terrorist attacks against the United States and to provide for the granting of permanent resident status to the alien spouses and children of certain victims of such attacks; to the Committee on the Judiciary.

By Mr. PALLONE:

H.R. 610. A bill to amend the Internal Revenue Code of 1986 to reinstate the taxes funding the Hazardous Substance Superfund and the Oil Spill Liability Trust Fund and to extend the taxes funding the Leaking Underground Storage Tank Trust Fund; to the Committee on Ways and Means.

By Mr. PAUL (for himself, Mr. BARTLETT of Maryland, Mrs. MUSGRAVE, and Mr. NORWOOD):

H.R. 611. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for amounts contributed to charitable organizations which provide elementary or secondary school scholarships and for contributions of, and for, instructional materials and materials for extracurricular activities; to the Committee on Ways and Means.

By Mr. PAUL (for himself, Mr. BARTLETT of Maryland, Mrs. MUSGRAVE, Mr. NORWOOD, Mr. RYUN of Kansas, and Mr. TANCREDO):

H.R. 612. A bill to amend the Internal Revenue Code of 1986 to allow individuals a credit against income tax for tuition and related expenses for public and nonpublic elementary and secondary education; to the Committee on Ways and Means.

By Mr. PAUL (for himself, Mr. BACHUS, and Mr. RYUN of Kansas):

H.R. 613. A bill to amend the Internal Revenue Code of 1986 to provide a tax credit for elementary and secondary school teachers; to the Committee on Ways and Means.

By Mr. PAUL (for himself and Mr. BACHUS):

H.R. 614. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax to professional school personnel in grades K-12; to the Committee on Ways and Means.

By Mr. PAUL (for himself, Mr. BARTLETT of Maryland, Mrs. MUSGRAVE, Mr. NORWOOD, and Mr. TANCREDO):

H.R. 615. A bill to amend the Internal Revenue Code of 1986 to allow the Hope Scholarship Credit to be used for elementary and secondary expenses; to the Committee on Ways and Means.

By Mr. PAUL:

H.R. 616. A bill to amend the Internal Revenue Code of 1986 with respect to the purchase of prescription drugs by individuals who have attained retirement age, and to amend the Federal Food, Drug, and Cosmetic Act with respect to the importation of prescription drugs and the sale of such drugs through Internet sites; to the Committee on Energy and Commerce, and in addition to the Committee on 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. PAUL:

H.R. 617. A bill to amend title XVIII of the Social Security Act to remove the sunset and numerical limitation on Medicare participation in MedicareChoice medical savings account (MSA) plans; 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. PETRI:

H.R. 618. A bill to establish a commission to study and make recommendations on marginal tax rates for the working poor; to the Committee on Ways and Means.

By Mr. POMBO:

H.R. 619. A bill to direct the Secretary of Transportation to conduct a study to determine the feasibility of constructing a highway in California connecting State Route 130 in Santa Clara County with Interstate Route 5 in San Joaquin County, and to determine the feasibility of constructing a fixed guideway system along the right-of-way of the highway; to the Committee on Transportation and Infrastructure.

By Mr. RADANOVICH:

H.R. 620. A bill to authorize the Secretary of the Interior to provide supplemental funding and other services that are necessary to assist the State of California or local educational agencies in California in providing educational services for students attending schools located within the Park; to the Committee on Resources, 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. RANGEL:

H.R. 621. A bill to amend the Soldiers' and Sailors' Civil Relief Act of 1940 to prohibit discrimination in the rental of housing to members of the Armed Forces; to the Committee on Veterans' Affairs.

By Mr. RENZI (for himself and Mr. HAYWORTH):

H.R. 622. A bill to provide for the exchange of certain lands in the Coconino and Tonto National Forests in Arizona, and for other purposes; to the Committee on Resources.

By Mr. SHIMKUS (for himself, Mr. JACKSON of Illinois, and Mr. BILIRAKIS):

H.R. 623. A bill to amend the Public Health Service Act with respect to the shortage of medical laboratory personnel; to the Committee on Energy and Commerce.

By Mr. STARK (for himself, Mr. RANGEL, Mr. MCDERMOTT, Mr. BACA, Mr. BECERRA, Ms. CORRINE BROWN of Florida, Mr. DAVIS of Illinois, Ms. DELAURO, Mr. FRANK of Massachusetts, Mr. JEFFERSON, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KUCINICH, Mr. HONDA, Ms. LEE, Mr. MARKEY, Mr. MATSUI, Mr. GEORGE MILLER of California, Mr. NADLER, Ms. NORTON, Mr. PAYNE, Ms. SCHAKOWSKY, Mr. SERRANO, Ms. WATSON, Mr. WAXMAN, Mr. WEXLER, and Ms. WOOLSEY):

H.R. 624. A bill to amend part A of title IV of the Social Security Act to include efforts to address barriers to employment as a work activity under the temporary assistance to needy families program, and for other purposes; to the Committee on Ways and Means.

By Mr. STARK (for himself, Mr. RANGEL, Mr. CARDIN, Mr. LEVIN, Mr. MCDERMOTT, Mr. GEORGE MILLER of California, Mrs. CHRISTENSEN, Mr. CUMMINGS, Mr. DAVIS of Illinois, Ms. DELAURO, Ms. ESHOO, Mr. FORD, Mr. FRANK of Massachusetts, Mr. GRIJALVA, Mr. JACKSON of Illinois, Ms. JACKSON-LEE of Texas, Mr. JEFFERSON, Mr. KILDEE, Mr. KUCINICH, Ms. LEE, Ms. MCCARTHY of Missouri, Mr. BECERRA, Mr. MCNULTY, Mr. MARKEY, Mr. MATSUI, Mr. NADLER, Ms. NORTON, Mr. OWENS, Mr. PAYNE, Mr. RODRIGUEZ, Mr. RUSH, Mr. SANDERS, Ms. SCHAKOWSKY, Ms. SOLIS, Mr. TOWNS, Ms. VELAZQUEZ, Ms. WATSON, and Mr. WAXMAN):

H.R. 625. A bill to expand the purposes of the program of block grants to States for temporary assistance for needy families to include poverty reduction, and to make grants available under the program for that purpose; to the Committee on Ways and Means.

By Mr. STARK (for himself, Mr. POMEROY, Mr. WAXMAN, Mr. GEORGE MILLER of California, Mr. OLVER, Ms.

SCHAKOWSKY, Mr. LIPINSKI, and Mr. GRIJALVA):

H.R. 626. A bill to amend the Internal Revenue Code of 1986 to provide that corporate tax benefits from stock option compensation expenses are allowed only to the extent such expenses are included in a corporation's financial statements; to the Committee on Ways and Means.

By Mr. STRICKLAND (for himself, Mr. BERRY, Mr. BACA, Mr. BROWN of Ohio, Mr. CARSON of Oklahoma, Mr. HINCHEY, Mr. INSLEE, Mrs. JONES of Ohio, Mr. LATOURETTE, Mrs. LOWEY, Mr. MCGOVERN, Ms. NORTON, Mr. PAUL, Mr. SANDERS, Mr. SANDLIN, Ms. WOOLSEY, Ms. SOLIS, Mr. SERRANO, Mr. WHITFIELD, Mr. PALLONE, Mr. NEY, Mr. ACKERMAN, Ms. BALDWIN, Mr. MCDERMOTT, Mr. MICA, Mr. GRIJALVA, Mr. FROST, Mr. CROWLEY, Ms. MCCOLLUM, Mr. KENNEDY of Rhode Island, Mr. CAPUANO, and Mr. COSTELLO):

H.R. 627. A bill to amend title 38, United States Code, to suspend for five years the authority of the Secretary of Veterans Affairs to increase the copayment amount in effect for medication furnished by the Secretary on an outpatient basis for the treatment of nonservice-connected disabilities and to provide an increase in the maximum annual rates of pension payable to surviving spouses of veterans of a period of war, and for other purposes; to the Committee on Veterans' Affairs, 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. STUPAK (for himself and Mr. LATOURETTE):

H.R. 628. A bill to prohibit the Secretary of Defense from purchasing certain steel or equipment, products, or systems made with steel that is not melted and poured in the United States; to the Committee on Armed Services.

By Mr. STUPAK (for himself and Mr. LATOURETTE):

H.R. 629. A bill to amend the Emergency Steel Loan Guarantee Act of 1999 to prohibit steel companies receiving loan guarantees from investing the loan proceeds in foreign steel companies and using the loan proceeds to import steel products from foreign countries that are subject to certain trade remedies; to the Committee on Financial Services.

By Mr. STUPAK:

H.R. 630. A bill to amend title 49, United States Code, to provide an apportionment to a primary airport that falls below 10,000 passenger boardings in a calendar year as a result of the discontinuance of air carrier service at the airport, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. STUPAK:

H.R. 631. A bill to amend title 38, United States Code, to provide a presumption of service connection for injuries classified as cold weather injuries which occur in veterans who while engaged in military operations had sustained exposure to cold weather; to the Committee on Veterans' Affairs.

By Mr. STUPAK:

H.R. 632. A bill to amend title 38, United States Code, to provide that the rate of reimbursement for motor vehicle travel under the beneficiary travel program of the Department of Veterans Affairs shall be the same as the rate for private vehicle reimbursement for Federal employees; to the Committee on Veterans' Affairs.

By Mr. STUPAK:

H.R. 633. A bill to name the Department of Veterans Affairs medical facility in Iron Mountain, Michigan, as the ''Oscar G. Johnson Department of Veterans Affairs Medical Facility''; to the Committee on Veterans' Affairs.

By Mr. STUPAK:

H.R. 634. A bill to provide Medicare beneficiaries with access to prescription drugs at Federal Supply Schedule prices; to the Committee on Energy and Commerce, and in addition to the Committee on 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. STUPAK:

H.R. 635. A bill to assure that enrollment in any Medicare prescription drug program is voluntary; 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. STUPAK:

H.R. 636. A bill to repeal the provisions of the Private Securities Litigation Reform Act and the Securities Litigation Uniform Standards Act that limit private securities actions, and for other purposes; to the Committee on Financial Services, 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. SWEENEY:

H.R. 637. A bill to amend title 18, United States Code, to limit the misuse of Social Security numbers, to establish criminal penalties for such misuse, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on 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. UDALL of Colorado (for himself and Mr. HEFLEY):

H.R. 638. A bill to clarify the authority of the Secretary of Defense to respond to environmental emergencies; to the Committee on Armed Services.

By Mr. UDALL of Colorado:

H.R. 639. A bill to amend the Act of March 3, 1875, to permit the State of Colorado to use land held in trust by the State as open space, and for other purposes; to the Committee on Resources.

By Mr. UDALL of Colorado:

H.R. 640. A bill to designate as wilderness certain lands within the Rocky Mountain National Park in the State of Colorado; to the Committee on Resources.

By Mr. UDALL of Colorado (for himself and Mr. BEAUPREZ):

H.R. 641. A bill to amend the Stevenson-Wydler Technology Innovation Act of 1980 to permit Federal laboratories to aid surrounding communities in improving their efforts in science education; to the Committee on Science.

By Mr. VITTER:

H.R. 642. A bill to amend the Internal Revenue Code of 1986 to provide that certain deductions of school bus owner-operators shall be allowable in computing adjusted gross income; to the Committee on Ways and Means.

By Ms. WATERS (for herself, Mr. LEACH, Mr. FRANK of Massachusetts, and Ms. LEE):

H.R. 643. A bill to urge reforms of the Enhanced Heavily Indebted Poor Countries (HIPC) Initiative, and for other purposes; to the Committee on Financial Services.

By Mr. WELDON of Florida:

H.R. 644. A bill to amend the Internal Revenue Code of 1986 to treat spaceports like airports under the exempt facility bond rules; to the Committee on Ways and Means.

By Mr. WHITFIELD (for himself and Mr. SAXTON):

H.R. 645. A bill to amend title 36, United States Code, to designate the square dance as the national folk dance; to the Committee on the Judiciary.

By Mr. WHITFIELD (for himself and Mr. TANNER):

H.R. 646. A bill to expand the boundaries of the Fort Donelson National Battlefield to authorize the acquisition and interpretation of lands associated with the campaign that resulted in the capture of the fort in 1862, and for other purposes; to the Committee on Resources.

By Mr. WILSON of South Carolina:

H.R. 647. A bill to increase the amount of student loan forgiveness and loan cancellation available to qualified teachers, and for other purposes; to the Committee on Education and the Workforce.

By Mr. WILSON of South Carolina:

H.R. 648. A bill to protect the right to obtain firearms for security, and to use firearms in defense of self, family, or home, and to provide for the enforcement of such right; to the Committee on the Judiciary.

By Mr. DEFAZIO (for himself, Mr. PAUL, Ms. WOOLSEY, Mr. KUCINICH, Mr. MCDERMOTT, Mr. SANDERS, Ms. BALDWIN, Ms. LEE, Mr. GRIJALVA, Mr. OWENS, Mrs. JONES of Ohio, Mr. OBERSTAR, Ms. WATERS, Ms. SCHAKOWSKY, Ms. CARSON of Indiana, Mr. CONYERS, Mr. TOWNS, Mr. FARR, Mr. OLVER, Ms. NORTON, Mr. SERRANO, Ms. WATSON, Mr. KLECZKA, Mr. DAVIS of Illinois, Mr. FILNER, Mr. FRANK of Massachusetts, Mr. RUSH, Mr. JACKSON of Illinois, Mr. STARK, and Mr. CAPUANO):

H.J. Res. 20. A joint resolution to repeal the Authorization for Use of Military Force Against Iraq Resolution of 2002; to the Committee on International Relations.

By Mr. LEACH:

H.J. Res. 21. A joint resolution proposing an amendment to the Constitution of the United States regarding regulations on the amounts of expenditures of personal funds made by candidates for election for public office; to the Committee on the Judiciary.

By Mr. GUTIERREZ (for himself, Mr. RADANOVICH, Mr. TOWNS, Ms. NORTON, Mr. KILDEE, Mr. SMITH of New Jersey, Mr. WYNN, Mr. SNYDER, Mr. LYNCH, Mr. HASTINGS of Florida, Mr. WAXMAN, Mr. PAYNE, Ms. LEE, Mr. PALLONE, Mr. HINCHEY, Mr. BOEHLERT, Mr. OWENS, Ms. SCHAKOWSKY, Mr. LEVIN, Mr. LATOURETTE, Mrs. CHRISTENSEN, Mr. RUSH, Mr. MCHUGH, Ms. CORRINE BROWN of Florida, Mr. REYES, Mr. SKELTON, Ms. ROS-LEHTINEN, Mr. LIPINSKI, Mr. RANGEL, Mr. DAVIS of Illinois, Mr. COSTELLO, and Mr. PRICE of North Carolina):

H. Con. Res. 30. Concurrent resolution expressing the sense of the Congress regarding scleroderma; to the Committee on Energy and Commerce.

By Mr. WILSON of South Carolina (for himself and Mrs. TAUSCHER):

H. Con. Res. 31. Concurrent resolution welcoming His Majesty Shaikh Hamad bin Isa Al-Kalifa, King of the Kingdom of Bahrain, on his visit to the United States in February 2003; to the Committee on International Relations.

By Mr. DELAY (for himself and Ms. PELOSI):

H. Res. 51. A resolution expressing the condolences of the House of Representatives to the families of the crew of the space shuttle Columbia, and for other purposes; considered and agreed to.

By Mr. CLYBURN:

H. Res. 52. A resolution electing Members and Delegates to certain standing committees of the House of Representatives; considered and agreed to.

By Ms. DELAURO (for herself, Mr. MCDERMOTT, Mr. CARSON of Oklahoma, Ms. WOOLSEY, Ms. SLAUGHTER, Mr. FRANK of Massachusetts, Mr. WAMP, Mr. HOLT, Mr. PALLONE, and Mrs. CAPPS):

H. Res. 53. A resolution recognizing the importance of sports in fostering the leadership ability and success of women; to the Committee on Government Reform.

By Mr. HASTINGS of Florida:

H. Res. 54. A resolution expressing the sense of the House of Representatives in support of Federal and State funded in-home care for the elderly; to the Committee on Energy and Commerce.

By Mr. HASTINGS of Florida:

H. Res. 55. A resolution expressing the sense of the House of Representatives that United Nations weapons inspectors should be given sufficient time for a thorough assessment of the level of compliance by the Government of Iraq with United Nations Security Council Resolution 1441 (2002) and that the United States should seek a Security Council resolution specifically authorizing the use of force before initiating any offensive military operations against Iraq; to the Committee on International Relations.

By Mr. HONDA (for himself, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. ANDREWS, Mr. ABERCROMBIE, Mr. CROWLEY, Ms. LOFGREN, Mr. WU, Mr. MATSUI, Mr. INSLEE, Mr. KILDEE, Ms. NORTON, Mr. FALEOMAVAEGA, Ms. CARSON of Indiana, Ms. DELAURO, Mr. FOLEY, Mr. MCDERMOTT, Mr. WEXLER, Mr. BACA, Ms. BERKLEY, and Ms. LEE):

H. Res. 56. A resolution supporting the goals of the Japanese American, German American, and Italian American communities in recognizing a National Day of Remembrance to increase public awareness of the events surrounding the restriction, exclusion, and internment of individuals and families during World War II; to the Committee on the Judiciary.

By Mr. ISRAEL (for himself and Mrs. BIGGERT):

H. Res. 57. A resolution recognizing and supporting the goals and ideals of ''National Runaway Prevention Month''; to the Committee on Government Reform.

By Ms. KAPTUR (for herself, Mr. MCDERMOTT, Mr. SMITH of New Jersey, Mr. LANTOS, and Mr. BROWN of Ohio):

H. Res. 58. A resolution recognizing the accomplishments of Ignacy Jan Paderewski as a musician, composer, statesman, and philanthropist and recognizing the 11th Anniversary of the return of his remains to Poland; to the Committee on International Relations.

By Mr. NEY (for himself, Mr. GUTKNECHT, Mr. SNYDER, Mr. CUNNINGHAM, and Mr. GIBBONS):

H. Res. 59. A resolution expressing the sense of the House of Representatives in support of the people of Iran and their legitimate quest for freedom and friendship with the people of the United States, and for other purposes; to the Committee on International Relations.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. WYNN introduced a bill (H.R. 649) for the relief of Web's Construction Company, Incorporated; which was referred 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. 13: Mr. FROST, Ms. HART, Mrs. BONO, Mrs. DAVIS of California, Ms. ESHOO, Mr. LOBIONDO, Mr. DUNCAN, Mr. CUNNINGHAM, Mr. SKELTON, Mr. ETHERIDGE, Mr. BLUMENAUER, Mr. BOSWELL, Mr. GREEN of Wisconsin, Mrs. NAPOLITANO, Ms. WATSON, Mr. LANTOS, Mr. JOHNSON of Illinois, Mr. FILNER, Mr. HONDA, Mr. BACA, Mr. BALLENGER, Mr. CARDOZA, Ms. LOFGREN, Mr. ANDREWS, and Mr. SHIMKUS.

H.R. 14: Mr. LOBIONDO and Ms. HART.

H.R. 20: Mr. LOBIONDO, Mr. MCDERMOTT, Ms. ROS-LEHTINEN, Mr. DELAHUNT, Mr. MCHUGH, Ms. MILLENDER-MCDONALD, Mr. BRADY of Pennsylvania, Ms. HART, Mr. JANKLOW, and Mr. PASTOR.

H.R. 31: Mr. ISAKSON.

H.R. 44: Mr. BROWN of South Carolina.

H.R. 47: Ms. SOLIS.

H.R. 57: Mr. LOBIONDO, Mr. JANKLOW, Mr. HEFLEY, Mr. ISAKSON, Mr. LARSEN of Washington, Mr. BOEHLERT, Mr. TIAHRT, Mr. CRENSHAW, Mr. LATOURETTE, Mr. FEENEY, Mr. PETERSON of Pennsylvania, Mr. WELDON of Pennsylvania, Mr. POMBO, Mr. OSBORNE, Mr. PEARCE, Mr. KLINE, and Mr. BEAUPREZ.

H.R. 80: Ms. BERKLEY.

H.R. 97: Mr. GORDON, Mr. SMITH of Washington, Mr. FILNER, Mr. GREEN of Wisconsin, Mr. MCINTYRE, and Mr. SCHIFF.

H.R. 105: Mr. DEUTSCH, Mr. FROST, and Mr. MCINTYRE.

H.R. 107: Mr. JANKLOW.

H.R. 108: Mr. OTTER and Mr. RENZI.

H.R. 109: Mr. CASE, Mr. GOODE, Mr. SOUDER, Mrs. JONES of Ohio, Mr. INSLEE, Mr. FALEOMAVAEGA, and Mr. GRIJALVA.

H.R. 111: Mr. JANKLOW, Mr. LANGEVIN, Mr. WYNN, Mr. BELL, Ms. LORETTA SANCHEZ of California, Mr. VAN HOLLEN, Mr. COOPER, Mr. HYDE, Mr. BALLANCE, and Mr. ISAKSON.

H.R. 115: Mr. UDALL of Colorado.

H.R. 119: Mr. GIBBONS and Mr. UDALL of Colorado.

H.R. 125: Mr. HONDA, Mr. TOWNS, Ms. LOFGREN, Mr. SERRANO, Mr. FROST, Mr. PASCRELL, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. HARMAN, Mr. CAPUANO, Mr. DOYLE, Ms. MILLENDER-MCDONALD, Mr. PALLONE, Mr. MORAN of Virginia, Mr. PAYNE, Mr. BAIRD, Mrs. DAVIS of California, Mr. FILNER, Mr. NEAL of Massachusetts, Mr. HOEFFEL, Mr. BOUCHER, Ms MCCARTHY of Missouri, Mr. SCHIFF, Ms. ROYBAL-ALLARD, Mr. PRICE of North Carolina, Mr. UDALL of Colorado, and Mr. SPRATT.

H.R. 126: Mr. PLATTS, Mr. GEORGE MILLER of California, Mr. ANDREWS, Ms. WOOLSEY, Mr. MARKEY, Ms. NORTON, Mr. EVANS, Ms. CARSON of Indiana, and Mr. RUSH.

H.R. 167: Mr. FRANKS of Arizona, Mr. KING of Iowa, Mr. FROST, Mr. JANKLOW, Mr. PALLONE, Mr. SHAYS, Mr. STEARNS, Mr. MICHAUD, Mr. FOSSELLA, Mr. KENNEDY of Minnesota, and Mr. LINDER.

H.R. 173: Mr. KILDEE, Mr. DAVIS of Illinois, Ms. GRANGER, Ms. CORRINE BROWN of Florida, Mr. HOLDEN, Mr. DOOLITTLE, Mr. DICKS, Mr. FOLEY, Mr. ACEVEDO-VILA, Mr. MARKEY, Mr. WILSON of South Carolina, Mr. WYNN, Mr. STRICKLAND, Mr. TAUZIN, Mr. WAXMAN, Mr. MCINTYRE, Mr. SESSIONS, Mr. MCKEON, Mr. PAUL, Mr. QUINN, Mr. WOLF, Mr. TIBERI, Mr. ENGEL, Mr. ROGERS of Michigan, Mr. HINCHEY, Mr. RUSH, Mr. NUSSLE, Mr. BACA, Mr. MORAN of Virginia, Mr. UPTON, Mr. LANTOS, Mrs. MALONEY, Mr. OBERSTAR, Mr. LEWIS of California, Mrs. DAVIS of California, Mrs. BIGGERT, Mr. BLUNT, Mr. ABERCROMBIE, Mr. ALLEN, Mr. LATHAM, Mr. BAKER, Mr. MCHUGH, Mr. FRANK of Massachusetts, Mr. PASTOR, and Mr. SENSENBRENNER.

H.R. 176: Mr. TERRY.

H.R. 179: Mrs. MUSGRAVE and Mr. GRAVES.

H.R. 182: Mr. LARSEN of Washington and Mr. SNYDER.

H.R. 192: Mrs. WILSON of New Mexico and Ms. LEE.

H.R. 193: Mr. PETERSON of Pennsylvania, Mr. NEY, and Mr. BOUCHER.

H.R. 196: Mr. WATT.

H.R. 217: Mrs. MCCARTHY of New York, Mr. MCDERMOTT, Mr. TOWNS, Mr. FROST, Mr. DAVIS of Illinois, Mr. GREEN of Texas, Ms. HOOLEY of Oregon, Mr. SCHROCK.

H.R. 218: Mr. BARRETT of South Carolina, Mr. HULSHOF, Mr. NORWOOD, Mr. TIAHRT, Mr. THOMAS, Ms. HART, Mr. JONES of North Carolina, and Mr. LAHOOD.

H.R. 223: Mr. SHIMKUS, Mr. GILLMOR, Mr. KING of Iowa, Mr. MILLER of Florida, Mr. SOUDER, Mr. BARRETT of South Carolina, and Mrs. MUSGRAVE.

H.R. 224: Mr. FRANKS of Arizona, Mr. LATOURETTE, Ms. CARSON of Indiana, Mr. AKIN, Mr. PLATTS, Mr. KLINE, Mr. TIBERI, Ms. GINNY BROWN-WAITE of Florida, Mr. FORBES, Mr. SENSENBRENNER, Mr. REHBERG, and Mr. BARRETT of South Carolina.

H.R. 225: Mr. SHIMKUS.

H.R. 236: Ms. DELAURO, Mr. PAYNE, Mr. WYNN, Mr. PASCRELL, Mr. FROST, Mr. TIERNEY, Mr. HOYER, Ms. CARSON of Indiana, Mr. HASTINGS of Florida, Mr. BERMAN, Mr. WAXMAN, Mr. MATSUI, Mr. VISCLOSKY, Mr. NADLER, Mr. BACA, Mr. PRICE of North Carolina, Mr. MEEKS of New York, Mr. BECERRA, Mr. PALLONE, Mr. HINOJOSA, Mr. LANTOS, Mr. ROTHMAN, Mr. WEXLER, Ms. SOLIS, Mr. STARK, Mr. CAPUANO, Ms. MCCOLLUM, Mr. PASTOR, Ms. KILPATRICK, Mr. ACKERMAN, Mr. MURTHA, Mr. GRIJALVA, Ms. LORETTA SANCHEZ of California, Mr. LEWIS of Georgia, and Mr. ANDREWS.

H.R. 240: Mr. MILLER of Florida, and Ms. ROS-LEHTINEN.

H.R. 259: Mr. DAVIS of Alabama.

H.R. 260: Mr. RANGEL, Ms. SOLIS, and Ms. LORETTA SANCHEZ of California.

H.R. 283: Mr. FROST.

H.R. 300: Mrs. MUSGRAVE, Mr. CALVERT Mr. TIAHRT, Mrs. MYRICK, Mr. LAHOOD, Mr. TAYLOR of Mississippi, and Mr. BOOZMAN.

H.R. 303: Ms. LORETTA SANCHEZ of California, Mr. JENKINS, Mr. GILLMOR, Mr. NEY, Ms. MCCOLLUM, Mr. BROWN of Ohio, Mr. BOYD, Mr. OTTER, Mr. HYDE, Mr. LEACH, Mr. COMBEST, Mr. WAMP, Mr. GREEN of Texas, Mr. BROWN of South Carolina, and Mr. BACHUS.

H.R. 308: Mr. GUTIERREZ, Mr. MCNULTY, Mr. CLAY, Mr. ROTHMAN, Mr. PALLONE, Mr. MATHESON, Mr. BROWN of Ohio, Mr. RANGEL, and Mr. LIPINSKI.

H.R. 315: Mr. FOSSELLA.

H.R. 316: Mr. COSTELLO.

H.R. 318: Mr. KENNEDY of Minnesota and Mr. COSTELLO.

H.R. 319: Mr. HOLDEN.

H.R. 328: Mr. WAXMAN, Mr. LAHOOD, Mr. BECERRA, Mr. LEWIS of Kentucky, Mr. BROWN of Ohio, Mr. MCKEON, Mr. HONDA, Mrs. BONO, Mr. STRICKLAND, Mr. NORWOOD, Mr. STARK, Mr. HUNTER, Mr. EDWARDS, Mr. HALL, Mr. RANGEL, Mr. CUNNINGHAM, Mr. BACA, Mr. NEY, Mr. PALLONE, Mr. BOUCHER, Mr. TIBERI, Mr. KILDEE, Mr. LYNCH, Ms. WOOLSEY, Ms. MILLENDER-MCDONALD, Mr. FARR, Mr. MCINTYRE, Mr. GRIJALVA, Mr. RODRIGUEZ, Mr. CROWLEY, Mr. JOHN, Mr. COSTELLO, Mr. LUCAS of Oklahoma, Mr. CARSON of Oklahoma, Mr. DEUTSCH, Mr. GREEN of Texas, and Mr. FROST.

H.R. 332: Mr. DEMINT, Mr. BARRETT of South Carolina, Mr. CLYBURN, and Mr. SPRATT.

H.R. 333: Mr. MCDERMOTT, Mr. SCOTT of Virginia, Mr. FILNER, Mr. CASE, Ms. MCCOLLUM, and Ms. SOLIS.

H.R. 338: Mr. BOUCHER.

H.R. 339: Mr. FRANKS of Arizona, Mr. WILSON of South Carolina, and Mr. OSBORNE.

H.R. 342: Mr. MATHESON, Mr. GORDON, Mr. VITTER, Mr. SMITH of New Jersey, Mr. DAVIS of Illinois, Mr. MCCOTTER, Mr. FROST, Mr. ACKERMAN, Mr. SANDLIN, Mr. TAYLOR of Mississippi, Mr. CASE, Mr. HALL, Mr. FORD, Mr. TANNER, Mr. BOYD, Mr. KENNEDY of Rhode Island, and Mr. TURNER of Texas.

H.R. 347: Ms. DEGETTE.

H.R. 348: Mr. WEXLER.

H.R. 361: Mr. UDALL of Colorado, Ms. SOLIS, Mr. GRIJALVA, Mr. PETERSON of Minnesota, Mr. STENHOLM, Mr. JOHN, Mr. FORD, Mr. ROYCE, Mr. TANNER, Mr. DAVIS of Florida, Mr. KIND, Mr. HAYWORTH, Mr. BACHUS, Mr. KELLER, Mr. PLATTS, and Mrs. BIGGERT.

H.R. 362: Mr. WILSON of South Carolina, Mr. ROGERS of Michigan, and Mr. CRANE.

H.R. 377: Mr. HEFLEY, Mr. MCINNIS, Mr. UDALL of Colorado, Mr. BEAUPREZ, Mr. FROST, and Mr. JANKLOW.

H.R. 383: Mr. SMITH of Washington, Mr. GILLMOR, Mr. CUNNINGHAM, and Mr. MCHUGH.

H.R. 391: Mr. SOUDER, Mr. FEENEY, Mr. FORBES, Mr. BARRETT of South Carolina, and Mr. RADANOVICH.

H.R. 394: Mr. POMEROY, Mr. LYNCH, Ms. DEGETTE, and Mr. KUCINICH.

H.R. 401: Mr. TOOMEY.

H.R. 412: Ms. ESHOO, Mrs. WILSON of New Mexico, Mr. LYNCH, Mr. VISCLOSKY, Mr. FORD, Mr. FALEOMAVAEGA, Mr. HAYWORTH,, Mr. BOOZMAN, and Mr. THOMPSON of California.

H.R. 431: Mr. YOUNG of Alaska and Mr. HAYWORTH.

H.R. 434: Mr. FORBES, Mr. HOEKSTRA, Mrs. JOHNSON of Connecticut, Mr. GILCHREST, Mr. ISAKSON, Mr. CRANE, Mr. GREEN of Wisconsin, Mr. BARTLETT of Maryland, Mrs. JO ANN DAVIS of Virginia, Mr. OTTER, Mr. EVERETT, Mr. SENSENBRENNER, and Mrs. CAPITO.

H.R. 436: Mr. STARK.

H.R. 438: Mr. SHIMKUS.

H.R. 441: Mr. ANDREWS, Mr. BERMAN, Mr. BILIRAKIS, Mr. GOODE, Ms. KAPTUR, Mr. KENNEDY of Rhode Island, Mr. LANTOS, Ms. ROS-LEHTINEN, Mr. STEARNS, and Mr. WU.

H.R. 444: Mr. GILLMOR, Mr. ROGERS of Alabama, Mr. JANKLOW, Mr. BAKER, and Mrs. MYRICK.

H.R. 445: Mr. UDALL of Colorado and Mr. GUTIERREZ.

H.R. 449: Mr. SMITH of Washington.

H.R. 457: Mr. RYUN of Kansas.

H.R. 459: Mrs. MUSGRAVE, Mr. TIAHRT, Mr. FRANKS of Arizona, Mr. PETERSON of Pennsylvania, and Mr. BARTLETT of Maryland.

H.R. 460: Mrs. MUSGRAVE and Mr. PEARCE.

H.R. 463: Ms. HARMAN.

H.R. 466: Mr. SMITH of Washington, Mr. BRADY of Pennsylvania, Mr. DELAHUNT Mr. DICKS, Mr. FERGUSON, Mr. COSTELLO, Mr. RAMSTAD, Mr. ROTHMAN, Mr. FOSSELLA, Mr. FRANK of Massachusetts, Mr. MENENDEZ, Ms. SLAUGHTER, Mr. SMITH of New Jersey, Mr. GREEN of Wisconsin, and Mr. LARSEN of Washington.

H.R. 490: Mr. SHAYS, Mr. PLATTS, Mr. ABERCROMBIE, Mr. KILDEE, Mr. DAVIS of Illinois, Mr. KUCINICH, Mr. LYNCH, Mr. TIBERI, Mr. CASE, Ms. KAPTUR, Mr. HOLDEN, Mr. NUSSLE, Mr. DAVIS of Alabama, Mr. MARKEY, Ms. DELAURO, Mr. LATHAM, and Mr. CANNON.

H.R. 496: Mr. BACHUS and Mr. WELDON of Florida.

H.R. 501: Mr. RYAN of Ohio, Mr. WILSON of South Carolina, Mrs. CHRISTENSEN, Mr. MARKEY, Ms. BORDALLO, Mr. SMITH of Washington, Mr. TIAHRT, Mr. SOUDER, Mrs. NAPOLITANO, Mr. TIBERI, Mr. KILDEE, Mr. FROST, Mr. WAXMAN, Mr. MCNULTY, Ms. NORTON, Mr. SERRANO, Mr. HOLDEN, Ms. WATSON, and Mr. GILLMOR.

H.R. 502: Mr. SAM JOHNSON of Texas, Mr. BURGESS, Mr. HUNTER, and Mr. HAYWORTH.

H.R. 503: Mr. CARSON of Oklahoma, Mr. HALL, and Mr. SESSIONS.

H.R. 504: Ms. DEGETTE.

H.R. 519: Mr. DREIER and Mr. HONDA.

H.J. Res. 3: Mr. CARSON of Oklahoma and Mr. BEAUPREZ.

H.J. Res. 4: Mr. LYNCH, Mr. BRADLEY of New Hampshire, Mr. MCHUGH, and Mr. WOLF.

H. Con. Res. 15: Mrs. KELLY, Mrs. BIGGERT, and Mr. FILNER.

H. Con. Res. 23: Mr. HILL.

H. Con. Res. 25: Mr. HEFLEY.

H. Con. Res. 29: Mr. BEREUTER, Mrs. BLACKBURN, Mr. RENZI, Mr. WEINER, and Mr. KENNEDY of Minnesota.

H. Res. 21: Mr. UDALL of Colorado, Ms. MCCOLLUM, Mr. GRIJALVA, Mr. TIERNEY, Mr. MCDERMOTT, and Mr. BROWN of Ohio.

H. Res. 43: Mr. WAXMAN.

H. Res. 49: Mr. HINOJOSA, Mr. RODRIGUEZ, Mr. LAMPSON, Mr. BELL, Ms. JACKSON-LEE of Texas, Mr. TURNER of Texas, Mr. SMITH of Texas, Mr. FROST, Mr. STENHOLM, Mr. GONZALEZ, Mr. BONILLA, Mr. COMBEST, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. REYES.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 497: Mr. SMITH of Michigan.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 108th CONGRESS, FIRST SESSION

Vol. 149 WASHINGTON, WEDNESDAY, FEBRUARY 5, 2003 No. 21

Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. STEVENS).

PRAYER

The guest Chaplain offered the following prayer:

Creator God, Source of all that is, that has been, and that is yet to be.

We begin this new day with gratitude and thanksgiving for in You we live and move and have our being. Thus acknowledging our dependence on You, we can do no other than to thank You for our very lives and for the multiple blessings that come to us both as a nation and as individuals.

Knowing that You count us as Your precious children, we are bold to ask Your grace and further blessing on this new day, which is like no other day, for this day has not yet been lived. Enable each of us then, and in particular the women and men of the United States Senate, to live this day with the sure knowledge that Your presence is alive within us and Your Spirit is actively engaged in guiding us.

Touch our hearts that we may act in love. Touch our minds that we may act in wisdom. Touch our souls that we may act with tolerance. Touch our eyes that they may see Your will with clarity. Touch our ears that they may listen with understanding. Touch our tongues that they may speak with integrity.

And so, O God, on this new day, in these troubled times, let each one of us and especially these, our Nation's leaders, assume our responsibilities with courage, good hope and an abiding faith in You, our protector and preserver. Amen.

PLEDGE OF ALLEGIANCE

The Honorable HARRY REID, a Senator from the State of Nevada, 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.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. FRIST. Mr. President, this morning we will be in a period of morning business to allow Senators to make statements. Yesterday, along with Members from both sides of the aisle, we had the honor to lead a Senate delegation to Houston for the memorial service for the *Columbia* astronauts. It was a touching and fitting tribute to those proud pioneers, to those proud heroes, and today we continue to grieve along with their families and their friends—many of them we had the opportunity, as a delegation, to visit with yesterday.

Later today, the Senate will adopt a resolution that will express the Senate's gratitude and appreciation for these heroes. A rollcall vote is expected on that resolution at approximately 12:15 or 12:30 today.

Today, by previous consent, the Senate will begin debate on the nomination of Miguel Estrada to be a circuit judge for the DC court. Debate will begin at 2:15. I know a number of Senators are prepared to come to the floor to debate and discuss this nomination. I hope that we can, after a full debate, reach an agreement as to when the Senate can vote on that particular nomination. I will be working with the Democratic leader in an effort to find a time for that vote to occur.

As a reminder, the Senate will be in recess from 12:30 to 2:15 today for the weekly party caucuses to meet.

Finally, this week, the Senate will need to act on another continuing resolution. I anticipate that we will receive a continuing resolution tonight or tomorrow morning from the House. I am unaware of any requests for a rollcall vote, and we may be able to clear that continuing resolution by consent when it arrives.

I thank all Members.

The PRESIDING OFFICER (Mr. BROWNBACK). The Senator from Nevada is recognized.

Mr. REID. Mr. President, I have a couple of questions for the majority leader. Does the leader expect a vote on the resolution that is before the Senate today?

Mr. FRIST. Mr. President, I believe at this point we plan a rollcall vote between 12:15 and 12:30.

Mr. REID. The other question I have for Members is this. I spoke to the leader earlier this morning. There are a number of people who did not go to the memorial service yesterday and are going to go to one at the National Cathedral tomorrow. Does the leader expect any votes in the morning?

Mr. FRIST. No. In response to the question, we will be in session tomorrow. There are a number of memorial services that have been conducted over the last 3 days and will continue through the week. Out of respect, we did close down yesterday so that a number of people could go to Houston.

Tomorrow the Senate will be in session. We expect no rollcall votes, but we will be in session. We can talk about what time to come in tomorrow morning, but I think we will be in until about 12 noon tomorrow, and we will not be in for the remainder of Thursday or Friday.

Mr. REID. Mr. President, I have one additional question. We are in morning business now until 12:30, or whenever the leader calls for the vote. I am wondering—because yesterday it got a little awkward—if we can have an agreement that the time would alternate—one Republican, one Democrat, back and forth. That way people have an idea of what to do when they come here. If there are two Republicans here

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

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and no Democrats, OK. I don't think we need to do that in the form of an agreement, but at least the Chair would recognize we are going to do that.

Mr. FRIST. Mr. President, I think that would be very much something we will agree to and appreciate. We have a lot to do in morning business over the course of today and tomorrow. To be able to use that time efficiently, alternating back and forth is certainly fine.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for morning business not to extend beyond the hour of 12:30 p.m., with the time to be equally divided between the two leaders or their designees.

Mr. SUNUNU. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

COMMEMORATING THE ''COLUMBIA'' ASTRONAUTS

Mrs. HUTCHISON. Mr. President, I send a resolution to the desk on behalf of myself, Senator NELSON of Florida, Senator FRIST of Tennessee, Senator DASCHLE of South Dakota, Senator CORNYN of Texas, and Senator GRAHAM of Florida, and I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 45) commemorating the Columbia astronauts:

Whereas the United States of America and the world mourn the seven astronauts who perished aboard the Space Shuttle Columbia on February 1, 2003, as they re-entered Earth's atmosphere at the conclusion of their 16-day mission;

Whereas United States Air Force Colonel Rick D. Husband, Mission Commander; United States Navy Commander William ''Willie'' McCool, Pilot; United States Air Force Lieutenant Colonel Michael P. Anderson, Payload Commander/Mission Specialist; United States Navy Captain David M. Brown, Mission Specialist; United States Navy Commander Laurel Blair Salton Clark, Mission Specialist; Dr. Kalpana Chawla, Mission Specialist; and Israeli Air Force Colonel Ilan Ramon, Payload Specialist were killed in the line of duty during the 113th Space Shuttle Mission;

Whereas we stand in awe of the courage necessary to break the bonds of Earth and venture into space, with full knowledge of the perils and complexities inherent in such an endeavor;

Whereas the people of the United States and the world have enjoyed rich benefits from the space program including technological advances in medicine, communications, energy, agronomy, and astronomy;

Whereas we in the Congress of the United States recognize that curiosity, wonder and the desire to improve life on Earth has inspired our exploration of space and these traits epitomize the intrinsic dreams of the human race;

Whereas, despite these lofty goals, we realize that our reach for the stars will never be without risk or peril, and setbacks will always be a part of the human experience;

Whereas we recognize our solemn duty to devote our finest minds and resources toward minimizing these risks and protecting the remarkable men and women who are willing to risk their lives to serve mankind; and

Whereas we will always hold in our hearts the seven intrepid souls of Columbia, as well as those explorers who perished before, including those aboard Apollo I and the Space Shuttle Challenger: Now, therefore, be it

Resolved, That—

(1) the tragedy which befell the Space Shuttle Columbia shall not dissuade or discourage this Nation from venturing ever farther into the vastness of space;

(2) today we restate our firm commitment to exploring the planets and celestial bodies of our Solar System, and beyond;

(3) we express our eternal sorrow and heartfelt condolences to the families of the seven astronauts;

(4) we convey our condolences to our friends and allies in the state of Israel over the loss of Colonel Ilan Ramon, the first Israeli in space;

(5) we will never forget the sacrifices made by the seven heroes aboard Columbia; and

(6) we shall learn from this tragedy so that these sacrifices shall not have been in vain.

There being no objection, the Senate proceeded to consider the resolution.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. I thank the Chair.

Mr. President, today I rise to honor the memory and the sacrifice of the seven astronauts whose lives were tragically cut short in pursuit of the newest frontier—space.

America is a word, a country, and a people. America is also a spirit, an indomitable spirit of adventure and courage, one that defies complacency and accepts challenge. The American spirit knows no bounds.

Israeli astronaut Ilan Ramon also had that spirit, and so did Kalpana Chawla, who was born in India and made America her home. It is that spirit which President Kennedy harnessed in 1961 when he made the bold claim: Within a decade, America would put a man on the Moon and return him safely home.

That same spirit enabled us to fulfill a great mission and make space travel seem routine, although it was never routine.

It is that spirit which fueled the hearts and minds of those seven men and women who launched into the sky on January 6, 2003.

On Saturday, we were reminded of the high price we sometimes pay for reaching new horizons. Our thirst for knowledge led us to explore space. Our curiosity, sense of wonderment, and desire to improve life on Earth prompted us time and again to defy the odds. Those heroes did not take their task lightly, but they undertook it with joy.

Ilan Roman, the first Israeli astronaut, who was on that fated flight, wrote the following words from space:

The world looks marvelous from up here, so peaceful, so wonderful and so fragile.

His serene vision came to a catastrophic end on Saturday morning, and that moment when the world awoke to the news that seven astronauts disappeared into the skies will be one etched in our collective memories forever.

In recent years, America has borne too much tragedy and experienced too much grief, but our collective loss still sears our souls and the pain is never easier to bear. Today, just 4 short days after they vanished into the crystal blue skies of Texas, we pause to remember them and thank them from our hearts: Rick Husband, Kalpana Chawla, Laurel Clark, Ilan Roman, William McCool, David Brown, and Michael Anderson.

And though the families' loss cannot be diminished, their pain and grief is shared around the world and our prayers are with them.

Their sacrifice will never be forgotten. Their lives were not lost in vain. We will send more brave astronauts into the cosmos to learn and discover. We will continue to explore the vast sky that envelops the Earth and their names will forever be etched into the history of space flight.

Rick Husband, a spiritual man, a Texan, the commander of the Space Shuttle *Columbia*, often signed photos referencing Proverbs 3:5–6:

Trust in the Lord with all your heart and lean not on your own understanding; acknowledge Him in all your ways and He will direct your paths.

Throughout history, our young Nation has experienced great heartache and tragedy. Each time, we have overcome adversity with boldness and tenacity. We have come back stronger than ever.

With steely resolve and a firm determination, we rose from the ashes and embers of Ground Zero more resolute than ever before.

Christina Rossetti, the 18th century poet, wrote a poem called ''Remember.'' She could never have envisioned what this poem would come to represent, but it did bring me some solace in this time of tragedy in my home State of Texas. She wrote:

Remember me when I am gone away,
Gone far away into the silent land;
When you can no more hold me by the hand,
Nor I half turn to go yet turning stay.
Remember me when no more day by day
You tell me of our future that you planned;
Only remember me; you understand
It will be late to counsel then or pray.
Yet if you should forget me for a while
And afterwards remember, do not grieve:
For if the darkness and corruption leave
A vestige of the thoughts that I once had,
Better by far you should forget and smile
Than that you should remember and be sad.

We will hold these seven souls in our hearts and eventually we will smile

again. We will rise from the ashes in the fields of Texas, Louisiana, and Arkansas. The quest for space exploration will not end with this tragedy. It will live on, it will prosper, for it is our duty, our calling, and our destiny.

Yesterday, like so many Members of the Senate and House, along with the President of the United States and our First Lady, I attended a beautiful ceremony where we saw firsthand the families and the realization of their personal loss. We were uplifted by seeing the greatness of what these astronauts had done and what they are doing for the future of our country and our world. It is much bigger than just those seven astronauts, which I think their families and they themselves believed. They know this was a higher calling and that their sacrifices will lay the groundwork for a better space shuttle, a better space station, America staying preeminent in the world in national security and in medical research. I think they knew they were contributing to the future of our country.

The ceremony yesterday really began our time of closure, our time to pay the respects to those brave young men and women who were willing to make this sacrifice for their children and their future generations, and to say that America is going to renew our commitment. America is going to stay in the forefront, because we know if a country is static it will begin to fall behind. We know we have been the first to reap so many benefits from space exploration, which we have shared with the world. We know there are many more innovations to come and that America will be there to find those discoveries.

On behalf of myself and Senator NELSON of Florida, who is the only Member of the Senate today who has been in space, he will come later to also make a statement and then we will look forward to having a vote on the resolution.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. SUNUNU. Mr. President, today I join my colleagues and millions around the world to express our enormous sorrow at the loss of the crew of the Space Shuttle *Columbia* and to extend sympathy to the crews' families and friends.

This tragedy, like the loss of the Space Shuttle *Challenger* 17 years ago, has left an empty space in our hearts. We struggle for the words that might help to make sense of the events we witnessed last Saturday.

A return to Earth that we have come to view as ''routine,'' instead has reminded us of the fragility of life. We are all subject to the flaws of man and the vagaries of nature. Yet these seven brave men and women accepted great risk as they strove to expand the intellectual capital of all mankind.

For thousands of years, the heavens have inspired, intrigued, and called us to explore their boundaries. This unending quest for knowledge is the very essence of what makes us human. It is a flame that burns so bright. It burns so bright that not even the depth of this tragedy or the shock of our loss can quench the desire to learn, to seek and to explore.

There is no doubt in my mind that we will move forward to expand and strengthen America's space program. And through the investigation that has just begun, we will find out what caused this accident and then we will fix it. But today, we mourn for those whom we have lost and offer comfort to those who have been left behind.

The astronauts who fly the space shuttle are a unique and unparalleled breed of men and women. They inspire us with courage and intellect, and they sacrifice in service to their country and profession. But perhaps their greatest service of all is rendered when they reach out to future generations and plant the seeds of curiosity in a young student's mind.

I have visited classrooms in the company of astronauts to see faces of children alive with wonder and awe. Like any one of us, our children want to know what it is like in space, what it is like to be a scientist, what it is like to be an explorer.

Seventeen years ago when the *Challenger* was lost, among the seven astronauts was a teacher from New Hampshire, Christa McAuliffe, who was dedicated to nurturing and inspiring students not just in New Hampshire but all across the country. Her spirit and enthusiasm has been captured for future generations in the Christa McAuliffe Planetarium in Concord, NH.

Each time I visit the planetarium, I am reminded that a child's curiosity grows into a lifetime search for answers to the great questions of our age. As long as we have astronauts to engage this curiosity, the quest for knowledge will endure and our space program will thrive.

Generations of Americans have been inspired by their courage and vision, but today, thoughts and prayers of millions are with the families and friends of *Columbia*'s crew. The sadness of this moment may well one day fade, but the memory of these seven heroic figures will remain forever strong.

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

The PRESIDING OFFICER (Mr. GRAHAM of South Carolina). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SUNUNU. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. SUNUNU. Mr. President, I ask unanimous consent during the allotted morning business period, the time used in quorum calls be charged evenly against each side.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. DURBIN. Mr. President, this morning's morning business has been dedicated to the *Columbia* tragedy which occurred over the weekend. I want to take a few moments to speak from the heart about my experience yesterday, traveling to Houston to be there for the service that honored these seven brave men and women who gave their lives in the *Columbia* tragedy.

It was a bright and sunny day in Houston, a day which brought out literally thousands of people as they stood at the Space Center on the grass and waited for hours for the moments of tribute to the fallen astronauts and to their families. It was a military service, as those who followed it on television know, in the tradition primarily of the Navy. There was that touching moment where the bell was struck seven times for the loss of seven lives.

It also was a service which brought out, I thought, the very best in our Nation in terms of coming together in the grief that has really clouded our lives since last Saturday morning.

There were moments yesterday which I will not forget. The most compelling moments involved the arrival of families. You come to realize that these astronauts leave behind husbands and wives, children, parents, and many who loved them who will struggle for a long time to understand what happened. Most of them, six of the seven, were in the military—of the United States and of Israel. They understood the risk that was involved in their service to our country, as did the seventh astronaut. But with the success of so many space missions, I am certain they went into this flight believing the odds were on their side—and they certainly were. But they knew the danger, too, that was associated with it.

I am sure most people can recall where they were when they heard of this tragedy. I was sitting with my wife in our kitchen in Springfield, IL, listening to NPR when they interrupted it and mentioned the shuttle radio transmission had been lost. It was clear something terrible may have occurred. Then, of course, in the moments following, we heard the details.

I ran into a number of people in Illinois, both downstate in Springfield and in Chicago, before I came back to Washington and then went off to Houston, and all of them were touched by this tragedy, as they should have been. Some of them said to me: Senator, don't forget also the four soldiers who lost their lives last week in a helicopter crash in Afghanistan—and they

were right. Our prayers should be not just for the astronauts and their families but for all the men and women who have given their lives in service to this country. I know they are in our hearts and prayers.

A lot of hard questions will have to be asked and answered in the weeks ahead. We will have to find out what caused this crash, to make certain that it never happens again. There will be a lot of recriminations and people pointing fingers as to whether or not everyone did their job as they should have, including Congress, this President, and the previous President. But that is the nature of an open society—an open debate, an honest debate to try to come to some closure as to the reason for this tragedy.

Larger questions will be asked, and I hope answered, about the space program itself. This is a program which has been generally accepted by America as part of who we are and why we come together as a nation. We want to lead the world in the pursuit of science and knowledge and understanding. Our space program has been part of that. We will have to step back now and assess whether we are doing the right thing. We will have to ask and answer questions about manned space flight and the future of the space station, whether the shuttle is the best approach to serving that station, and our future needs. All of these are difficult but timely questions.

Having said all that, that is the working of government. That is the working of the people of the United States, responding to this disaster in a rational, measured, linear way.

But yesterday it was about much more. It was about these astronauts and their families.

Ilan Ramon was the first Israeli astronaut. I read about him. I have heard suggestions that he was a man who was destined to be part of the space program. No one in his country had ever done it. He is a great source of pride in Israel and to the people who followed his career.

Yesterday, some of the prayers delivered by the Rabbi and others were in Hebrew, as they should have been. They hearkened back to the origins of the Judeo-Christian culture that also contributed to this great man.

Also, Kalpana Chawla, Indian—the important thing to recall is not just how good she was—and that story was repeated over and over again—but to recall that she was an immigrant to this country.

I think that is something we should remind ourselves over and over. Immigrants to America throughout our history have made us a better and stronger Nation and have given us a special identity in the world. She contributed to that heritage, and her courage has to be recognized.

The list of the astronauts involved—those who had been on previous missions and those who were on their first—is a roster of excellence and courage. Now it is up to us not just to mourn their loss and to comfort their families but to remember why they made their sacrifice and why they were prepared to run this risk. They were prepared to do more than most of us do in our daily routines. But they understood it was to meet a calling—a calling to which, frankly, all of us should aspire, to show the courage and to step forward to look to the future, to say that we each have to do something that is risky and on the edge so that tomorrow may be better for our children, for their families. We extend not only our sympathy but also our pledge to stand by them at this time of loss because they are part of the American family, an American family deep in mourning over the loss of these great men and women.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

The Democratic leader.

Mr. DASCHLE. Mr. President, in 1920, H.G. Wells wrote:

> Life, forever dying to be born afresh, forever young and eager, will presently stand upon this earth as upon a footstool, and stretch out its realm amidst the stars.

We have long since realized that vision, voyaging from our planet, putting men and women and machines beyond the reach of the Earth, traveling the ''airless Saharas'' of space, exploring new worlds.

What we have been able to do requires the best minds of science, an audacity of imagination, and people explorers of uncommon bravery.

Today, we mourn seven of those brave explorers. These men and women stood upon our Earth as a footstool, stretched out our realm amidst the stars, set out on a voyage of discovery—and did not return.

I can only hope that our words, our prayers, and a world's shared sorrow will help bring peace to their families and loved ones.

This space shuttle *Columbia*—like all space shuttles—was named for a sailing ship. The *Columbia* was the first American vessel to circumnavigate the globe.

The crew of this *Columbia* were pioneers of the first order as well.

There was Rick Husband, the Air Force Colonel and commander of the *Columbia*. He was dedicated to God, his family, and his crew. While in space, he sent an e-mail saying: ''I'm so proud of my crew, I could pop.''

There was William McCool, the man at the controls of *Columbia*. He was an Eagle Scout, second in his class at the Naval Academy. Friends describe him as someone who always did everything perfectly but never developed the arrogance that comes with such success.

There was Michael Anderson, who, as a child, dreamed of piloting his bunk bed to the moon. Michael Anderson never got to the moon, but he got a lot closer than most of us.

There was David Brown, a physician, gymnast, and one-time circus performer. For all of his many skills, as his mother said: ''flying was his life.''

There was Laurel Clark, the medical doctor and mission specialist who offered this advice for aspiring astronauts: ''Do what it is you love to do. You'll do a really good job at it because you love it.''

There was Ilan Ramon—the child and grandchild of Holocaust survivors—who rode into space carrying with him the hope of a war-weary country.

Sadly, most of us are getting to know most of them only now.

Back in Rapid City, SD, there are dozens of schoolchildren who got to know—and be inspired by—Kalpana Chawla.

Three years ago, I asked then-NASA Administrator Dan Goldin if he would be willing to keynote a technology exhibition in Rapid City.

At the last minute, NASA called to say that they would have to send a substitute. They said: ''But the good news is she's even better. She's an astronaut, and she's brilliant.''

Dr. Chawla enchanted everyone who listened to her that day.

She stayed for a long time after her talk to sign autographs and pose for pictures with children.

A lot of those children in South Dakota are probably looking at those pictures today—and looking at how she signed them, for above her name she wrote: ''reach for the stars.''

I can only hope that the excitement Dr. Chawla inspired in those children will never be diminished by her loss.

Inspiring the awe of discovery in others, that is what all of the members of the crew of *Columbia* lived for, and it is what they gave their lives for.

Yesterday, many of us were in Houston to honor their memories.

In the days ahead, I hope we can create a living memorial by continuing to strive for the stars.

In 1961, a satellite called Traac was launched from Cape Kennedy. Inscribed in an instrument panel of that satellite was a poem written by Professor Thomas Bergin, from Yale University. It was the first poem to be launched into orbit around the Earth.

I want to read a few lines of it now:

> And now 'tis man who dares assault the sky
> And as we come to claim our promised place,
> Aim only to repay the good you gave,
> And warm with human love the chill of space.

The seven astronauts of *Columbia* represented different races, different religions, different backgrounds, and, in one case, a different country. But they were united by their desire to solve the mysteries of the universe and to make life better for all people.

In living that hope—and dying with it—their lives will forever inspire us.

And their memories will warm the chill of space.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I rise to offer some comments in response to the *Columbia* shuttle disaster that we all learned about last Saturday. Since then, we Americans and most of the rest of the world really have been in a state of grief again, a state of mind and heart that many of us, of course, have experienced both personally and nationally before. Once again, in this case of public grief, television became our common touchstone, binding us through the ether, informing us with gripping yet familiar scenes and words.

And once again, we learned things we wished we had known and thought before the great loss. We learned of the astronaut whose aunt and uncle had lost a son on September 11 at the World Trade Center. Once again, they share a personal loss with the whole Nation. We learned of the Israeli astronaut who was part of the mission that destroyed an Iraqi nuclear reactor in 1981, an act that we now know saved the world from the menace of Saddam Hussein with his finger on a nuclear button.

We learned of a woman who emigrated from India to the United States, became an American citizen, and then an astronaut. Surely that is one of the most vibrant and exciting realizations of what we call the American dream I have ever heard.

I am sorry I did not know all this before the terrible news of last Saturday. That is both a testament to the success of the space program and a mark of how easy it is for all of us to forget the risks others have taken and are taking to advance the frontiers of our knowledge. The fact is, we take too much for granted, and it is sad it does take tragedy to shock us into an awareness of the sacrifices that are constantly being made by others on our behalf.

That was certainly true about the role of our firefighters and police and emergency medical and health personnel after September 11. It is true when our military men and women go into combat to protect our security. The loss of the Black Hawk crew in Afghanistan this past week is again a reminder of how much danger other Americans face on our behalf.

It is true also with regard to the *Columbia*, when the loss of that shuttle has caused us once again to stop and think about the men and women who climb on top of rockets and head into the coldness of outer space to advance the leading edge of human experience from which all of us benefit. We owe those seven brave souls our gratitude. We owe the same to those who fly today aboard the International Space Station and to those who are preparing to fly back and forth in the months and years to come.

Amidst the painful familiarity of the moment we are experiencing come the calls for a thorough accounting of what happened; how did it happen. There are some who say we should have done this and others who say we should not have done that. Others will say we should abandon space, echoing a refrain we have heard intermittently now for more than 4 decades. Skepticism about space exploration, combined with the economic restraints faced by our Nation for many of the years of the past 4 decades, has, in fact, lowered our sights and diminished our momentum in space.

We must and we will investigate what happened to *Columbia*. No holds should be barred and every step should be taken to discover exactly what went wrong and to set about making it right so people will never again look aloft to see a fiery comet signalling the destruction of a spacecraft with its historic crew.

Yet we must be realists. No human advance comes without risk. In the history of human space flight, in fact, we have lost the crew of *Apollo 1*, *Soyuz 1* and *11*, the *Challenger*, and now *Columbia*. This is the most difficult, dangerous, and daunting work I can imagine. That in part is why we do it.

President Kennedy said more than 40 years ago:

> We choose to go to the Moon in this decade and do the other things, not because they are easy but because they are hard.

There is no acceptable number of spacecraft lost in pursuit of what is hard and what is unknown. Obviously just one loss is too many. But we must recognize that the sacrifice of those who have died has not been in vain. The space program has yielded enormous results. It has also given our Nation and people throughout the world a sense of wonder that cannot be easily recounted in mere dollars and cents.

Our gross spiritual product, if you will, GSP, is higher than it would otherwise have been thanks to the efforts of the astronauts, the scientists, and all who make the exploration of space a noble part of our civilization.

We must emerge from this investigation of the *Columbia* tragedy and from our introspection about it resolved to do more, not less, to think bigger, not smaller, to aim higher, not lower. Just as we must build something great and beautiful where the World Trade Center towers once stood, a fitting tribute to the men and women of the *Columbia* is not really to fix what went wrong but to do what is right, to do what is characteristically American, to continue—indeed, to expand—their mission and to lift our sights to the heavens once again and pursue new missions—as Charles Krauthammer has written—''to the moon and beyond.''

We should do so not because we know what knowledge and benefits that pursuit of those goals will achieve; we should do so because we do not know. Yet we can be confident, based on our experience, that the effort will prove more than worth our while.

That is the wonder of exploration, to go beyond the next bend in the river, over the next mountain, beyond the far horizon, not because we know what is there, but because we do not and want to find out.

Most great feats of exploration in human history have yielded benefits far in excess of what anyone could have predicted when they began. Surely we will find something on the Moon or Mars or elsewhere in the cosmos that will astonish us and transform the way we live. Surely we will discover things about ourselves in the process of mounting those great missions that will change our lives.

Spend the money here on Earth, some will say. Our problems are too great here to waste money in space or on the Moon or Mars.

First remember that not one single dollar will actually be left in space, on the Moon, or on the surface of the red planet. Every dollar invested in space is invested here on Earth, circulating throughout our economy, creating a multiplier effect as the jobs and discoveries associated with the space program lift in time our GDP, our gross domestic product.

Our new missions in space should be as the International Space Station is: American-led but international in scope. People and resources of many nations can and should be pooled to ensure that the great space missions of the 21st century are global projects that make sense, because success is more likely, of course, if we tap the best minds of the broad community of nations, not just our own. The investment needed can best be realized through contributions from many peoples, not just the American people.

Such a common venture also has other salutary effects. As President Clinton has said, We need a world with more friends and fewer terrorists. And what better way to expand our circle of friends than to invite them to join us on an inspiring voyage together into the unknown wonders of space. What better way to showcase our own unique values and technological advances than to lead a team of many nations whose citizens will share with us a stake in the outcome and a share of the pride.

Finally, embarking on a bold new age of discovery will help revive the American spirit. In the midst of terrorist threats from abroad, a shaken sense of security here at home, a troubled economy, and shocks to our system such as those we faced on September 11 and after from the anthrax and now from the loss of the *Columbia*, the American people may be feeling uncertain about our future. These have been tough times. But I am confident we are at heart an optimistic people and that for us the best truly is yet to come.

We have to find ways to strengthen our can-do spirit, to unleash our optimism and give us a stronger sense of national purpose and greater hope in a better future. No single enterprise can accomplish that goal. I do not mean to suggest that a visionary space program alone will turn the national tide. There

are other missions to consider as well that are closer to Earth—great missions—which together we can accomplish to cure cancer, make our Nation energy independent, and defeat the scourge of AIDS.

But remember that the American dream is not a zero-sum game. We can do more than we realize. We can expand opportunity and vision and hope if we set our minds, our hearts, and our national will to the task.

We have all been reminded in recent days of all that President Kennedy set in motion with his brief words to the Congress in 1961 when he committed America to land a man on the Moon before that decade was out. We should remind ourselves, too, of how far we have come in the hundred years since the Wright Brothers flew at Kitty Hawk. We cannot know how far and how fast mankind, humankind, will travel across the country or the universe by this century's end. That is the wonder of it. But if we fail to heed the call to explore, we will only succeed in stifling an astounding revolution that is bound to occur sooner or later.

Centuries ago, William Shakespeare wrote:

> Our doubts are traitors and make us lose the good we oft might win by fearing to attempt.

We must not let our doubts make us lose the good we can win by venturing further into this special frontier in space of which we are aware.

In words that are more American than Shakespeare's, Mark Twain captured that same sensibility in one of the great American novels—maybe the greatest—''The Adventures of Huckleberry Finn,'' where Huck, with Jim, on the raft delighted always in approaching the next bend in the river, not knowing what they would find around the bend, but never fearful, always excited, and always confident of their ability to deal with whatever they found. In those last sentences of that great novel, Huck says:

> I reckon I got to light out for the Territory ahead of the rest.

So he did, and so have we Americans before and since. We will not—those of us who are blessed to be citizens of this great country now—reap all that we sow, not in our lifetimes. Yet we will find nourishment for our national spirit in the effort itself and from the knowledge that we are working to make a better tomorrow for those who will follow us as citizens of this country and the world, whose faces we will not live to see, whose names we cannot know, but whose lives we can touch for the better by what we do today.

We do know the names of Rick Husband, Will McCool, Michael Anderson, Kalpana Chawla, David Brown, Laurel Clark, and Ilan Ramon. May God have mercy on them, their families, and friends, and may their souls be embraced in eternal life. May they, like modern-day angels, experience forever the peace, joy, and beauty of space flight. And may we never turn back from the journey of discovery that inspired these heroes and must still inspire our Nation and the world to ever greater heights.

Let's light out for the territory ahead of the rest, and today that territory is beyond the sky. For that is the stuff of the American dream and the heart of the human soul. It must be our choice today, for surely it is our destiny.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. COLEMAN. Mr. President, it was my sad privilege to attend the memorial service for our great astronauts in Houston yesterday. As best I could, I carried the love and prayers of Minnesotans to that solemn occasion. It was heartbreaking; yet it was awe inspiring at the same time. There was a lot of love in Houston yesterday that surrounded the families of the brave astronauts.

I should note how blessed we are to have the President we have at times such as this. His words are good and true, but it is his heart that communicates to the hearts of Minnesotans.

How much we all owe to the explorers, the inventors and the pioneers. In Minnesota, we marvel at the thought that a Charles Lindberg from Little Falls, a small town on the Mississippi, was the one who opened a new door by traveling solo across the Atlantic. For almost every one of us, our presence in this country is a reality because some brave souls conquered their fears and headed off to an unknown place with the only hope that it meant a better life for their families.

The pain of this tragedy is made more acute because of the purity of the sacrifice of these seven extraordinary and ordinary folks. They did not climb into that rocket to get rich or to gain power or to become celebrities. They assumed the risk to their lives for science, for discovery, for the pushing out of the horizons of mankind.

As we mourn, may we in this Chamber and throughout this society seek that purity of motive and courage to take risks on behalf of others and in pursuit of a better future. May we express our appreciation far more freely for all those who take enormous risks on our behalf. May we embrace a spirit of service and sacrifice for others rather than idealize safety and security for ourselves.

Thousands of years ago, an ancient Hebrew writer put down these words, expressed as a prayer:

> Where can I go from your spirit?
> Where can I flee from your presence?
> If I go up to the heavens, you are there;
> If I make my bed in the depths, you are there.
> If I rise on the wings of the dawn,
> If I settle on the far side of the sea,
> Even there your hand will guide me,
> Your right hand will hold me fast.

We pray for that comfort, we pray for that embrace for the families who are enduring this loss and that encouragement for all as we move on from here.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. NELSON of Florida. Mr. President, it is with an especially heavy heart that I join Senator HUTCHISON of Texas as a sponsor of S. Res. 45 commemorating the fallen astronauts on the *Columbia* mission and to express the Senate's support for continuing their legacy.

I, along with a number of other Senators and Members of the House and various parts of the NASA family, gathered yesterday in Houston. It is getting to be a gathering that is not pleasant, for we had a similar gathering 17 years ago—17 years ago, almost to the day—when we lost another space shuttle from a series of mistakes.

Oh, there were the technical reasons about why the Space Shuttle *Challenger* exploded, the technical reasons that the cold weather had stiffened the rubberized gaskets, called the O-rings, in the field joints of the solid rocket boosters, and that stiffened O-ring allowed the hot gases of the SRBs to pass through those creases—those field joints—of the SRBs. It just happened to burn out right where the strut was that held that SRB to the external tank. When that strut burned at the bottom, it caused that SRB to rotate and puncture the big external tank. Seventy minutes into the flight, miles high in the Florida sky, it was a shock to the Nation that the symbol of America's technological prowess would disintegrate right in front of our eyes through a television camera.

NASA realized its mistakes, and its mistakes were not only technical. Arrogance had set in at NASA.

A basic fundamental of information is that it should flow both ways, not only from the top to the bottom but from the bottom to the top. Because of arrogance it had not. As the count proceeded the night before, there were two engineers at Morton Thiokol in Utah who were begging their management to stop the count because they knew the frigid weather was going to stiffen those O-rings.

When we did the investigation, both in the Presidential Commission and in the committee I chaired at the time in the House of Representatives, the

Space Subcommittee of the full committee, the Science, Space and Technology Committee, what we found was that although those engineers were begging their management to send this information along, the information never got passed on to the NASA management.

There were mistakes of communication, there were mistakes of attitude, and there were mistakes as a result of arrogance that caused the destruction of the Space Shuttle *Challenger*. The NASA family went to work and really started improving on that.

The fact is, space flight is a risky business. When I flew 17 years ago, our flight returned to Earth only 10 days before *Challenger* launched. When I flew, there were 1,500 parts on the space shuttle called ''critical one'' parts—any one of which, if it were to fail, would mean the end of the mission. It was catastrophe.

So when one goes through a very unforgiving environment and returns in an unforgiving environment, there is risk. Probably the riskiest part is all of those parts have to work on the ascent. The ascent is only 8½ minutes to orbit, but in order to defy the bounds of gravity and go Mach 25, 17,500 miles an hour, which is orbital velocity, and to have that energy that puts the spacecraft in a position to punch out of the Earth's atmosphere and insert into orbit, it is risky. So, too, upon reentering the Earth's atmosphere, that is risky.

About an hour before landing, the orbiter is turned around and a thrust for 4 minutes of the two OMS engines, not the main engines but the OMS engines, is given to slow the orbiter a little from Mach 25. That slowly allows gravity to start pulling the spacecraft back to Earth. For about the next half hour, the spacecraft is basically in freefall still going about 17,000 miles an hour, traveling about a third of the way around the Earth, and at 400,000 feet the spacecraft starts encountering the Earth's atmosphere.

At that point, the computers have to be working perfectly. The orbiter has been turned around and the angle of attack has to be exactly perfect in order that those silicon tiles on the bottom of the orbiter are repelling the heat which on the underside of the wings has risen to 2,000 degrees Fahrenheit and on the leading edge of the wing has raised to 3,000 degrees Fahrenheit.

If those computers are not working perfectly to keep that angle of attack so that the heat is repelled, the orbiter will burn up. If the nose gets too low, it will burn up. If the tail gets too low, it will burn up. Or if there is a ripping off of the aluminum skin, these protective tiles that have been put there with a very high technology type of glue—one or two tiles, the structure is going to be invaded but it is not going to cause a catastrophe for the mission, but if many tiles are ripped off or if tiles have been damaged so that they are not smooth on the surface and are now rough, causing new turbulence as the orbiter comes crashing through the Earth's denser atmosphere, as it gets lower and lower, turbulence will be created and there will be an additional opportunity for silicon tiles to rip off. If they rip off, there is going to be a catastrophe.

We still do not know what the initial cause was for the destruction of *Columbia*. We do know that one of the suspects is a piece of insulation came off of the huge external tank on launch. That insulation is like a foam, like a consistency of Styrofoam in a Styrofoam cooler and it could have been more hardened by ice having formed on the outside of that supercooled external tank which has the liquid hydrogen and the liquid oxygen that fuels the main engines. It could have been harder because of ice having formed on that Styrofoam-type mixture, and that could have caused the initial damage or roughing up of some tiles, but we do not know at this point.

Some event started to occur as the shuttle was over California for debris was first seen high in the skies coming off the shuttle over California and then over New Mexico before the shuttle started to come apart over Texas.

We will find the cause and we will fix it, and we will get back to flight. Lord help us that we are not down for 2½ years as we were after *Challenger* and it took us 2½ years to feel safe enough to fly the first flight. I say, ''Lord help us'' because we have two astronauts and a cosmonaut in the space station right now. They are safe. They have a lifeboat up there of a Russian Soyuz craft that can bring them home, but we do not want to have to bring them home. We want to send a replacement crew so we can keep science and experiments going in that magnificent structure of a laboratory in the heavens called the International Space Station.

We are going to find the problem, we are going to fix it, and hopefully we are going to be able to fix it soon. If it is a massive failure of a thermal protection system, which is the tiles, then it is going to take us awhile.

In the early 1980s, we even looked at the possibility of going out on an EVA—that is a space walk—to fix damaged tiles. It was concluded in the 1980s that it was too much of a risk. First, we did not have the kind of glue that, in the vacuum of space, could fix those tiles, and then the risks of an astronaut going over the side where there was no communication in sight were considered so high. Remember, all of our space walks are outside of the open cargo bay where we have instant communication and sight with our space walkers. The basic problem was the EVA suit weighs 300 pounds and the boots are another 15 or 20 pounds. What happens if that space walker gets out of control? He will damage the tiles already there on the underside.

We are going to see if technology has advanced enough so we can repair those delicate silicon tiles on the underside of the space shuttle if they are damaged on ascent and we can see significant damage. We will have to look at that. We did look at it in the early 1980s and we said we could not do it.

We were in Houston yesterday. NASA is a family. When a family member is taken, that family grieves. It was well known the commander of this mission, Rick Husband, had a deep and abiding faith. That had been spoken about quite a bit throughout the service, in sidebar conversations, in the remarks of the President, and today in a major feature article in the Washington Post. That does not help relieve or eliminate the grief. It does help console those who are grieving.

I saw a lot of macho, grizzled astronauts yesterday giving a lot of hugs. Those seven astronauts who died over Texas made the ultimate sacrifice in exchange for the benefits that their courageous exploration of the heavens will realize for all of mankind. It is with the greatest respect and gratitude to the families of those fallen that we say what we can—and we really cannot say anything that in the big picture is meaningful—to ensure their cause will continue.

To a man and a woman in this Senate, there is a determination that cause will continue. It will continue certainly as a memorial to those before them, all of those names that are on that significant astronaut memorial at the Kennedy Space Center, astronauts who have died in the line of duty—not just the ones you know about—the Apollo fire on the pad, the *Challenger 7*, and now the *Columbia 7*.

Not only will it continue as a memorial, but this program will continue because it is a reflection of the character of the American people. We are by nature explorers and adventurers. That is a part of our character. It began when Europeans left the continent and crossed the oceans. It is deep within our soul to be explorers and adventurers. When we settled this land known as New America, we had a frontier, and it was westward. We still have a frontier, and it is upward.

I believe in my lifetime we will see an international crew from planet Earth go to the planet Mars. We may well go back to the Moon and establish a lunar base. We might be mining things on the surface of the Moon, like helium 3. A cargo bay type load of helium 3 could generate the electrical power for the entire United States for 1 year. Those are the technologies that hold promise. We already see so many of the technologies developed in the space program, particularly when we went to the Moon. We had to have materials that were light in weight, small in volume, and highly reliable. In developing those for space exploration to go to the Moon, the spinoffs have been incredible. This watch is a part of the spinoff. So is an artificial heart. So is a kidney dialysis machine. So is much of our modern-day materials and alloys.

We will continue exploration, not only in the memory of our fallen comrades but for what it reflects as a character of the American people and the American spirit as well as the many benefits we derive from space exploration, not the least of which is to find out about that magnificent creation out there called the universe.

That is why I rise to join with Senator HUTCHISON in sponsoring this resolution commemorating our fallen brethren and sisters.

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

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

The legislative clerk proceeded to call the roll.

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

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

Mr. CORNYN. Mr. President, I ask unanimous consent that the vote on adoption of the pending resolution on the *Columbia* occur at 2:20 today, with 5 minutes prior to the vote equally divided between Senators HUTCHISON and NELSON for closing remarks.

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

Mr. CORNYN. Mr. President, I rise today to pay tribute to the seven men and women of the Space Shuttle *Columbia* who dedicated their lives to the future of this Nation and our Nation's space program. In particular, seven men and women who knew the risk of strapping themselves on top of a rocket, leaving the Earth behind and exploring the heavens. Seven men and women who knew what they were doing but, nevertheless, volunteered for an extremely dangerous but critically important mission: Shuttle Commander Rick Husband, Pilot William McCool, Payload Commander Michael Anderson, Mission Specialist Kalpana Chawla, Mission Specialist David Brown, Mission Specialist Laurel Blair Salton Clark, and Payload Specialist Ilan Ramon.

These brave seven showed the Nation, indeed they showed the entire world that our thirst for knowledge and exploration is not yet quenched and, God willing, will never be. These brave seven are shining examples of the courage, enthusiasm, and awe that runs through the veins of all of the men and women associated with our space program, as well as the eager children across this Nation who look to the stars and see the beginning, not the end, of their dreams.

These brave seven and their colleagues throughout the space program inspire not only our Nation and our children, they inspire the entire world. Their actions, bravery, and achievement are a challenge to all humankind, a challenge to dream more, to achieve more, and to reach farther than ever thought possible.

As we know and as the President observed yesterday, high achievement is inseparable from great risk. These seven proved that in a terrible and tragic way.

I would also like to take a moment to honor the men and women in my State of Texas—the police, fire, and emergency services, as well as thousands of local volunteers who have worked so hard on the ground in the aftermath of this terrible disaster to prevent further tragedy. In addition, they are in the process of collecting important evidence that will ultimately, we trust, lead to determination of what caused this terrible tragedy so it will never ever happen again.

Literally within minutes of the tragedy, ordinary Texans did extraordinary things. By working together, they helped to ensure the safety of their neighbors, and they helped speed the investigation so that heroic astronauts on future space missions will return home safely. These volunteers are still on site working together with law enforcement personnel. I want to express my gratitude, as I know the Nation does, for their efforts.

The fact that America and the world delight in every takeoff and hold their collective breath at every landing is a testament to the power and hope embodied in our Nation's space program. The heroes who create, maintain, and fly these amazing machines are a testament to the fact that dreams are the beginning and not the end of the possible.

I would also like to remind my colleagues that more than one nation mourns this tragedy. The nations of Israel and India and the rest of the world share in our grief as they share in our hope for the future.

Our space program inspired a young girl in the small town of Karnal, India to look to the heavens and see her future. Kalpana Chawla came to the United States, studied hard, worked hard, and became part of the greatest exploration force in the history of the world. Her efforts have inspired thousands of schoolchildren, and her example will inspire countless more in the future. She, in particular, has inspired schoolchildren in her hometown to watch in awe as she achieved what they only dreamed.

In Israel, Ilan Ramon was the hope of a nation and the inspiration for the next generation of scientists, fliers, and adventurers in the nation of Israel. And he no doubt inspired many young people in that country to reach beyond what now seems impossible—to dream beyond the unrest in that troubled area of our world and to dream about achieving the impossible. He is a hero, there and here, and an inspiration to all who dream of the stars.

As we mourn these fallen heroes, let us also take the opportunity to look forward to the future when shuttle flights are as common as air travel and the marvels of the space program are missions the mind has yet to imagine.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. BINGAMAN. Mr. President, I rise to pay tribute to the astronauts who perished aboard the Space Shuttle *Columbia* last Saturday, and to their families. It was a terrible tragedy we all suffered with the death of seven astronauts this last Saturday. We have heard many moving and eloquent tributes to those brave souls since the Columbia was lost. We have learned a great deal about the strength and courage and resourcefulness and humanity of each of those astronauts—Rick Husband, William McCool, David Brown, Kalpana Chawla, Michael Anderson, Laurel Clark, and Ilan Ramon. We have heard from the people who knew them best. Clearly, I and most of us here did not know them personally.

However, I want to take just a moment more to speak about one of those astronauts in particular—Laurel Salton Clark. She spent part of her youth in Albuquerque in my home State and she maintained roots there. Her father lives with his wife in Albuquerque. And Laurel's brother, John Salton, is an engineer at Sandia National Laboratories. Laurel attended Hodgin Elementary School and Monroe Middle School, and frequently returned to Albuquerque for visits with family. She was a stellar student throughout her life. Her only B, according to her father, was one she received in high school in the typing class. She was a medical doctor. She was a flight surgeon in the Navy. And she made the astronaut corps when she was 5 months pregnant.

She stood for what is best about our country. She was brave; she was strong; she was full of life. We are all diminished by her loss. We are also, of course, all diminished by the loss of each of the other brave astronauts who perished in that terrible tragedy on Saturday.

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

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

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. KYL. Mr. President, at the height of the Renaissance, Leonardo da Vinci said: ''When once you have tasted flight, you will forever walk the earth with your eyes turned skyward, for there you have been, and there you will always long to return.''

From that day to this, men and women have toiled and sacrificed, even given their lives to the achievement of manned flight. Poems have been penned, speeches have been delivered, and history has been written honoring those men and women who have lived and some, unfortunately, who have died, to achieve our dreams—the dreams of all mankind.

To honor the memory of these gallant seven, we must devote the resources, and the far-reaching inquiry,

needed to find out what happened on February 1, 2003, and achieve the remedy so that this tragic accident will never be repeated.

As a nation we mourn the loss of the crew of *Columbia,* but as members of the family of man, we should celebrate their courage, their dedication, and their desire to better us all.

To the families of these heroes, here and abroad, we pledge to preserve and nurture the enterprise of space exploration. Our quest will continue. They will guide us on our way.

I would like to close with an observation that speaks to the spirit of exploring the unknown. It is from another member of the NASA family, astronaut Michael Collins. He said: ''It is human nature to stretch, to go, to see, to understand. Exploration is not a choice, really: it is an imperative.''

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. CRAIG. Mr. President, I and all of my colleagues, and I think, all Americans, have been in a period of mourning as a result of the situation that occurred about 9:15 or 9:16 this past Saturday, as many of us watched in horror, the Space Shuttle *Columbia* disintegrate over the continental United States.

All of us in the Senate have had the privilege over the years of meeting many of our astronauts, and certainly even serving with some of them right here in the Senate. We have known of the phenomenal dedication and commitment of these men and women who do this very important work. It is a life of pursuing a challenge, and the reward was the service itself. It was not financial, it was not a large trophy. It was the challenge of the service and what they could provide for our country and for all mankind. I think yesterday, as many witnessed the memorial service at the Johnson Space Center in Houston—I was unable to attend—we were reminded once again of the phenomenal caliber and capability of these seven people.

Barbara Morgan from my State has pursued being an astronaut for many years. She was, up until now—and may still be—scheduled to fly into space within the year. She was part of the original teacher's program—one of those on standby and ready to go up when the *Challenger* went up and was lost. I have seen the excitement of being an astronaut and of achieving as an astronaut—for herself, yes, but for the American people—through the eyes and enthusiasm of Ms. Morgan.

So I am reminded through her, and what I know of her, of the caliber and talent of these people who are selected to become our astronauts.

We will now set about trying to find out what went wrong, as we should, because one wonderful thing about our space program from the very beginning, is we always erred on the side of human safety. We were always extremely cautious and we built phenomenal systems of redundancy to assure that the primary role was to guarantee—or at least provide—the optimum safety that we were technologically capable of doing; and something clearly has gone wrong. It is now our job and the job of NASA to be able to find out and to rectify it for future space travel.

I just said future space travel. I am an enthusiast of the space program and always have been. In the 20-plus years I have served in Congress, I have always supported NASA and all of its efforts. It is within this country's capability, and it is within the full character of our country that we do as we have done in the space program, and that is push and explore the unknown. We were founded, we became a country, we discovered our landmass. Some people thought they might fall over the edge of the earth because some who were on that maiden voyage with Columbus thought the earth was flat and surely they would sail off into the unknown and go over the edge, never to be heard from again. It was that kind of daring that made us what we are.

Just a few weeks ago, my wife and I had the privilege of traveling to Monticello for the commencement program of the bicentennial of Lewis and Clark. Of course, I am from Idaho. In those days, they didn't know there was an Idaho; they just knew there was a wilderness out there that nobody had penetrated before. It was the wisdom of Thomas Jefferson on that day in 1803 to have written a letter to Congress asking for $2,500 to put a team together to explore the unknown. Did they ever think they would return? They didn't know it. There was no guarantee. The risks were high. Of course, all the rest is history.

What we witnessed last Saturday morning was a phenomenal reminder of the great spirit of adventure and the challenge that Americans have met for literally centuries. We are also reminded it is not just going down to the airport and getting on a shuttle. We have become relatively complacent that shuttles flew and there was an inherent amount of safety in them simply because they were flying so often—only to find out that simply was not the case. I hope—and I am confident of it—we will find remedies to the obvious problem that took the lives of seven wonderful human beings last Saturday and, in finding that, we will make another major step forward in allowing humans to travel into outer space and explore, or to allow their genius to travel into outer space and explore. For the adventure of it? Sure, but also for the applications of adventure and the tools of exploration that we then apply in our own lives—whether it is, in fact, velcro, or the miniaturization of the electronic equipment that is a direct result of space travel that we use in all of our lives today to allow us to live more efficiently and be more productive.

That is part of the total investment that is the space program—the ability of this great country to push the outer limits and allow the genius of our people the resources to do just that. So we stand in awe of those who travel in outer space. But Saturday and yesterday were reminders that they are human, and that it is a very dangerous and risky business we pursue in the business of adventure, the business of pushing the unknown, and the great reward for accomplishing and succeeding in doing so.

I yield the floor.

Mr. LEVIN. Mr. President, I join my Senate colleagues and our Nation in honoring the seven astronauts who lost their lives as Space Shuttle *Columbia* returned home last Saturday. These brave individuals flew into space in the name of all humanity, and together we mourn their loss.

Those who perished with *Columbia* represented not only the best of our Nation, but the best of humankind. On board was a crew of seven: COL Rick Husband; LTC Michael Anderson; CDR Laurel Clark; CAPT David Brown; CDR William McCool; Dr. Kalpana Chawla; and Ilan Ramon, a colonel in the Israeli Air Force. They left behind 12 children, their spouses, along with numerous family members and friends. The people of the State of Michigan and our Nation share the grief and the pride of those who lost a loved one aboard the shuttle.

When *Columbia* blasted off from the Kennedy Space Center at Cape Canaveral a few weeks ago, the astronauts aboard left earth in relative anonymity. In many ways this is a result of NASA's success: there have now been 144 manned space missions. Consequently, many have come to view spaceflight as routine.

However, the journey of exploration which they shared posed great risk. But the astronauts aboard *Columbia,* like those aboard *Challenger* and in *Apollo I* before them, understood those risks associated with their mission. Last Saturday, our Nation and the world once again received the ultimate and painful reminders that these are still our first steps into space. Nevertheless, space exploration will continue, for exploring our world and the heavens above has been a dream of humanity since long before the namesake of the *Columbia* set out across the Atlantic Ocean seeking a new route to India.

I am confident that in the coming months we will leave no stone unturned in the quest to find the causes of this catastrophe. I am sure the necessary changes will be made to safely transport the heroes of today and those of tomorrow.

A generation ago, the challenge of manned spaceflight inspired thousands

of students to pursue careers in math, science and engineering. We are still benefitting from the innovations that this generation is responsible for. By rededicating ourselves to spaceflight and the wonders of science, we can produce another generation that will tackle new challenges and inspire us with their discoveries.

I believe the comment of my friend and our former colleague John Glenn summarizes it best. Following the tragedy of the Space Shuttle *Challenger*, he remarked, ''they indeed carried our hopes and our dreams with them. Let us carry their memory with us.'' The men and women of the Space Shuttle *Columbia* carried with them the dreams of all of us and for that we thank them and hold them in our hearts.

Mr. ROCKEFELLER. Mr. President, this past Saturday, the world once again became painfully aware of the risks inherent in manned space travel. The *Columbia* tragedy has deeply wounded not only members of the NASA community, but also every American and indeed every person around the world who has ever looked up into the night sky and gazed in wonderment.

Of course, space exploration has always been a dangerous venture, and the seven astronauts who gave their lives on Saturday knew this full well and accepted their mission witout reservation. Their long dedication to public service and their willingness to sacrifice, even at the risk of their own lives, in pursuit of knowledge and the betterment of mankind should be celebrated. We honor these American heroes.

At the same time, all of our thoughts and prayers are with the families of the crew during this terrible and difficult time. May they know that every American is forever indebted to their loved ones for their bravery and devotion to the American space program.

As we sort out the causes of this tragedy over the next several months and years, however, we must not fear the exploration of outer space. We must strive to return to space as soon as possible, maybe with different means, maybe unmanned, until we can be most assured of improved safety, for the benefits of the space program are innumerable and irrefutable.

Because of research performed in outer space, people all over the world now benefit from, among other things, improved water and air purification systems, kidney dialysis machines, more efficient solar collectors, artificial hearts and limbs, improved emergency rescue equipment, and fire retardant materials, In fact, more than 100 documented NASA technologies from the space shuttle are now incorporated into the tools we use, the foods we eat, and the biotechnology and medicines used to improved our health.

In addition to these immense practical benefits, we must not forget the power of space flight to inspire and motivate that those who will eventually lead us in the future. In 1957, a group of six boys in my home State of West Virginia observed Sputnik flying high overhead and realized that rocketry was their calling in life. In the 45 years since, the group, now known as the Rocket Boys, has mad space exploration a reality for countless children and adults in West Virginia. Early space flight inspired them, and it inspired space education in West Virginia.

As a result of this inspiration, West Virginia is now the proud home of the NASA Independent Identification and Validation Center in Fairmont where 150 NASA employees and contractors play a critical role in space shuttle mission control software. Our State is also the proud home of the Challenger Learning Center at Wheeling Jesuit University which provides schoolchildren and teachers the chance to experience space simulation and many opportunities for math, science, and technology education.

It is easy to support the space program during times of great success and spectacular achievement. But it is perhaps during times of tragedy and confusion that the program needs our support the most. Just yesterday, President Bush expressed his support for the continuation of the space shuttle program, declaring that the ''American journey into space will go on.''

NASA's remaining astronaut corps, as well as their flight directors and engineers, embody the very same bravery and dedication as their fallen colleagues. It is now up to all of us to echo support for our space program so that this bravery is not wasted, so that the immense benefits of the space program, as well as future astronauts, can be safely brought back to Earth.

● Mr. GRAHAM of South Carolina. Mr. President, all Americans were saddened by the terrible tragedy last weekend involving the Space Shuttle *Columbia*. The world has lost seven incredibly talented people who were striving to make this a better planet for us all. Our hearts go out to the families of the astronauts. I hope God will provide them comfort and healing during this difficult time.

For decades, Americans have been proud of our space program and the brave men and women who have led our explorations in space travel. They have been pioneers seeking a better understanding of our own planet and what lies in the deep, dark expanse of space.

In the coming days and weeks our Nation will mourn for the astronauts of the Space Shuttle *Columbia* as well as the friends and families they left behind. We will also mourn for the thousands of dedicated workers at NASA who are suffering from this painful loss. We will take our time to carefully study and examine what went wrong and then we'll make the necessary corrections and adjustments.

At the appropriate time, we will once again move forward into new frontiers and new missions for space exploration. It is who we are. It is what we do. It is why we are Americans.●

Mr. KENNEDY. Mr. President, together, as a nation, we mourn the loss of the seven extraordinary men and women of the *Columbia* shuttle who gave their lives so unselfishly and courageously for our country. They knew the dangers they faced, but they believed in their mission, and they represent the very best of America.

We know the great loss their families and the whole Nation have suffered, and they are very much in our thoughts and prayers. They were daring and brave explorers. Their extraordinary spirit and courage enabled them to reach for the stars and explore the universe and discover its truths. In serving America so well, they also served all humanity.

The best way for all of us to honor the memory and sacrifice of these brave young men and women is to carry on the work they were part of. The tragedy reminds us again that those who venture into space place their own lives at risk as they try to benefit us all. We can vindicate their faith by keeping faith with them. Those whom we have just lost would be the first to say to us, ''persevere, go forward,'' because they were pioneers in the truest sense and in the greatest of American tradition. They were willing to take risks, even to risk their lives in order to benefit us all.

I know how deeply President Kennedy believed in the space program. He called it, ''the vast ocean of space,'' and he set our Nation firmly on a course to explore it, understand it, and use it in ways that help and protect us all. When America first embarked more than 40 years ago on the great voyage into space, President Kennedy said, ''It will not be one man going to the Moon: it will be an entire Nation.''

He knew that when we reach for the stars, sometimes we fall short. But as he knew so well, the mission must go on. He would have been very proud of these seven astronauts, as all of us are today. Let us honor these seven inspiring heroes by continuing the great enduring mission they were part of, for the benefit of our country, our planet, and all peoples everywhere.

As my brother said on November 21, 1963, the day before he left us, ''This Nation has tossed its cap over the wall of space, and we shall have no choice but to follow it.'' In the quintessential spirit of America, the crew of the *Columbia* have tossed their caps over that wall, too, and we shall never forget them.

I extend my deepest and heartfelt sympathy to the families who have so suddenly lost their loved ones. I ask unanimous consent to have printed in the RECORD an excerpt from President Kennedy's address to Congress on space in 1961, and the poem ''High Flight'' by John Gillespie Magee, Jr., which President Reagan read after the loss of the *Challenger* in 1986.

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

EXCERPT FROM ADDRESS OF PRESIDENT JOHN F. KENNEDY TO A SPECIAL JOINT SESSION OF CONGRESS (MAY 25, 1961)

. . . Now it is time to take longer strides—time for a great new American enterprise—time for this nation to take a clearly leading role in space achievement, which in many ways may hold the key to our future on earth.

I believe we possess all the resources and talents necessary. But the facts of the matter are that we have never made the national decisions or marshalled the national resources required for such leadership. We have never specified long-range goals on an urgent time schedule, or managed our resources and our time so as to insure their fulfillment.

Recognizing the head start obtained by the Soviets with their large rocket engines, which gives them many months of lead-time, and recognizing the likelihood that they will exploit this lead for some time to come in still more impressive success, we nevertheless are required to make new efforts on our own. For while we cannot guarantee that we shall one day be first, we can guarantee that any failure to make this effort will make us last. We take an additional risk by making it in full view of the world, but as shown by the feat of astronaut Shepard, this very risk enhances our stature when we are successful. But this is not merely a race. Space is open to us now; and our eagerness to share its meaning is not governed by the efforts of others. We go into space because whatever mankind must undertake, free men must fully share.

I therefore ask the Congress, above and beyond the increases I have earlier requested for space activities, to provide the funds which are needed to meet the following national goals:

First, I believe that this nation should commit itself to achieving the goal, before this decade is out, of landing a man on the moon and returning him safely to the earth. . . . But in a very real sense, it will not be one man going to the moon—if we make this judgment affirmatively, it will be an entire nation. For all of us must work to put him there . . .

HIGH FLIGHT

(By John Gillespie Magee, Jr.)

(Magee was a 19-year-old American volunteer with the Royal Canadian Air Force, who was killed in training December 11, 1941.)

Oh! I have slipped the surly bonds of Earth
And danced the skies on laughter-silvered wings;
Sunward I've climbed, and joined the tumbling mirth
Of sun-split clouds—and done a hundred things
You have not dreamed of—wheeled and soared and swung
High in the sunlight silence. Hov'ring there,
I've chased the shouting wind along, and flung
My eager craft through footless halls of air
Up, up the long, delirious, burning blue
I've topped the wind-swept heights with easy grace,
Where never lark, or even eagle, flew;
And, while with silent, lifting mind I've trod
The high untrespassed sanctity of space,
Put out my hand, and touched the face of God.

Mr. GRASSLEY. Mr. President. I rise today with a heavy heart to honor seven fallen astronauts, the adventurers aboard *Columbia*. On Saturday, February 1, after 16 days in space, their hero's homecoming abruptly turned into a national tragedy. As the space shuttle fell apart upon re-entry into Earth's atmosphere in the skies above Texas, the Nation once again fell into mourning.

Each of the seven astronauts leaves behind family and friends who now bear the burden of immense sorrow and grief. May they find peace in the days and years ahead. The loss of a spouse, father, mother, sibling, or child brings immeasurable anguish, especially under such tragic, public circumstances.

May they find comfort in the knowledge that their loved ones were pursuing their lifelong dreams. The dreams of individuals whose aspirations will benefit all of humanity. They leave behind for their children and grandchildren a legacy that will continue to inspire generations to come. The U.S. space program will continue. Their mission will not be forgotten.

In classrooms across America, Israel, India, and the world over, young impressionable minds can learn from these seven ambitious individuals the values inherent to the human spirit: courage, adventure, discipline, discovery, commitment, exploration, and risk-taking.

Each of the astronauts ought to be remembered in history for their willingness to risk it all in pursuit of scientific discovery. The *Columbia* crew carried out 90 experiments to help solve problems here on Earth, including science experiments developed by students from 9 States and 8 countries. Thanks to their selfless good work—ranging from tests developed to help fight cancer, improve crop yields, build earthquake-resistant buildings, and understand the effects of dust storms on weather—human civilization stands to gain from their labors above.

Like the explorers and frontiersman who traversed the unknown before them, these seven men and women responded to a similar calling. Their predecessors navigated uncharted territory by way of oceans and open prairie: Ferdinand Magellan. James Cook, Lewis and Clark. It is a timeless human quest to discover the undiscovered and to take risks.

These magnificent seven set out on heavenly horizons to explore, investigate, research, and navigate what for most of us Earth-bound folks will remain a mystery. We are indebted to their courage, commitment and contributions.

Mr. President, I wanted like to single out one member of the crew. One of seven U.S. astronauts with Iowa ties, Laurel Clark was born in Ames. She leaves behind some family members in Iowa, including her 96-year-old grandmother Mary Haviland and Doug and Betty Haviland, her aunt and uncle. For the second time in 16 months, Reverend and Mrs. Haviland are coming to grips with devastating grief. They also lost their son in the World Trade Center attacks on 9/11. Friends and family members recall Clark as a high-achiever committed to science and the space program. Last year, she visited an elementary school in Carroll, IA to educate a second-grade class about the space shuttle's mission. A wife and mother of an 8-year-old son, the 41-year-old Navy doctor was on her first space flight. In her e-mails from *Columbia*, Clark wrote about how ''glorious'' it was to see Earth from her position in space. May her loved ones find peace as she watches over them now from the heavens above. The necessary investigations are underway to discover what went so terribly wrong on that bright Saturday morning in February, just minutes before the crew's homecoming. May we fully ascertain what went wrong to bring closure to the loved ones left behind and avert another tragedy. Congress will need to continue strong oversight and consider NASA's budgeting needs to ensure an effective, efficient, and safe space program.

It is sadly ironic to consider that for many Americans, these highly-trained and dedicated astronauts would have remained to them anonymous if not for the tragedy that took their lives. Continuing and improving the space program would be the best way to honor the legacy of the fallen *Columbia* crew. Consider the discoveries waiting to be made in medicine, biology, physics, meteorology, and agro-sciences. Don't discount the advances already made in satellite communications and strategic military defense systems thanks to space exploration.

Four decades ago, the first American astronauts launched us into space. There is no turning back on destiny now.

Notwithstanding the loss of human life, I believe the *Columbia* crew, including Iowa-born Laurel Clark, would urge us to resume America's space odyssey and get back to the future.

Ms. CANTWELL. Mr. President, I rise today to honor the seven heroes lost in the tragic explosion of the space shuttle *Columbia* on February 1, 2003.

The seven members of the *Columbia* crew will be deeply missed by their families, NASA, our entire country, and others following this historic mission.

Though I could recite an astonishing list of accomplishments for each of the seven astronauts, their most important contribution was the example of bravery, courage, and excellence they set for men, women, and children across the land.

I am proud to say that one of these heroes, Air Force LTC Michael Anderson was a beloved son of the Spokane community and a cherished hero for men, women, and children in Washington. But Michael Anderson was a hero long before the accepted the challenge of the *Columbia* mission.

Lieutenant Colonel Anderson knew he wanted to be an astronaut at the early age of 3. This dream followed him to Washington, when he and his family

moved to the Spokane area at age 11 after his father was assigned to the nearby Fairchild Air Force Base.

Throughout his early education in Spokane area public schools, Anderson remained focused on his goal of being an astronaut, becoming an exceptional science student, and overcoming all of the challenges facing a young African-American man in this country.

He graduated from Cheney High School in Cheney, WA, in 1977 and continued his science education with a bachelor of science degree in physics/astronomy from the University of Washington in 1981, when he was also commissioned as a second lieutenant of the Air Force. Anderson later completed a master of science degree in physics from Creighton University in 1990.

After becoming an astronaut in 1994, Michael Anderson took to heart his responsibility as a role model for children around the country and back home. After his 1998 flight on the space shuttle *Endeavor* to the *Mir* Space Station, Anderson visited his alma mater, Cheney High School.

With a crowd of enthralled students listening on, Anderson told the students that they could do what he had done if they set goals and worked hard.

Anderson also left the students a reminder of his achievement, returning a school pennant that he had taken to space with him on the mission. On display in the school's main entrance, this pennant, along with a mission patch and small flag that also went into space, continues to serve as an inspiration to the school's students.

LTC Anderson is an amazing story of courage, achievement against many odds, and sacrifice for this country. He provided a demonstration of excellence and offered a triumphant example of accomplishment for Americans of all color, race, and background. He will be missed, but he will never be forgotten.

The Washington family has also lost another friend in Navy CDR Willie McCool, who made Anacortes, WA, his home during two terms of service at Naval Air Station Whidbey Island.

Commander McCool was not only well regarded during his time at Whidbey, but he continued his tie to the community after he left. Community members remember him for his kindness and professionalism and his love of children; he often returned to Fidalgo Elementary School to discuss his work as an astronaut.

We lost a good friend in Commander McCool and also lost a piece of home; he brought a bit of Anacortes with him on *Columbia* in the form of a Douglas fir cone from the surrounding forest.

Though the loss of this crew is a sober reminder of the risks involved with human space flight, I join the President and many of my fellow Members of Congress in calling for the continued support of NASA's space shuttle program.

Critically, this support, together with a continued investigation of this tragedy, must be focused on ensuring the safety of future space shuttle flights.

The space shuttle program remains a leading force in scientific research and in stimualting public interest in space exploration.

This leadership is exemplified by the numerous experiments conducted by the *Columbia* crew before the tragic reentry, and the interest of scientists, schoolchildren, and people worldwide.

The space shuttle is also critical for the assembly and operation of the International Space Station.

Importantly, the benefits of the experiments conducted on the space shuttle and the International Space Station extend beyond the scientific community to directly enhance the lives of individuals across the globe, whether in finding cures to diseases or helping us understand the origin of the universe.

While the tremendous technical and scientific accomplishments of NASA demonstrate vividly that humans can achieve previously inconceivable feats, the exploration of space also humbles us by exhibiting the miracle of this tiny ''blue marble'' in the cosmos and the wonder and preciousness of human life.

Mr. BROWNBACK. Mr. President, on January 16 the crew of STS–107 launched from Cape Canaveral, FL through the skies to space. They were sent on a mission to further space exploration and had the work of more than 70 international scientists onboard. The *Columbia* crew of seven had a research mission in the space, physical, and life sciences. After a nearly flawless mission, the world witnessed their tragic death as the *Columbia* Space shuttle shattered above the Earth upon its return on February 1.

As is well known now, this crew, doing the work of international scientists, were quite international themselves. The diverse group of human researchers spanned the globe, hailing home to the United States, India, and Israel. Each country celebrated in their own way their national heroes upon the launch of *Columbia*. But now, these countries join together in sharing our sorrows with each other in the aftermath of such a heartbreaking tragedy.

These people each brought something special to the mission of NASA. CDR Rick Husband first dreamed of being an astronaut at the age of 4 and worked throughout his life to become an astronaut, fulfilling his dream in 1994 when he was selected by NASA. Pilot Willie McCool was the most steady and dependable of men; his friends considered themselves blessed to know him. Payload CDR Michael Anderson always wanted to fly and along the way of achieving his goals, he became a role model for African-American children across the United States. David Brown, mission specialist, probably most accurately said what we believe now, that, ''This program will go on,'' no matter what happens. Kalpana Chawla traveled an arduous path to becoming an astronaut and represents so well the diversity aboard the *Columbia*. Born in India, she moved to the United States to fulfill her dream of reaching the stars. She has now done that and more. Laurel Clark was a physician and a flight surgeon who loved her work and her family. From aboard the shuttle Laurel said, ''Life continues in a lot of places and life is a magical thing.'' She could not have captured the feelings of so many any more accurately. Ilan Ramon, who brought so much attention and pride to this mission, was the first Israeli astronaut. The son of a Holocaust survivor, he brought with him aboard the shuttle a picture that a Jewish boy had drawn before he died in the Holocaust.

The diversity of this crew so accurately represents the diversity in the missions of NASA. Even through the cold war era and into today aboard the International Space Station, NASA has been a leader in international relations. Taking giant steps for mankind, NASA often times set the example for the rest of the world to follow. It is in that spirit that we sent the *Columbia* crew to do their work, and it is in that spirit that we will continue their work.

NASA has, from its inception, been charged with making the impossible possible. From the early days of the Mercury Program, through the advancements in Gemini and the triumphant successes of Apollo, NASA has given us a sense of national pride. Yet we mustn't let our pride fool us into thinking that NASA's work is commonplace. Each time a shuttle launches and a mission is accomplished, it is a miraculous, humbling event.

The mission of these seven astronauts did not end when the *Columbia* went down. No. Their mission will go on. Space exploration is in our blood, a part of our national heritage. Manned space flight will continue, and these heroes would want it to. We will move on with space exploration and we will do so with pride, ensuring that these seven lives were not lost in vain.

America is strong. She is steadfast. And she is brave. God has called these mothers, fathers, sons, and daughters, but we will not forget them. We will never forget the inspiration they gave to so many hopeful citizens on Earth. We must persevere and we must move on, for the honor of these seven fallen heroes.

As chairman of the Science, Technology, and Space Subcommittee here in the Senate, I plan to take an active role in ensuring that the dreams of these seven astronauts are not forgotten. As NASA determines what went so terribly wrong, we will be diligent in doing everything we can in the Congress to give NASA the support it needs to make sure we press forward with scientific advances, and that nothing like this happens again.

Our next step will be to determine what the future of space exploration holds for Americans—what our goal is

and how we get there. The tragedy that NASA is enduring will not dissuade or discourage America from venturing into space. Our commitment to space exploration is firm.

For the families of the seven, I send my prayers. As Psalm 19 states, ''The heavens declare the glory of God . . .''. The heavens are now declaring the glory of these seven heroes. There are seven more stars in the heavens tonight, and with each setting of the sun, the spirits of our seven heroes will shine brighter. Every time we look up into the starry night, we can remember the lives of the seven cherished heroes aboard the Space Shuttle *Columbia* and be proud, proud of their dedication, their diversity, and their dream.

I express my heartfelt sorrow and condolences to the families and friends of these seven astronauts. I will never forget the sacrifices they made in the name of exploration. May God bless them and their families.

Mr. KOHL. Mr. President, I rise today to honor the memory of Dr. Laurel Blair Salton Clark, one of the seven courageous astronauts tragically killed when the Space Shuttle *Columbia* disintegrated over Texas on Saturday, February 1.

Dr. Clark was born in 1961 in Ames, IA. She graduated in 1979 from Racine's William Horlick High School in Wisconsin. She received a bachelor's degree in zoology in 1983 and a doctorate in medicine in 1987 from the University of Wisconsin-Madison. Dr. Clark joined the Navy, in part to finance her college education.

A flight surgeon trained as a Navy undersea medical officer, Dr. Clark performed medical evacuations from submarines during assignment in Holy Loch, Scotland. She was assigned as a flight surgeon for a Marine Corps AV–8B Night Attack Harrier Squadron in Yuma, AZ, and for the Naval Flight Officer Advanced Training Squadron in Pensacola, FL. In April of 1996, Dr. Clark was selected by NASA, and she qualified for flight assignment as a mission specialist after completing 2 years of training and evaluation.

There were over 80 experiments conducted aboard *Columbia*, most dedicated to research investigating human physiology, fire suppression, drug delivery techniques, and space communication technology. The research conducted during the 16-day mission was sponsored by NASA and the European, Canadian, and German Space Agencies. Schools and universities around the world were involved in many of the experiments the crew performed in Spacehab, a facility which offers scientists access to microgravity aboard space shuttles.

Many have noted and applauded the diversity of the *Columbia's* crew, and Dr. Clark certainly hoped that the scientific experiments the crew conducted would benefit all mankind. In an e-mail sent to her family and friends on Friday, January 31, she spoke of feeling blessed to be representing the United States and ''carrying out the research of scientists around the world.''

Our thoughts and prayers are with Dr. Clark's 8-year-old son Ian and her husband Jonathan Clark. The loss of the space shuttle's crew is devastating, and my hope is that we can identify the cause of the *Columbia's* breakup and prevent such tragedies in the future.

Dr. Laurel Clark told her loved ones of the *Columbia* mission, ''magically, the very first day we flew over Lake Michigan and I saw Wind Point clearly.'' Speaking on behalf of Wisconsin, we are honored that she considered Racine her hometown. Today, we celebrate the brave contributions Dr. Laurel Blair Salton Clark made during her life and career, and we honor her memory throughout the Nation.

I yield the floor.

Ms. MIKULSKI. Mr President, I rise to speak today on the *Columbia* tragedy. On Saturday, February 1, our Nation suffered a tragic loss. The seven astronauts of the Space Shuttle *Columbia* gave their lives in service of their country and all mankind. These brave men and women displayed a dedication to duty and scientific exploration that is an inspiration to all of us. India and Israel share in our shock and grief. Israel lost a national hero, their nation's first astronaut, Colonel Ilan Ramon. My thoughts and prayers are with all the families. They should know that the United States Senate shares their sorrow and will remember and honor the lives of their loved ones.

The best way to honor these seven brave men and women is to move forward with the space program. But first, there needs to be a thorough, rigorous and candid investigation of what went wrong. The issues confronting us are immediate and severe. Three American astronauts remain in space. The two investigative committees must gather the evidence, conduct their analysis and report to the Congress and to the American people with candor so the shuttle program can move forward in the safest way possible.

In my years as chair of the Appropriations Subcommittee, and now as its ranking member, shuttle safety has been my top priority. But, shuttle safety and astronaut safety have also been the priority of the committee—on a bipartisan basis. When I first joined the committee, Senator Jake Garn of Utah—himself a former astronaut—was my mentor. We worked together using the findings of the Challenger and Augustine Commissions as blueprints for NASA's future. The Augustine report gave us guiding principles for a balanced space program. The *Challenger* report told us what we needed to do on safety. Now, with my friend and colleague, Senator KIT BOND, I share the same bipartisan spirit. We have common goals and common values. He believes, as I do, that safety must come first. Over the last few years, no matter which of us was chair and which was ranking, safety was the number one priority.

There has never been any question that we would fully fund the shuttle program and shuttle safety initiatives. Year after year, Senator BOND and I worked together to make sure everything that NASA asked for was put in the Federal checkbook. But, we went even farther than that. For the last two years, while I was chair, I wrote into the report language that NASA must make the safety of the shuttle program and the safety of our astronauts its highest priority. Last year, I said in the committee's report that NASA's budget must reflect its long-term challenges. I asked for a detailed assessment of the agency's needs and an accounting of what funding was needed.

The immediate need facing NASA is the *Columbia* investigation. This report addresses an immediate problem for which there are immediate and severe consequences. Then the long range issues must be addressed. What does NASA do about its aging infrastructure and aging workforce? How are we going to have a balanced 21st century space program that includes human flight, space science and aeronautics?

To conclude, I salute the men and women of Texas and Louisiana. The local law enforcement, national guard, regular men and women who live in these small towns—everyone is pitching in to find fragments of the *Columbia*, to guard them, to make sure every piece gets to the NASA investigators. People are opening their homes to volunteers, cooking and delivering meals. Thank you for everything you are doing. You represent the best of the American spirit. Like we have seen after other tragedies—the rescue workers and volunteers at ground zero—in the face of tragedy, America stands united.

Mr. LOTT. Mr. President, I take this time to express my grief, as well as the grief of all Mississippians, over the loss of the crew of the Space Shuttle *Columbia*. Mississippians feel a strong bond to both the space program and the crew of the *Columbia*. One reason for this bond is NASA's John C. Stennis Space Center. The Stennis Space Center, which is located in Hancock County, MS, tests every space shuttle's main engine before it is installed for a launch. Also, the Stennis Space Center's remote sensing experts are currently assisting NASA in locating debris from the *Columbia*.

Another reason Mississippians feel closely connected to the *Columbia* tragedy is that Robert and Barbara Anderson, the parents of LTC Michael Anderson, were both born in Mississippi. While Mr. and Mrs. Anderson now live in Spokane, WA, they still have family members who reside in Madison County, MS. While these ties to the space program and the crew of the *Columbia* provide Mississippians with a source of great honor and pride, now that tragedy has struck, these ties make the loss of the seven *Columbia* astronauts that much more personal.

The loss of the *Columbia* crew was truly a national tragedy. While the United States has been blessed with many outstanding natural resources, no one will ever convince me that our most valuable resource is anything other than the outstanding individuals this country produces. Our NASA astronauts are outstanding individuals who represent the best of the best.

While I am sure that many here are familiar with the type of outstanding personal achievement that is required to become an astronaut, I would like to take a moment to give a brief synopsis of the accomplishments of the seven crew members of the *Columbia* shuttle.

COL Rick Husband, commander. Rick Husband, 45, was a test pilot in the U.S. Air Force. He received a bachelor of science degree in mechanical engineering from Texas Tech University in 1980 and a master of science degree in mechanical engineering from California State University-Fresno in 1990. Husband had already completed a space mission as the pilot of STS–96 in 1999, on which the first docking with the International Space Station was performed. Rick Husband leaves a wife and two children behind.

CDR William C. McCool, pilot. William C. McCool, 41, served as a commander in the U.S. Navy and was also a former test pilot. In 1983, McCool received a bachelor of science degree in applied science from the U.S. Naval Academy, where he graduated second in his class. He later received a master of science degree in computer science from the University of Maryland in 1985 and a master of science degree in aeronautical engineering from the U.S. Naval Postgraduate School in 1992. This was William McCool's first space flight. He leaves behind a wife and three children.

LTC Michael P. Anderson, payload commander. Michael Anderson, 43, was a lieutenant colonel in the U.S. Air Force, where he served as an instructor pilot and tactical officer. Anderson received a bachelor of science degree in physics/astronomy from University of Washington in 1981 and a master of science degree in physics from Creighton University in 1990. Selected by NASA in December of 1994, Anderson flew on STS–89 in 1998 and has logged over 211 hours in space. Anderson leaves behind a wife and two daughters.

CAPT David M. Brown, mission specialist 1. David Brown, 46, was a captain in the U.S. Navy and served as a naval aviator and flight surgeon. Brown received a bachelor of science degree in biology from the College of William and Mary in 1978 and a doctorate in medicine from Eastern Virginia Medical School in 1982. This was Brown's first space flight.

Dr. Kalpana Chawla, mission specialist 2. Kalpana Chawla was an aerospace engineer and an FAA certified flight instructor. She received a bachelor of science degree in aeronautical engineering from India's Punjab Engineering College in 1982, a master of science degree in aerospace engineering from the University of Texas-Arlington in 1984, and a doctorate in aerospace engineering from the University of Colorado-Boulder in 1988. Chawla was the prime robotic arm operator on STS–87 in 1997 and had logged more than 376 hours in space prior to the *Columbia* flight. Chawla was the first Indian-born woman in space and leaves a husband behind.

CDR Laurel Blair Salton Clark, mission specialist 4. Laurel Clark, 41, was a commander in the U.S. Navy and a naval flight surgeon. She received a bachelor of science degree in zoology from the University of Wisconsin-Madison in 1983 and a doctorate in medicine from the same school in 1987. The *Columbia* flight was Clark's first space flight. She leaves behind a husband and an 8-year-old son.

COL Ilan Ramon, payload specialist 1. Ilan Ramon, 48, was a colonel in the Israeli Air Force. Ramon received a bachelor of science degree in electronics and computer engineering from the University of Tel Aviv in 1987. He served as a fighter pilot during the 1970s, 80s, and 90s and was a veteran of the Yom Kippur War in 1973, as well as the 1982 war in Lebanon. The *Columbia* flight was Ramon's first, and with it he became the first Israeli in space. He leaves behind a wife and four children.

As you can see, this group of individuals would stand out in any company, and it is right that the country should mourn their loss. And as the country mourns, it is especially important that we remember the friends and family of the lost astronauts. If just their accomplishments and dedication to their countries can cause whole nations to mourn, I can only imagine the grief of those who knew them personally and lost not only a national hero, but a friend, or spouse, or parent. I can only hope the knowledge that the thoughts and prayers of entire Nations are with them will provide some small comfort.

While our Nation grieves deeply for these men and women who have made the ultimate sacrifice in the name of their countries, we take solace in the fact that we will benefit immeasurably for years to come from their dedication and hard work. The crew of the *Columbia* surely represented the best of this world. They entered space not just as members of one nationality, race, or religion, but as fellow human beings. The crew members risked and ultimately sacrificed their lives, not for personal gain, but for the advancement of science and the betterment of humankind. It is for these reasons that I want to say thank you to COL Rick Husband, CDR William C. McCool, LTC Michael P. Anderson, CAPT David M. Brown, Dr. Kalpana Chawla, CDR Laurel Blair Salton Clark, COL Ilan Ramon, and all their friends and family who have shared in their sacrifice.

Mr. SARBANES. Mr. President, we are deeply saddened by Saturday's loss of seven astronauts as they returned from a 16-day voyage aboard the space shuttle *Columbia*. The tragic loss of the crew of mission STS–107 touches not only all Americans, but also many members of our larger, global community. As we honor the courageous men and women of the *Columbia* and mourn their loss, our thoughts and prayers are with their families and loved ones.

The seven men and women aboard the *Columbia* were truly a select group of explorers. They represented the vast range and distinction of our nation's skills and achievements; all had extensive training in various fields of scientific inquiry. At the same time, they represented America's finest aspirations. Diverse in their origins, they shared a dream of space travel, and they lived and worked together in a common spirit of cooperation, curiosity, and courage.

Michael Anderson, *Columbia*'s payload commander, spoke for all the crew when he said the following, in an interview appearing in the Baltimore Sun this past Sunday:

> I take the risk because I think what we're doing is really important. For me, it's the fact that what I'm doing can have great consequences and great benefits for everyone, for mankind.

Research was the primary mission of STS–107. The *Columbia* carried 32 payloads with material for 59 separate investigations. Among these payloads were student experiments from Australia, China, Israel, Japan, Liechtenstein, and the United States. State-of-the-art communications equipment allowed earthbound researchers and the global public to witness experiments as they were being performed. To make the most of their 16 short days in space, the seven astronauts worked in two shifts, around the clock. We have suffered the grievous loss of our astronauts. But the astronauts completed much of their mission.

We can honor the crew of mission STS–107, Colonel Rick D. Husband, Commander William McCool, Lieutenant Colonel Michael P. Anderson, Captain David M. Brown, Dr. Kalpana Chawla, Commander Laurel Blair Salton Clark, and Colonel Ilan Ramon, by rededicating ourselves anew to the mission they so vigorously embraced. We must have a prompt and thorough account of the events that brought down the *Columbia*, but we must not let our great sense of loss deter us from continuing their work. For more than forty years, the space program has played a vital role in our broader national research efforts. Our space explorations have led to scores of new discoveries, which have given us not only better insights into the universe but also a better understanding of the earth, and of life here on earth. We will remain forever grateful to the crew of the *Columbia* for the legacy they have left us, and the example they set.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized.

Mr. REED. Mr. President, I rise today to join my colleagues and the

country in remembering the seven brave crewmembers of the Space Shuttle *Columbia* who tragically lost their lives last Saturday morning, February 1, 2003.

Rick Husband, William McCool, Michael Anderson, Kalpana Chawla, David M. Brown, Laurel Blair Salton Clark, and Ilan Ramon gave their lives trying to expand our knowledge of science, advance our technology, and broaden the limits of our universe.

These seven courageous astronauts sacrificed their lives for our future. While this is a time of great sadness, it is also a time to take great pride in their achievements, their dedication, and their service to the Nation and to the world.

They were seven different people with various skills, many talents, and different backgrounds, and they all came to work together as a team. That is what most people believe America should be like: working together as a team to accomplish something greater than themselves. They could have had very comfortable jobs somewhere else, but they chose to risk their lives for the country. They have not only found a place in our hearts, but they have found a place in our imagination also because, for me, they represent what this country is all about. They came together. They came from modest circumstances. They used the power of education to prepare themselves not just for personal success but to contribute to the Nation and to contribute to the world. They exemplify the best of this Nation.

They understood that great accomplishment and great achievement bring great risk. They knew this, yet they valiantly accepted, in the name of science and exploration, all the risks. It is important we pay tribute to them and acknowledge the risks our astronauts take with every mission.

We tend to take these risks for granted and forget the extreme conditions and pressures these brave men and women face and will face in the future. In honor of the crew of *Columbia*, we must not take these risks for granted any longer.

In their honor, we must pledge to continue the peaceful exploration of space. We have forged international partnerships. We have been able to share the pride of an international space station. We must continue to fund NASA, continue our space programs, and continue in the tradition of American and human accomplishment.

Later this year, we will celebrate the 100th anniversary of the Wright brothers' monumental 59-second flight on December 17, 1903. That flight forever changed the world. Fifty-four years later, we were able to put a man in space.

The process of innovation and exploration must go on, and America must play its traditional significant, historic role.

We have in our process from the sands of Kitty Hawk to the stretches of the Moon experienced powerful joy and monumental success, and yet we have faced tremendous setbacks and extreme sorrow. But we have persevered, and we have continued our missions into the heavens.

From our colleague John Glenn and Allan Shepherd to Neil Armstrong to an international space station, and from the crew of *Challenger* and the crew of *Columbia*, we must continue to challenge ourselves as they challenged themselves. We must continue to better ourselves as a nation and continue to grow.

President Kennedy challenged America to send a man to the Moon. We have met that challenge and have gone far beyond.

As we continue with future missions, we must never forget these seven brave souls. They gave the ultimate sacrifice for a noble cause. My deepest condolences go out to their families and the Nation that mourns them and the country of Israel that mourns its lost astronaut. This is a time for mourning, but we must shortly move on and continue to run the great risks they took, in their memory, so we can build upon their sacrifice, so we continue to reach for the heavens and beyond.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

RECESS

Mr. ENSIGN. Mr. President, I ask unanimous consent that the Senate stand in recess for the policy lunches and that it reconvene at 2:15 p.m.

There being no objection, the Senate, at 12:27 p.m., recessed until 2:16 p.m. and reassembled when called to order by the Presiding Officer (Mrs. DOLE).

COMMEMORATING THE ''COLUMBIA'' ASTRONAUTS—Continued

The PRESIDING OFFICER. There are now 5 minutes evenly divided.

Mrs. HUTCHISON. I yield 1½ minutes to Senator BENNETT from Utah.

Mr. BENNETT. Madam President, all that needs to be said has been said by the President and others about the shuttle disaster. I simply note the people of Utah are particularly distressed, not only with the human tragedy that affects all Americans but because the space program is very close to the hearts of all Utahans.

My predecessor in the Senate, Jake Garn, was an astronaut on the shuttle. The Jake Garn Space Center at Utah State University is named after the Senator. The schoolchildren of Utah assembled project ''Star Shine,'' which was a school science project that was carried into space by the shuttle. So all Utahans join in expressing our condolences to the families, and our determination that space exploration by this country will nonetheless still go forward.

Mrs. HUTCHISON. Madam President, Senator NELSON and I attended, along with many other Senators, the beautiful service yesterday honoring these brave astronauts that we now know so much more about. Today the Senate is commemorating these *Columbia* astronauts and reconfirming the importance to our country that space research has been and will continue to be.

In the resolution we talk about U.S. Air Force COL Rick Husband, the mission commander, who was from Texas; U.S. Navy commander, William Willie McCool, the pilot; U.S. Air Force LTC Michael Anderson, payload commander, mission specialist; U.S. Navy CAPT David Brown, mission specialist; U.S. Navy commander Laurel Blair Salton Clark, mission specialist; Dr. Kalpana Chawla, mission specialist; and Israeli Air Force COL Ilan Ramon, payload specialist. They were killed in the line of duty. The Senate is honoring them today.

Debris has been recovered in 38 counties of my State, spreading over a surface area of 28,000 square miles, an area the size of West Virginia. The Space Shuttle *Columbia* broke up 40 miles above the ground.

It is my honor to cosponsor this resolution with Senator NELSON, the only Member of the Senate who has actually been on a manned space flight, and Senator Glenn, of course, before him. He has been a great resource on the committee.

Before turning it over to Senator NELSON of Florida, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON of Florida. Madam President, how much time remains in the debate?

The PRESIDING OFFICER. The Senator has 2½ minutes.

Mr. NELSON of Florida. Madam President, it is with sadness that I rise to join my colleague from Texas to support this resolution. So many of our colleagues have joined us. We thank you very much for joining us yesterday as we went to the space center in Houston.

This is a resolution that not only talks about the past, and about bravery, but it talks about the future. It talks not only about honoring the legacy and the lives and the sacrifice of these brave souls but also about fulfilling America's destiny as a nation of explorers and adventurers.

This resolution is about the vision that ignites the heart of almost every American, to think that we are pushing back the frontier. As we developed

this country, we used to push westward. That was our frontier. Now we push upward and explore the heavens.

I urge our colleagues to join Senator HUTCHISON and me in supporting this resolution.

I yield the floor.

The PRESIDING OFFICER. The question is on agreeing to the resolution. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. FRIST. I announce that the Senator from Kentucky (Mr. MCCONNELL) is necessarily absent.

Mr. REID. I announce that the Senator from Florida (Mr. GRAHAM), the Senator from Iowa (Mr. HARKIN), the Senator from New Jersey (Mr. LAUTENBERG), and the Senator from Georgia (Mr. MILLER) are necessarily absent.

I further announce that if present and voting the Senator from Florida (Mr. GRAHAM), the Senator from Iowa (Mr. HARKIN), the Senator from New Jersey (Mr. LAUTENBERG), and the Senator from Georgia (Mr. MILLER) would each vote Aye.

The PRESIDING OFFICER. Are there any other Senators in the chamber desiring to vote?

The result was announced—yeas 95, nays 0, as follows:

[Rollcall Vote No. 30 Leg.]

YEAS—95

Akaka	DeWine	Lincoln
Alexander	Dodd	Lott
Allard	Dole	Lugar
Allen	Domenici	McCain
Baucus	Dorgan	Mikulski
Bayh	Durbin	Murkowski
Bennett	Edwards	Murray
Biden	Ensign	Nelson (FL)
Bingaman	Enzi	Nelson (NE)
Bond	Feingold	Nickles
Boxer	Feinstein	Pryor
Breaux	Fitzgerald	Reed
Brownback	Frist	Reid
Bunning	Graham (SC)	Roberts
Burns	Grassley	Rockefeller
Byrd	Gregg	Santorum
Campbell	Hagel	Sarbanes
Cantwell	Hatch	Schumer
Carper	Hollings	Sessions
Chafee	Hutchison	Shelby
Chambliss	Inhofe	Smith
Clinton	Inouye	Snowe
Cochran	Jeffords	Specter
Coleman	Johnson	Stabenow
Collins	Kennedy	Stevens
Conrad	Kerry	Sununu
Cornyn	Kohl	Talent
Corzine	Kyl	Thomas
Craig	Landrieu	Voinovich
Crapo	Leahy	Warner
Daschle	Levin	Wyden
Dayton	Lieberman	

NOT VOTING—5

Graham FL	Lautenberg	Miller
Harkin	McConnell	

The resolution (S. Res. 45) was agreed to.

The preamble was agreed to.

The PRESIDING OFFICER. The majority leader.

MOMENT OF SILENCE

Mr. FRIST. Madam President, in response to the resolution, I ask unanimous consent that we have a moment of silence, here and in the Galleries as well, out of respect for the astronauts, their families, and the much larger NASA community who are mourning as we speak. A moment of silence, please.

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

(The Senate observed a moment of silence.)

Mr. FRIST. Thank you.

The PRESIDING OFFICER. The majority leader.

ORDER OF BUSINESS

Mr. FRIST. Madam President, we will now be proceeding to the Estrada nomination. To my colleagues, I simply report that a little bit later in the day we will be announcing whether or not there will be further votes today. Later today, in our wrap-up, we will talk about the plans for tomorrow and on Monday, but I would suspect we will be in session tomorrow morning until approximately noon and that we will be in session on Monday.

It is important that we have the debate and discussion that will begin shortly on this particular nomination which is very important to this body and to the country. We anticipate a very good discussion as we go forward. It will be active and we want to give plenty of opportunity for both sides to be heard as we proceed to debate.

EXECUTIVE SESSION

NOMINATION OF MIGUEL A. ESTRADA, OF VIRGINIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE DISTRICT OF COLUMBIA CIRCUIT

The PRESIDING OFFICER. Under the previous order, the Senate will now go into executive session and proceed to the consideration of Executive Calendar No. 21, which the clerk will report.

The assistant legislative clerk read the nomination of Miguel A. Estrada, of Virginia, to be United States Circuit Judge for the District of Columbia Circuit.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Madam President, I am pleased that we have finally gotten to consider the nomination of Miguel Estrada to preside on the United States Court of Appeals for the District of Columbia Circuit, which has been pending before the Senate since May 9, 2001. I strongly support this nomination, and I hope we can vote on it soon. Also, I should say that I truly hope that news reports are inaccurate about efforts by my colleagues on the other side of the aisle to engage in a filibuster of this nominee in an effort to deny him a vote by the full Senate. To defeat this nominee in this manner would be unprecedented and a real shame for this body.

As many of us who are familiar with Mr. Estrada know, he represents a true American success story. His story can make us all proud to be members of this country, make us proud of our country. Born in Tegucigalpa, Honduras, his parents divorced when he was only 4 years old. Mr. Estrada remained in Honduras with his father while his sister emigrated to the United States with his mother. Years later, as a teenager, Mr. Estrada joined his mother in the United States. Although he had taken English classes during school in Honduras, he actually spoke very little English when he immigrated. He nevertheless taught himself the language well enough to earn a B- in his first college English course. In a matter of years, he not only perfected his English skills, but he exceeded the achievements of many persons for whom English is their native tongue. He graduated magna cum laude and Phi Beta Kappa in 1983 from Columbia College, then magna cum laude in 1986 from Harvard Law School, where he was editor of the Harvard Law Review. Those are really difficult achievements.

Mr. Estrada's professional career has been marked by one success after another. He clerked for Second Circuit Judge Amalya Kearse a Carter appointee—then Supreme Court Justice Anthony Kennedy. He worked as an associate at the law firm of Wachtell Lipton in New York City, one of the great law firms of this country. He then worked as a Federal prosecutor in Manhattan, rising to become deputy chief of the appellate division. In recognition of his appellate skills, in spite of the fact that he has a speech handicap, he was hired by the Solicitor General's Office during the first Bush administration. He stayed with the Solicitor General's Office for most of the Clinton administration. When he left that Office, he joined the Washington, DC, office of Gibson, Dunn & Crutcher, where he has continued to excel as a partner. And everybody knows that the law firm of Gibson, Dunn & Crutcher is one of the great law firms of this country.

Most lawyers are held in high esteem if they have argued even one case before the Supreme Court. Mr. Estrada has argued 15 cases before the States Supreme Court. This is an impressive accomplishment by any standard, but it is particularly remarkable when you take two additional factors into consideration. First, as I have noted, English is not Mr. Estrada's native language. He has nevertheless mastered it to such a degree that he is considered to be one of the foremost appellate lawyers in our country. Second, his oral argument skills are even more extraordinary because, as I have mentioned, he has worked to overcome a speech impediment.

Despite this disability, Mr. Estrada has risen to the top of the ranks of oral advocates nationwide. People all over this country have admiration for him.

The legal bar's wide regard for Mr. Estrada is reflected in his evaluation

by the American Bar Association. The American Bar Association evaluates judicial nominees based on their professional qualifications, their integrity, their professional competence, and their judicial temperament. They do not have an official role in the confirmation process, but Senate Democrats did identify the group's evaluations last year as the ''gold standard.''

They ask judges who have heard a nominee argue cases, lawyers on the other side of cases, and hundreds of lawyers with whom the nominee has worked. They also ask neighbors and friends and other critics, people who have axes to grind. They really go into a lot of things, but mainly with people in the profession.

Based on its exhaustive assessment of these factors, the ABA has bestowed upon Mr. Estrada its highest rating of unanimously well qualified. That is high praise indeed.

I have to say, as one who has been critical of the American Bar Association and their evaluation process in the past, in recent years I think they have been doing an excellent job. We are gaining by the work they are doing.

In the past I have seen them as a partisan organization that was not fair to Republican nominees, at least to some Republican nominees. But I don't find that bias any longer. I want to praise the American Bar Association for it.

I take the time to offer up this brief recitation of Mr. Estrada's personal and professional history because I think it illustrates that he is in fact far from some rightwing idealogue that some of the usual opposition groups have portrayed him to be. He clerked for Judge Kearse, a Carter appointee; then Justice Kennedy, a moderate by any standard. He joined the Solicitor General's office and stayed on through much of the Clinton administration. His supporters include a host of well-respected Clinton administration lawyers, including Ron Klain, former Vice President Gore's chief of staff and a former staffer on the Senate Judiciary Committee, a man we all respect; Robert Litt, head of the criminal division in the Reno Justice Department or the Clinton Justice Department; Randolph Moss, former assistant Attorney General; and Seth Waxman, former Solicitor General in the Clinton administration. All of these people are people we respect, we admire, all of them are Democrats, and all of them have been Democrat leaders, and all of them have had an awful lot of influence with the Senate Judiciary Committee and the Senate itself through the years.

Mr. Klain's letter to the committee in support of Mr. Estrada is particularly insightful. He wrote:

> Mr. Estrada will bring an independent streak to his judging, that may serve to surprise those who nominated him—and I think will give every litigant, from any point of view, a fair chance to persuade Mr. Estrada of the rightness of his or her case.

Another letter from more than a dozen of Mr. Estrada's former colleagues at the Solicitor General's office states that:

> . . . he is a person whose conduct is characterized by the utmost integrity and scrupulous fairness, as befits a nominee to the federal bench.

I ask unanimous consent to print a copy of these letters in the RECORD.

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

O'MELVENY & MYERS LLP,
Washington, DC, January 16, 2002.

Hon. PATRICK LEAHY,
Chairman, U.S. Senate Committee on the Judiciary, Dirksen Senate Office Building, Washington, DC.

DEAR CHAIRMAN LEAHY: When we talked recently, I told you that I was supporting the nomination of Miguel Estrada to be a Judge of the U.S. Court of Appeals for the District of Columbia Circuit. Given that I did not have, at that time, a chance to explain the basis for my position in depth, I thought I might put my views in writing for your consideration.

At the outset, let me be clear that I write this letter with mixed emotions. Not mixed emotions about Miguel: if President Bush is to fill this seat on the D.C. Circuit, I believe Miguel is an outstanding candidate who merits confirmation. Rather, I think it is unfortunate that this vacancy exists at all due to the Senate's failure to confirm two outstanding, and well-qualified candidates for this court nominated by President Clinton. In this case, that unfairness is particularly ironic, as I met both Elena Kagan—President Clinton's nominee for this position—and Miguel Estrada—President Bush's nominee—when we were all law students. The federal judiciary would be better off if the Senate had confirmed Professor Kagan last year—and then, with a subsequent vacancy arising during the Bush administration, Mr. Estrada were nominated and confirmed. But unfortunately, that is not the way that things worked out.

That said, I would hope that Miguel Estrada would gain your support for confirmation this year. I believe that Miguel is a person of outstanding character, tremendous intellect, and with a deep commitment to the faithful application of precedent. I have known Miguel for 15 years, and have seen him in a variety of contexts and circumstances. Though Miguel is politically conservative, I support his confirmation for three reasons that go beyond those factors that are obvious on their face; i.e., three reasons that go beyond his outstanding credentials, his intellect, and his incredible record of achievement as a lawyer.

First, Miguel is a serious lawyer who takes the law very seriously. Yes, Miguel has passionate views about legal policy and can be a strong advocate in a debate. But I have no doubt that, on the bench, Miguel will faithfully apply the precedents of his court, and the Supreme Court, without regard to his personal views or his political perspectives. His belief in the rule of law, in a limited judiciary, and in the separation of powers is too strong for him to act otherwise. He will not be one of those ''conservatives'' who gives speeches about judicial restraint, but then becomes an unabashed judicial activist on the bench. He will do his job as the law, the Constitution, and his duty requires. I do not think we can ask more of a judge on an intermediate appellate court.

Second, Miguel will rule justly toward all, without showing favor to any group or individual. When I worked on the Judiciary Committee staff, one of your colleagues once said to me, ''Adversity in youth can affect potential judges one of two ways: it can make them compassionate towards those in need—feeling empathy for their plight—or it can make them cold-hearted—feeling as if 'I made it without help, so you can, too.'" Miguel is one of those individuals who falls firmly in the first category: the challenges that he has overcome in his life have made him genuinely compassionate, genuinely concerned for others, and genuinely devoted to helping those in need. In the political arena, Miguel favors very different policies than you and I do to achieve these ends. But his commitment to them is without question—and the fact that he would bring this commitment with him to the bench, in the dispensation of justice to all, is also without question. Those without means or without advantage will get a fair hearing from Miguel Estrada.

Third, Miguel will bring an independent streak to this judging, that may serve to surprise those who have nominated him—and I think will give every litigant, from any point of view, a fair chance to persuade Miguel of the rightness of his or her case. Make no mistake about it, Miguel is conservative, and in cases where those sorts of labels matter, is more likely to rule ''that way'' than the judges nominated to the D.C. Circuit by President Clinton. Miguel Estrada will not be ''the David Souter'' of the D.C. Circuit. But I do think that Miguel will be more independent, more open-minded, more likely to ''break ranks'' than other potential nominees of this conservative President. Miguel is a rigorous skeptic—and I have seen him be as skeptical about conservative shibboleths as liberal ones. He will ask tough questions of both sides, and give both sides a chance to win him over. This powerful intellectual quality is not unhinged from a compassion for people—rather, it is harnessed by Miguel in service of that compassion. It is a quality that will make Miguel a very fair judge.

In closing, I appreciate your consideration of this letter and the views expressed here. I wish you the best in trying to untangle the difficult mess that the confirmation process has become. And I hope you will see fit to support Miguel Estrada's confirmation when the Committee acts on that nomination.

With best wishes,

Sincerely,

RONALD A. KLAIN,
O'Melveny & Myers LLP.

SEPTEMBER 19, 2002.

Re nomination of Miguel A. Estrada.

Hon. PATRICK J. LEAHY,
Chairman, Senate Committee on the Judiciary, Dirksen Senate Office Building, U.S. Senate, Washington, DC.

Hon. ORRIN G. HATCH,
Ranking Member, Senate Committee on the Judiciary, Dirksen Senate Office Building, U.S. Senate, Washington, DC.

DEAR CHAIRMAN LEAHY AND SENATOR HATCH: We are writing to express our support for the nomination of Miguel A. Estrada to be a Judge of the United States Court of Appeals for the District of Columbia Circuit. We served with Mr. Estrada in the Office of the Solicitor General, and we know him to be a person of exceptional intellect, integrity, and professionalism who would make a superb Circuit Judge.

Miguel is a brilliant lawyer, with an extraordinary capacity for articulate and incisive legal analysis and a commanding knowledge of and appreciation for the law. Moreover, he is a person whose conduct is characterized by the utmost integrity and scrupulous fairness, as befits a nominee to the federal bench. In addition, Miguel has a deep and abiding love for his adopted country and

the principles for which it stands, and in particular for the rule of law. We hold varying ideological views and affiliations that range across the political spectrum, but we are unanimous in our conviction that Miguel would be a fair and honest judge who would decide cases in accordance with the applicable legal principles and precedents, not on the basis of personal preferences or political viewpoints.

We also know Miguel to be a delightful and charming colleague, someone who can engage in open, honest, and respectful discussion of legal issues with others, regardless of their ideological perspectives. Based on our experience as his colleagues in the Solicitor General's office, we are confident that he possesses the temperament, character, and qualities of fairness and respect necessary to be an exemplary judge. In combination, Miguel's exceptional legal ability and talent, his character and integrity, and his deep and varied experiences as a public servant and in private practice make him an excellent candidate for service on the federal bench.

We hope this information will be of assistance to the Committee in its consideration of Mr. Estrada's nomination. He is superbly qualified to be a Circuit Judge for the District of Columbia Circuit, and we urge your favorable consideration of his nomination.

Very truly yours,

Thomas G. Hungar, Gibson, Dunn & Crutcher LLP; Richard P. Bress, Latham & Watkins; Edward C. DuMont, Wilmer, Cutler & Pickering; Paul A. Engelmayer, Esq., Wilmer, Cutler & Pickering; David C. Frederick, Kellogg, Huber, Hansen, Todd & Evans, P.L.L.C.; William K. Kelley, Notre Dame Law School; Paul J. Larkin, Jr., 1314 Cleveland Street; Maureen E. Mahoney, Latham & Watkins; Ronald J. Mann, Roy F. & Jean Humphrey Proffitt Research Professor of Law, University of Michigan Law School; John F. Manning, Columbia Law School; Jonathan E. Nuechterlein, Wilmer, Cutler & Pickering; Richard H. Seamon, Associate Professor, University of South Carolina; Amy L. Wax, Professor of Law, University of Pennsylvania Law School; Christopher J. Wright, Harris, Wiltshire & Grannis LLP.

Mr. HATCH. Mr. Estrada's supporters are not limited to prominent and well-connected Democrats and Republicans. We heard during his confirmation proceedings or hearings about Mr. Estrada's pro bono efforts before the Supreme Court to overturn the conviction of death row inmate Tommy David Strickler. His cocounsel in that case, Barbara Hartung, wrote the committee that Mr. Estrada:

. . . values highly the just and proper application of the law. Mr. Estrada's respect for the Constitution and the law may explain why he took on Mr. Strickler's case, which at the bottom concerned the fundamental fairness of a capital trial and death sentence. I should note that Mr. Estrada and I have widely divergent political views and disagree strongly on important issues. However, I am confident that Mr. Estrada will be a distinguished, fair and honest member of the federal appellate bench.

Again, that is high praise from Barbara Hartung.

Another letter in support of Mr. Estrada came from Leonard Joy, attorney in charge of the Legal Aid Society, Federal Defender Division in New York City, which is the community defender organization appointed to represent indigent defendants in Federal court at the trial and appellate levels. Mr. Joy, who frequently represented defendants whom Mr. Estrada prosecuted while he was an assistant U.S. Attorney, wrote that:

He clearly was one of the smartest attorneys in the office which prides itself in attracting the best and the brightest. Yet throughout he was eminently practical in the judgments he made and he had a down-to-earth approach to his cases. I found him to be a fair and straightforward prosecutor who did not treat defendants unduly harshly.

It is fair to say that all lawyers in my office liked him. Many of them are liberal in their politics and it is a credit to Mr. Estrada that he was able to get along with people who may have had different views than he.

Mr. HATCH. The letters the committee has received from lawyers who know Mr. Estrada both personally and professionally depict him as a brilliant yet fair attorney who is willing to listen to both sides of an issue before making a decision. Inherent in this description is the necessary conclusion that Mr. Estrada is not an idealogue but instead shows great respect for persons with divergent viewpoints. Indeed, as I noted at the hearing, Mr. Estrada placed phone calls to my office to support the confirmation of two Clinton judicial nominees: Adalberto Jose Jordan, who was confirmed to the Southern District of Florida, and Elena Kagan, nominated for the DC circuit.

Beyond the letters of support we have received for Mr. Estrada, the cases he has taken on as an attorney illustrate his commitment to following the law instead of imposing any political agenda. I know that the issue of reproductive choice is one that is very important to many of my Democratic colleagues, although it is one on which we disagree. I am not sure how many of them saw the portion of the hearing when Mr. Estrada was asked about his work on the NOW—National Organization for Women—case for the Clinton administration. Even if you assume that Mr. Estrada is pro-life as a matter of politics, which even I do not know, that representation illustrates his ability to put aside his personal convictions and follow the law as a good jurist has to do.

In addition, on the NOW web site there is an article by Vera Haller of Women's E-news. Although this article criticizes several of President Bush's judicial nominees—unfairly, in my view—but that is a different story—it applauds the selection of Mr. Estrada, noting that ''[h]is presence on the list . . . was seen by some as a sign that President Bush hoped to avoid contentious confirmation battles in the Senate.''

I want to take a moment at the outset here to address a couple of issues that we are sure to hear more about as the discussion of Mr. Estrada's nomination progresses.

First, Mr. Estrada has been unfairly criticized by some for declining to answer questions at his hearing about whether particular Supreme Court cases were correctly decided. Lloyd Cutler, who was White House Counsel to both President Carter and President Clinton, put it best when he testified before a Judiciary Committee subcommittee in 2001. He said, ''Candidates should decline to reply when efforts are made to find out how they would decide a particular case.'' He further explained, ''What is most important is the appointment of judges who are learned in the law, who are conscientious in their work ethic, and who possess what lawyers describe as 'judicial temperament.'' Mr. Estrada's academic achievement, his professional accomplishments, and the letters of support we have received from his colleague all indicate that Mr. Estrada fits this description and deserves our vote of confirmation.

Second, several opponents of Mr. Estrada have attempted to block his confirmation by demanding that the Department of Justice release internal memoranda he authored while he was an assistant to the Solicitor General in the Solicitor General's office. First, it is important to note that Mr. Estrada told the committee that he does not object to the release of these documents. He is, rightfully, proud of his legal work. But there is a larger institutional problem. What the opponents of Mr. Estrada, or those who are continuing to demand these documents, apparently ignore is the fact that all seven living former Solicitors General—four Democrats and three Republicans—oppose this request. Their letter to the committee explains that the open exchange of ideas upon which they relied as Solicitors General ''simply cannot take place if attorneys have reason to fear that their private recommendations are not private at all, but vulnerable to public disclosure.'' These seven former Solicitors General—four Democrats, three Republicans—concluded that ''any attempt to intrude into the Office's highly privileged deliberations would come at a cost of the Solicitor General's ability to defend vigorously the United States' litigation interests—a cost that also would be borne by Congress itself.''

The Wall Street Journal and the Washington Post have also criticized attempts to obtain these memoranda—and they should. The seven former Solicitors General of the United States are right, and their wise counsel should be followed.

I ask unanimous consent that the letter of the Solicitors General, as well as the Wall Street Journal and Washington Post editorials, be printed in the RECORD.

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

WILMER, CUTLER & PICKERING,
Washington, DC, June 24, 2002.

Hon. PATRICK J. LEAHY,
Chairman, Committee on the Judiciary, U.S. Senate, Dirksen Senate Office Building, Washington, DC.

DEAR CHAIRMAN LEAHY: We write to express our concern about your recent request that the Department of Justice turn over ''appeal recommendations, certiorari recommendations, and amicus recommendations'' that Miguel Estrada worked on while in the Office of the Solicitor General.

As former heads of the Office of the Solicitor General—under Presidents of both parties—we can attest to the vital importance of candor and confidentiality in the Solicitor General's decisionmaking process. The Solicitor General is charged with the weighty responsibility of deciding whether to appeal adverse decisions in cases where the United States is a party, whether to seek Supreme Court review of adverse appellate decisions, and whether to participate as amicus curiae in other high-profile cases that implicate an important federal interest. The Solicitor General has the responsibility of representing the interests not just of the Justice Department, nor just of the Executive Branch, but of the entire federal government, including Congress.

It goes without saying that, when we made these and other critical decisions, we relied on frank, honest, and thorough advice from our staff attorneys, like Mr. Estrada. Our decisionmaking process required the unbridled, open exchange of ideas—an exchange that simply cannot take place if attorneys have reason to fear that their private recommendations are not private at all, but vulnerable to public disclosure. Attorneys inevitably will hesitate before giving their honest, independent analysis if their opinions are not safeguarded from future disclosure. High-level decisionmaking requires candor, and candor in turn requires confidentiality.

Any attempt to intrude into the Office's highly privileged deliberations would come at the cost of the Solicitor General's ability to defend vigorously the United States' litigation interests—a cost that also would be borne by Congress itself.

Although we profoundly respect the Senate's duty to evaluate Mr. Estrada's fitness for the federal judiciary, we do not think that the confidentiality and integrity of internal deliberations should be sacrificed in the process.

Sincerely,

On behalf of: Seth P. Waxman, Walter Dellinger, Drew S. Days, III, Kenneth W. Starr, Charles Fried, Robert H. Bork, Archibald Cox.

[From the Washington Post, May 28, 2002]

NOT FAIR GAME

Senate Judiciary Committee Chairman Patrick Leahy (D–Vt.) recently sought a series of internal Justice Department memos in connection with the judicial nomination of Miguel Estrada. Mr. Estrada, whom President Bush has named to the D.C. Circuit Court of Appeals, is a conservative who served as a staff attorney in the Office of the Solicitor General, mostly during the Clinton administration. Although his former colleagues there generally speak highly of him, one, a man named Paul Bender, has suggested publicly that Mr. Estrada's conservatism would corrupt his judicial work. Apparently to see if Mr. Estrada's paper trail within the office would support this suggestion, Sen. Leahy has requested all of Mr. Estrada's written recommendations to the office concerning whether cases should be appealed and what positions the government should take as a friend of the court. Such a request for an attorney's work product would be unthinkable if the work had been done for a private client. The legal advice by a line attorney for the federal government is not fair game either.

The desire to evaluate Mr. Estrada's performance is understandable, and the problem of how to explore a nominee's views is not trivial. Mr. Estrada has no significant record of public statements or controversial writings, yet despite scant evidence, liberal groups are convinced that he threatens values they hold dear. Like most nominees, however, Mr. Estrada likely will decline to discuss specific issues that might come before him as a judge. So there is no good way of exploring whether he would respect and apply precedent faithfully or engage in judicial policymaking.

That said, there are plenty of bad ways, and few involve greater institutional risk for the Justice Department than letting appeals memos become fodder for wars about nominations. Particularly in elite government offices such as that of the solicitor general, lawyers need to be able to speak freely without worrying that the positions they are advocating today will be used against them if they ever get nominated for some other position. Says Walter Dellinger, one of President Clinton's solicitors general and one of Mr. Estrada's bosses in the office: ''It would be very destructive of all of the purposes served by the attorney-client privilege to have attorneys in the solicitor general's office looking over their shoulders when they write memos.'' It is also needlessly destructive. A broad range of Clinton-era Justice Department political appointees are perfectly capable of describing Mr. Estrada's role at the solicitor general's office.

On several occasions in recent years, Congress recklessly has gone after work by line attorneys at the Justice Department. Importing these excesses into the confirmation process is a terrible idea. After a year of investigating, liberal activists have not been able to find much on Mr. Estrada, and the unfortunate result seems to be a fishing expedition. But there's no logical end to it. Mr. Estrada once clerked for Justice Anthony Kennedy, and it is perfectly possible that he made comments in some of his memos there that the Judiciary Committee might find interesting as well. Why not ask for those? There are some ponds in which activists—and Senators—should not fish.

[From the Wall Street Journal, May 24, 2002]

THE ESTRADA GAMBIT

Senate Judiciary Chairman Patrick Leahy keeps saying he's assessing judicial nominees on the merits, with political influence. So why does he keep getting caught with someone else's fingerprints on his press releases?

The latest episode involves Miguel Estrada, nominated more than a year ago by President Bush for the prestigious D.C. Circuit Court of Appeals. Mr. Estrada scares the legal briefs off liberal lobbies because he's young, smart and accomplished, having served in the Clinton Solicitor General's office, and especially because he's a conservative Hispanic. All of these things make him a potential candidate to be elevated to the U.S. Supreme Court down the road.

Sooner or later even Mr. Leahy has to grant the nominee a hearing, one would think. But maybe not, if he keeps taking orders from Ralph Neas at People for the American Way. On April 15, the Legal Times newspaper reported that a ''leader'' of the anti-Estrada liberal coalition was considering ''launching an effort to obtain internal memos that Estrada wrote while at the SG's office, hoping they will shed light on the nominee's personal views.''

Hmmm. Who could that leader be? Mr. Neas, perhaps, Whoever it is, Mr. Leahy seems to be following orders, because a month later, on May 15, Mr. Leahy sent a letter to Mr. Estrada requesting the ''appeal recommendations, certiorari recommendations, and amicus recommendations you worked on while at the United States Department of Justice.''

It's important to understand how outrageous this request is. Mr. Leahy is demanding pre-decision memorandums, the kind of internal deliberations that are almost by definition protected by executive privilege. No White House would disclose them, and the Bush Administration has already turned down a similar Senate request of memorandums in the case of EPA nominee Jeffrey Holmstead, who once worked in the White House counsel's office.

No legal fool, Mr. Leahy must understand this. So the question is what is he really up to? The answer is almost certainly one more attempt to delay giving Mr. Estrada a hearing and vote. A simple exchange of letters from lawyers can take weeks. And then if the White House turns Mr. Leahy down, he can claim lack of cooperation and use that as an excuse to delay still further.

Mr. Leahy is also playing star marionette to liberal Hispanic groups, which on May 1 wrote to Mr. Leahy urging that he delay the Estrada hearing until at least August in order to ''allow sufficient time . . . to complete a thorough and comprehensive review of the nominee's record.'' We guess a year isn't adequate time and can only assume they need the labor-intensive summer months to complete their investigation. (Now there's a job for an intern.) On May 9, the one-year anniversary of Mr. Estrada's nomination, Mr. Leahy issued a statement justifying the delay in granting him a hearing by pointing to the Hispanic groups' letter.

These groups, by the way, deserve some greater exposure. They include the Mexican American Legal Defense and Educational Fund as well as La Raza, two lobbies that claim to represent the interests of Hispanics. Apparently they now believe their job is to help white liberals dig up dirt on a distinguished jurist who could be the first Hispanic on the U.S. Supreme Court.

The frustration among liberals in not being able to dig up anything on Mr. Estrada is obvious. Nan Aron, president of the Alliance for Justice, told Legal Times that ''There is a dearth of information about Estrada's record, which places a responsibility on the part of Senators to develop a record at his hearing. There is much that he has done that is not apparent.'' Translation: We can't beat him yet.

Anywhere but Washington, Mr. Estrada would be considered a splendid nominee. The American Bar Association, whose recommendation Mr. Leahy once called the ''gold standard by which judicial candidates have been judged,'' awarded Mr. Estrada its highest rating of unanimously well-qualified. There are even Democrats, such as Gore adviser Ron Klahin, who are as effusive as Republicans in singing the candidate's praises.

When Mr. Estrada worked in the Clinton-era Solicitor General's office, he wrote a friend-of-the-court brief in support of the National Organization of Women's position that anti-abortion protesters violated RICO. It's hard to paint a lawyer who's worked for Bill Clinton and supported NOW as a right-wing fanatic.

We report all of this because it reveals just how poison judicial politics have become, and how the Senate is perverting its advise and consent power. Yesterday the Judiciary

Committee finally confirmed a Bush nominee, but only after Republican Arlen Specter went to extraordinary lengths to help fellow Pennsylvanian Brooks Smith.

Mr. Estrada doesn't have such a patron, so he's fated to endure the delay and document-fishing of liberal interests and the Senate chairman who takes their dictation.

[From the Wall Street Journal, June 11, 2002]

NO JUDICIAL FISHING

Senate Judiciary Chairman Patrick Leahy has just received the answer to his outrageous request for the private decision memos written by judicial nominee Miguel Estrada: No fishing now, or ever.

Last month Mr. Leahy followed orders from liberal interest groups (as reported in Legal Times) to ask the Department of Justice for all of the appeal recommendations, certiorari recommendations and amicus recommendations that Mr. Estrada worked on while at the Clinton-era Solicitor General's office.

Internal deliberations are highly confidential documents, protected by executive privilege. No White House would disclose them, and sure enough, the Bush Administration has now quickly refused to do so. Assistant Attorney General Daniel Bryant wrote Mr. Leahy last week that future Assistant Solicitors General would be ''chilled'' from providing ''the candid and independent analysis that is essential to high-level decision-making.''

The Justice Department ''cannot function properly if our attorneys write these kinds of documents with one eye focused on the effect that their words, if made public, might have on their qualifications for future office,'' he added.

This is no surprise to anyone, certainly not to Mr. Leahy and his liberal minders. Their goal here is delay, trying to put off the day when Mr. Estrada takes a seat on the D.C. Circuit Court of Appeals, from which President Bush could promote him to become the first Hispanic-American on the U.S. Supreme Court. Mr. Estrada was nominated 13 months ago and hasn't even had a hearing yet.

In the meantime, the D.C. Circuit, like the federal judiciary overall, faces a severe vacancy crisis; four of its 12 seats are vacant. Mr. Leahy's ideological petulance grows more costly by the day.

Mr. HATCH. Madam President, let me say this to colleagues who insist upon seeking internal memoranda Mr. Estrada wrote during his tenure at the SG's office. During the last Congress, the Senate confirmed Jonathan Adelstein, whom I fully support, to an important position on the FCC. Mr. Adelstein is a former aide to the distinguished minority leader, but the Republicans did not demand all of Mr. Adelstein's memoranda to Senator DASCHLE on telecommunications issues before confirming him. This is despite the fact that such memoranda probably could have been useful in determining how Mr. Adelstein would have approached his decisions as a commissioner. The reason we did not seek them was because of the obvious: To do so would have intruded into the deliberative relationship between Mr. Adelstein and Senator DASCHLE. This would have been an inappropriate intrusion, as all of the Solicitors General, including President Clinton's Solicitors, have warned of the Judiciary Committee's request, regardless of how valuable the memoranda would have been in deciding whether to support Mr. Adelstein.

Along the same lines, I must note the American public would probably find insightful the internal memoranda written to any of my colleagues in the Senate by their staff. How would we feel about that? Do we think we would get the most candid advice if our top counsel knew their private advice is not really private? Let's get real here.

These misguided efforts should not prevent our confirmation of a highly qualified nominee who has pledged to be fair and impartial, and to uphold the law regardless of his personal convictions. I have no doubt Mr. Estrada will be one of the most brilliant Federal appellate judges of our time. This is a picture of Miguel Estrada, who was found by the American Bar Association—unanimously—well qualified, the highest rating given to any judicial nominee. I have no doubt Mr. Estrada will be one of the most brilliant Federal appellate judges of our time, and I urge every Member of this body to join me in voting to confirm him.

Madam President, let me say just a few more things about the significance of this nomination. There have been many people who have been waiting for the confirmation vote on this nominee, and many more people who are watching today for the first time as we display our American institutions and the value we give to the independence of our judiciary.

It was no small matter that at our hearing for Mr. Estrada, we had in the audience the Honorable Mario Canahuati, the Ambassador of Honduras to the United States. The Honduran community in this country, though centered in Louisiana, is scattered throughout the U.S., from North Carolina to New York to California.

We welcomed also to our hearing the leaders of the many Hispanic communities and organizations in the U.S. who came to express support for this nomination.

In this context, I want to make a general comment on judicial confirmations. For over a year, we have had a very troubling debate over issues that we thought our Founding Fathers had settled long ago with our Constitution. I have been heartened to read the scores of editorials all across this country that have addressed the notion of injecting ideology into the judicial confirmation process, because this notion has been near universally rejected—except, of course, for a handful of well paid, special interest liberal lobbyists in Washington, and a few other diehards.

It seems to me the only way to make sense of the advise and consent role our Constitution's Framers envisioned for the Senate is to begin with the assumption that the President's constitutional power to nominate should be given a fair amount of deference, and that we should defeat nominees only where problems of character, qualifications, or inability to follow the law are evident.

As Alexander Hamilton recorded for us, the Senate's task of advise and consent is to advise and to query on the judiciousness and character of nominees, not to challenge, by our naked power, the people's will in electing who shall nominate.

To do otherwise, it seems to me, is to risk making the Federal courts an extension of this political body. This would threaten one of the cornerstones of this country's unique success—an independent judiciary. Let me say this again. Such political efforts would threaten one of the cornerstones of this country's unique success—an independent judiciary.

Let's not take my advice here, let's listen to Presidents Carter and Clinton's White House counsel, Lloyd Cutler, a person, though we disagree on many issues, for whom I have the highest regard and always have. He is a terrific human being and a wonderful lawyer, one of the best who has ever served his country.

Moreover, these are not just my views, this is our Anglo-American judicial tradition. It is reflected in everything that marks a good judge, not the least of which is Canon 5 of the Code of Judicial Conduct of the American Bar Association that expressly forbids nominees to judicial duty from making ''pledges or promises of conduct in office [or] statements that commit or appear to commit the nominee with respect to cases, controversies, or issues that are likely to come before the courts.''

I should expect no Senator would invite a nominee to breach this code of ethics, and it worries me that we are coming close, and that we now appear to complain that a nominee does not breach the code when we ask him to. I can honestly say I fear that we are getting to or crossing over dangerous lines here I have not witnessed in my 27 years in the U.S. Senate.

As I have indicated by reciting his stellar record, Miguel Estrada's nomination is before us today because it deserves to be here under any standard that any disinterested person could devise. He is qualified for the position for which President Bush has nominated him. I know it, and after our debate, I think the American people will know it as well.

But notwithstanding all of Mr. Estrada's hard work and unanimous rating of highly qualified by the ABA, he has been subjected, so far, to a pinata confirmation process with which we have all become very familiar. The extreme left-wing Washington groups go after judicial nominees like kids after a pinata. And it is not specific to Mr. Estrada. They beat it and they beat it until something comes out that they can then chew and distort.

In the case of Mr. Estrada, the ritual has been slightly different. They have been unable to find anything they can chew on and spit out to us, so they now

say that we simply do not know enough about Mr. Estrada to confirm him. And that is after more than 640 days of delay.

Well, it is not that we do not know enough. We had a full-day hearing, conducted by Senator SCHUMER. It was a full hearing. I commend him for conducting and allowing all Senators the opportunity to ask any and all questions they wished to ask. I believe that was last September. Mr. Estrada's nomination has been pending before us for almost 2 years. We know as much about Mr. Estrada as we have known about any nominee. Their complaint is that we know all there is and the usual characters haven't found anything to distort.

But surely we should not expect to hear it suggested today that Mr. Estrada doesn't have enough judicial experience. Only 3 of the 18 judges appointed to the DC circuit by Democrats since President Carter had any prior judicial experience before their nominations.

These include Ruth Bader Ginsburg and Abner Mikva to select two. Likewise, judicial luminaries such as Louis Brandeis and Byron White had no judicial experience before being nominated to the Supreme Court. And Thurgood Marshall, the first African American on the Supreme Court, had no judicial experience before he was nominated to the Second Circuit. I could go on and on.

I wish to address another aspect of Mr. Estrada's background. I know Miguel Estrada and I know how proud he is, in ways that he is unable to express, about being the first Hispanic nominated to the D.C. Circuit Court of Appeals. So I will express it. This nomination is a matter of pride for him for the same reason that it is for any of us, not just because Mr. Estrada is a symbol for Latinos in America, but because Miguel Estrada's story is the best example of the American dream of all immigrants. He and I are proud because we love this great country and the future it continues to promise to young immigrants. Miguel Estrada's success can make each of us love this country all the more.

In fact, I have never seen any Hispanic nominee whose nomination has so resonated with the Latino community, except for the partisans—the partisan Democrats.

As I said earlier, Miguel Estrada was born in Honduras. He was so bright at an early age that he was enrolled at a Jesuit school at the age of 5. He was raised in a middle-class family. At age 17, he came to live with his mother who had immigrated to New York, knowing very little English. Today he sits before the Senate of the United States waiting to be confirmed to one of the greatest courts in the land.

I am embarrassed, therefore, by the new lows that some have gone to attack Mr. Estrada. Detractors have suggested that because he has been successful and has had the privilege of a fine education, he is somehow less than a fullblooded Hispanic. This is the most embarrassing tactic used against this nominee. I wonder if we would tolerate saying of a woman nominee that because of this or that, she is not really a woman, or of a male nominee that because he is this or that, he is not fully a man. We would not tolerate that here, and I do not think we should tolerate it in the case of Miguel Estrada.

Even more offensive, it seems to me, are the code words that some of his detractors use about him—code words which perpetuate terrible stereotypes about Latinos—used in effect to diminish Miguel Estrada's great accomplishment and the respect he has from colleagues of all political persuasions.

As chairman and founder 13 years ago of the nonpartisan Republican Hispanic Task Force which, despite the name, is made up of both Republicans and Democrats—I have tried to achieve greater inclusion of Hispanics in the Federal Government. I have worked hard to do that. I love the Hispanic people. They know it.

I am concerned by the obstacles they face. I fear that some Democrats are creating a new intellectual glass ceiling for Hispanics. If they do not think a certain liberal way that they do, then they are not good enough for upward mobility and advancement.

Let me say that again. If they do not think a certain liberal way that they do, then they are not good enough for upward mobility and advancement. That is wrong, and this body should not perpetuate that.

Many liberals in this town fear that there could be role models for Hispanics that might be moderate to conservative—despite the fact that polls show that the great majority of Hispanics are conservative. But surely, the advancement of an entire people should not be dependent on one party being in power.

This past year I met with a number of leaders of Hispanic organizations from all across the country. I asked them what they think about the subtle prejudices that Mr. Estrada is facing and they agree. Perhaps, they are more offended than I could ever be, but I doubt it.

The best expression of this outrage was shown just last week by Congressman Herman Badillo in an article in the Wall Street Journal.

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

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

[From the Wall Street Journal, Jan. 30, 2003]

QUÉ PASA, CHUCK?

(By Herman Badillo)

NEW YORK.—Nothing makes Democrats more frenzied than when a Hispanic or African-American goes off the reservation. Witness now the opposition that the Puerto Rican Legal Defense Fund and the usual Washington special interests are giving Miguel Estrada, the young Honduran immigrant-turned-New Yorker that President Bush has nominated to the D.C. Circuit Court of Appeals.

Congressional Democrats have gone so far as to say that Mr. Estrada is a Hispanic ''in name only.''

But if their behavior is outrageous it is also par for the course. Half of the Democrats' energy lately seems focused on corraling the nation's two largest minority groups into an intellectual ghetto. The vitriol we saw most famously directed at Clarence Thomas, and more recently at Condoleezza Rice, demands that blacks and Hispanics toe a political line to have their success acknowledged by their own community.

When confirmed by the Senate, Miguel Estrada, a brilliant lawyer with extraordinary credentials, will be the first Hispanic on the second most prestigious court in the land. He will be a role model not just for Hispanics, but for all immigrants and their children. His is the great American success story.

But his confirmation by the Senate will come no thanks to Chuck Schumer, his home-state senator. Mr. Schumer has thrown every old booby-trap in Mr., Estrada's way, and invented a few new ones just for him. When the Senate held a hearing for Mr. Estrada last year, Mr. Estrada's mother told Mr. Schumer that she had voted for him and hoped that he would return the favor. He hasn't yet.

It is hard to blame Democrats of course. They know how their bread is buttered and by whom—the monied special interest groups that have made a profitable business of opposing the nominations of President Bush. The Hispanic groups that shun Mr. Estrada, including the Congressional Hispanic Caucus, which announced its opposition to his nomination last September, are a different matter. They should be ashamed of themselves.

Sen. Orrin Hatch (R., Utah), who heads both the Senate Judiciary and the Senate Republican Hispanic Task Force, put it well when he said that these liberal Hispanic groups ''have sold out the aspirations of their people just to sit around schmoozing with the Washington power elite.''

Mr. Schumer's one-man campaign against Mr. Estrada has grown tiresome too. Despite the rebuke of every living U.S. solicitor general of both parties dating back four decades, Mr. Schumer continues to make irresponsible demands, never made before for a non-Hispanic nominee, and insists on making backhanded and unfounded insinuations about Mr. Estrada's career and temperament. This treatment of Mr. Estrada is demeaning and unfair, not only to the nominee but also to the confirmation process and the integrity of the Senate.

Mr. Schumer's petulance ignores Mr. Estrada's qualifications, intellect, judgment, bipartisan support, and that he received a unanimous ''well qualified'' rating—the highest possible rating—from the American Bar Association. The liberal Hispanic groups that challenge Mr. Estrada's personal identity as a Hispanic ignore his support by nonpartisan Hispanic organizations, such as the Hispanic National Bar Association, the League of United Latin American Citizens, and the U.S. Hispanic Chamber of Commerce.

Mr. Schumer and his colleagues are fond of speaking about the need for ''diversity'' on the courts. Apparently that talk does not extend to President Bush's nominees, since the confirmation of Mr. Estrada would provide just such diversity on this important court. It is past time that Mr. Schumer put an end to his embarrassing grandstanding on Mr. Estrada's nomination.

One would think that a New York senator would know that, whether Puerto Rican, Dominican or Honduran, Hispanics are most

united in one thing—the pride we take in our advancement as Americans regardless of where we started. One suspects that Mr. Schumer may learn this lesson yet, and that Miguel Estrada's name is one that Charles Schumer will hear repeated when he runs for re-election all too soon.

Mr. HATCH. Mr. Badillo served four terms as a Democrat in the House of Representatives, as Deputy Mayor of New York City under Mayor Koch, as Bronx President and as Board Chairman of the City University of New York. He is the best known Hispanic public leader in New York State with five decades of public service to show for his efforts.

Mr. Badillo had this to say about how Mr. Estrada has been treated:

[It is] demeaning and unfair, not only to the nominee but also to the confirmation process and the integrity of the Senate.

Mr. Badillo notes that Mr. Estrada has had demands placed on him ''never made before for a non-Hispanic nominee.''

The Hispanic experience, in fact, sheds new light on the debate we have been having about ideology in judicial confirmations. Many new Hispanic Americans have left countries without independent judiciaries, and they are all too familiar with countries with political parties that claim cradle-to-grave rights over their allegiances and futures.

I have a special affinity for Hispanics and for the potential of the Latin culture in influencing the future of this country. Polls show that Latinos are among the hardest working Americans. That is because like many immigrant cultures in this country, Hispanics often have two and even three jobs. Surveys show they have strong family values and a real attachment to their faith traditions and they value education as the vehicle to success for their children.

In short, Hispanics have reinvigorated the American dream, and I expect they will bring new understandings of our nationhood, that some of us some of us, Madam President—might not fully see with tired eyes.

Without trumpeting the overused word ''diversity,'' I have made it my business to support the nominations of talented Hispanics for my entire career in the Senate. I hope that the desire for diversity that many of my Democrat colleagues say they share with me will trump the reckless and destructive pursuit of injecting ideology into the judicial confirmations process as we move forward on this particular nomination.

In Spanish-speaking churches all over this country and in every denomination, Hispanics sing a song called DE COLORES. This means OF MANY COLORS. It celebrates the many colors in which we all are created.

Hispanics know they come in many colors, with all kinds of backgrounds. They enjoy among themselves a wide diversity already. They left behind countries filled with ideologues that would chain them to single political parties. Latinos share a commonsense appreciation of each other's achievements in this country without any regard whatsoever to ideology, over which some Americans have the luxury of obsessing.

Congressman Herman Badillo said it well—in fact, he said it beautifully:

[W]hether Puerto Rican, Dominican or Honduran, Hispanics are most united in one thing the pride we take in our advancement as Americans regardless of where we started.

In fact, that is true for all of us.

It seems to me that any political party's attempt to control a group and to bar independent thought and belief, in effect to disallow diversity of thought within the Hispanic community, is simply wrong and no people should stand for that. That is what I have come to call and deplore as the ''intellectual glass ceiling.''

I have news for those engaging in this: Hispanic Americans—like all Americans—have liberals and conservatives. No one should be so arrogant as to demand that a whole community should think as they do. People who are demanding that all Hispanics should fit into one mold ought to be ashamed of themselves. They have sold out the aspirations of their people just to sit around schmoozing with Washington's liberal power elite.

Let's be clear, these liberal groups are only two or three in number, and they are basically surrogates for the Democrat Party. They are marginalized given the large number of Hispanic organizations that have come out in support of Mr. Estrada. I should note that Mr. Estrada's supporters include LULAC, the League of United Latin American Citizens,—the largest and oldest Latino organization in this country.

Like President Bush—I have the same feelings—I think it is high time that a talented lawyer of Hispanic descent sits on the second most prestigious court in the land. Miguel Estrada is that man.

I wish to address one last thing. I noticed that the very liberal Puerto Rican Legal Defense Fund issued a report just last spring, arguing that there were too few Hispanics on the bench and challenging the Bush administration to nominate more.

I noticed, however, that they never mentioned Miguel Estrada's nomination. In fact, though they address all the other federal circuit courts, the DC Circuit Court for which Mr. Estrada is nominated is oddly missing from their analysis arguing for more Hispanic nominations.

In this respect, I want to commend President Bush. He has already sent us 9 since he began, and we expect by the end of this week to have altogether 12 well-qualified Hispanic nominees. At this rate, if he has 8 years to serve, President Bush will have nominated close to 40 Hispanic-American judges. This will be more than any other President before him, Democrat or Republican. Already, as this chart indicates, President Bush has a greater percentage of Hispanic nominations than any President before him.

Nevertheless, I too am concerned about the few Hispanic judges we have, especially given that Hispanics are now the largest minority group in America. And I am concerned by the obstacles they face. Congressman Badillo, himself a former Democrat, describes it this way: ''Nothing'' he says, makes some people ''more frenzied than when Hispanics and African Americans go off the reservation.'' I hope that he is not talking about any Senators here.

Finally, I ask unanimous consent to have printed in the RECORD an editorial by The Washington Post that expresses their support for Mr. Estrada.

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

[From the Washington Post, Sept. 29, 2002]

EXPLOITING ESTRADA

It is hard to image a worse parody of a judicial confirmation process than the unfolding drama of Miguel Estrada's nomination to the U.S. Court of Appeals for the D.C. Circuit. Opponents of Mr. Estrada, a well-regarded appellate lawyer who served a stint in the solicitor general's office, are convinced that the young, conservative Hispanic represents a grave threat to the republic. Yet Mr. Estrada has not done his foes the courtesy of leaving a lengthy paper trail of contentious statements. And this creates something of a problem for those bent on keeping him off the bench: There is no sound basis on which to oppose him. Mr. Estrada's other problem is that the White House does not merely want credit for appointing a first-rate lawyer to an important court but wants to use Mr. Estrada, who had a hearing last week before the Senate Judiciary Committee, to curry favor with Hispanic voters. As a result, Mr. Estradas' nomination has been turned into a political slugfest and discussed in the crudest of ethnic terms.

On one side of this degrading spectacle, Mr. Estrada's opponents question whether he is Hispanic enough, whether a middle-class Honduran immigrant who came to the Untied States to go to college can represent the concerns of ''real'' Latinos. The Puerto Rican Legal Defense and Education Fund, for example, complains that his ''life experiences [have not] resembled . . . those of Latinos who have experienced discrimination or struggled with poverty, indifference, or unfairness.'' Such distasteful ethnic loyalty tests have no place in the discussion. Yet on the other side, Republicans have reduced Mr. Estrada to a kind of Horatio Alger story. White House counsel Alberto R. Gonzales, in an article on the opposite page on Thursday, described him as ''an inspiration to Hispanics and to all Americans.'' But Mr. Estrada has not been nominated to the post of inspiration but that of judge. Both sides should remember that there is no Hispanic manner of deciding cases.

Lost in all of this is a highly qualified lawyer named Miguel Estrada. Democrats have suggested opposing him because of general concerns about the partisan ''balance'' on the D.C. Circuit or because they don't know enough about his views to trust him. They also continue to fish for dirt on him. Sen. Charles E. Schumer (D–NY.) grilled him at his hearing about questions that have been raised anonymously concerning his aid to Justice Anthony M. Kennedy in picking clerks. And Democrats are still pushing to

see confidential memos Mr. Estrada wrote in the solicitor general's office and trumpeting criticism of him by a single supervisor in that office—criticism that has been discredited by that same colleague's written evaluations.

Seeking Mr. Estrada's work product as a government lawyer is beyond any reasonable inquiry into what sort of judge he would be. Nor is it fair to reject someone as a judge because that person's decision to practice law, rather than write articles or engage in politics, makes his views more opaque. And its is terribly wrong to demand that Mr. Estrada answer charges to which nobody is willing to attach his or her name.

Democrats have a legitimate grievance concerning the D.C. Circuit: Two excellent nominees of the previous administration were never acted upon by Senate Republicans. The White House is wrong to ignore this issue and does so at its peril. But the answer is not attacks on high-quality Bush administration nominees such as Mr. Estrada. At the end of the day, Mr. Estrada must be considered on his merits. His confirmation is an easy call.

Mr. HATCH. As one editorial puts it, his nomination is ''an easy call.''

The Post was right to point out that we who support Miguel Estrada should not do so simply because he is a Hispanic. As the Post points out there is no particularly ''Hispanic manner of deciding cases.'' They reject the diversity argument.

I agree, and as I indicated Mr. Estrada has an exemplary record as a magna cum laude of both Columbia University and Harvard Law School graduate, and his extraordinary record of public service, including 15 cases argued before the Supreme Court. This record has not been met by many of the nominees of either party over the 27 years I have been here.

In addressing why he was before us at his hearing I did not say anything about confirming Miguel Estrada because he is Hispanic. I did not have to make that argument because, as The Post points out, his record makes his confirmation ''an easy call.''

But this fact should not diminish the pride, that I have addressed, that Miguel Estrada's supporters have in the compelling story of a young immigrant who arrives from Honduras at age 17 and rises to be nominated to the second most prestigious court in the land. This is a pride I hope we can all share, Democrats and Republicans, when this Senate confirms him. It is a non-partisan pride.

I disagree with The Post, however, to the extent they minimize the significance of confirming a well-qualified Hispanic.

Confirming minority candidates, provided they are also well-qualified as Mr. Estrada is, is a positive good, in and of itself. It is important to raise role models in high office for young Hispanics in this country, indeed for all immigrants, provided they are otherwise well qualified or as in Miguel Estrada's case—unanimously well-qualified. Now, I will take a second with another chart because it is important to go through his qualifications. These are only a few qualifications, but they are very important.

Miguel Estrada not qualified? Give me a break. My friends on the other side have said the American Bar Association is the gold standard. I think the way they are doing it now is probably true. ABA rating: Unanimously well qualified.

He argued 15 cases before the U.S. Supreme Court, winning most of them; Columbia and Harvard Law, graduated magna cum laud; editor of the Harvard Law Review—there are a lot of lawyers in this body; I doubt if many have been editors of law reviews—law clerk for U.S. Supreme Court Justice Kennedy; assistant solicitor general for President Bush 1 and President Clinton.

Those are very important qualifications. There are not many who come before this body who have been confirmed, even to the prestigious Circuit Court of Appeals for the District of Columbia, that can match Miguel Estrada.

I believe he handled himself well before the committee, although some on the other side do not. Be that as it may, Miguel does work very hard with the speech impediment he has had all his life. In spite of that handicap or disability, he has argued 15 cases before the U.S. Supreme Court. It has been hardly a disability to him. He is a terrific human being. He is a very upright person. He is an example to all of what we can achieve in this great land. He certainly deserves confirmation by this body. I hope we can do that within a reasonable period of time.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LEAHY. I ask unanimous consent the call of the quorum be dispensed.

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

Mr. LEAHY. Madam President, notwithstanding the misleading charts of my good friend from Utah—we will get to the numbers—there is an easy number for everyone to remember. There are 10 Hispanics on the circuit court of appeals today. Eight were nominated by President Clinton. There would actually be 13 on the circuit courts of appeals today except the Republican leadership in the last couple of Congresses blocked three of President Clinton's nominees for the court of appeals. President Clinton does have, by far, the record of having successfully appointed the highest number of Hispanics for circuit courts of appeals of either President of either party. As I said, it would be even larger if the Republican Party had not refused votes in committee on three nominations.

Madam President, in the wake of the tragic events of this week, all Americans are grieving with the families of the crew of the Space Shuttle *Columbia* and with the entire NASA community. The President acknowledged that loss with a prayerful statement Saturday afternoon and with his presence, and his eloquent words yesterday in Houston were joined by a number of Senators of both parties. Our Nation mourns the loss of another crew, the crew of the Black Hawk helicopter that went down east of Baghram Afghanistan last Thursday.

Both were connected to important national missions, one the scientific quest into space, and the other part of the continuing struggle to secure Afghanistan from those who have made it a haven for international terrorism. These actions remind us all of the courage and sacrifice of those who serve the Nation in our armed services and on the frontiers of space. This week the Nation mourns, and much of the world grieves with us.

This morning, Secretary of State Powell spoke to the Security Council of the United Nations on the situation in Iraq as the administration moves forward with preparations for war, war that appears now inevitable. We know how precious to their families are each of the members of the Reserves and Armed Forces who may be about to take assignments in harm's way. In light of all these events, this week is really a poor time for the leadership of the Senate and the administration to force the Senate into an extended debate on the administration's controversial, divisive plan to pack the Federal court with activists. I had hoped the administration and the Republican leadership would reconsider that plan and the timing of this debate. I know the Democratic leader raised the matter with the Republican leadership. I thank Senator DASCHLE for having done so.

I thought the Senate was right to begin the week with unanimous Senate action on S. Res. 41, commemorating the devotion and regretting the fate of the *Columbia* space shuttle mission. Both the Republican leader and Democratic leader joined to put together that resolution. I commend both of them for doing it.

In fact, memorials are taking place around the country this week, in our hometowns and small towns, as well as the one in Houston yesterday, and here at the National Cathedral in Washington tomorrow, at Cape Canaveral in Florida, and elsewhere. Of course, there are memorials in other countries affected, especially Israel and India.

So this is not the time I would have chosen for this debate. The Senate should be finding matters of consensus on which we can all work together in unity in these difficult days of grieving. It would be good, just for once, to have things that could unite us rather than things that divide us.

Under Democratic Senate leadership in the difficult days following the terrorist attacks of 9/11, that is what we did. We joined together, Democrats and Republicans alike. We worked hard to

put aside divisive issues. We focused exclusively on what America needed most in the aftermath of those attacks. I recall how hard some of us devoted ourselves to what became the USA Patriot Act; the hours, the days, the weeks we spent trying to forge consensus.

We also saw how the administration worked to demean that bipartisanship, and how during the election season it denigrated the work of Democrats trying to help the security of this country and began, once again, to divide, not unite.

It would be good to see national leaders in national campaigns seek to unite us and not to divide us. But it has been sometime since we have seen that.

So in the new 108th Congress, as we begin this initial nominations debate in the Senate Chamber, we see an emboldened executive branch wielding its rising influence over both Houses of Congress, and ever more determined to pack the Federal courts with activist allies, to turn this independent judiciary into a political judiciary.

That would be one of the greatest tragedies this Nation could face. Throughout the world, when people come to America they look at our Federal judiciary and say: This is a truly independent judiciary. Shouldn't we be working to do that?

In upholding our constitutional oath, shouldn't we, as Senators, be doing that? Shouldn't whoever is President be doing that?

I recall when the Soviet Union collapsed, Members of the new Russian Duma came here to the United States to see how we do it in a democracy. I recall sitting in my conference room with a number of people. I remember the Members of the Duma coming to my office. There were those who were going to have to oversee the new judiciary. One of the things that struck me is one of them said: We have heard that there are instances where American citizens go into a court and they bring suit against the American Government. Is that true?

I said: Yes, it happens all the time.

They said: We have also heard there were times when Americans bring suit against their Government and the individual citizen wins, the Government loses.

I said: That happens all the time.

And they said: You don't replace the judges if they rule with one of the citizens and rule against the U.S. Government?

I said: If the U.S. Government is in the wrong, of course they do, that's their duty. That is what we mean by judicial independence. That is how the same American citizen could come in on another issue and lose. The fact is, American citizens can come into our Federal courts and know they are going to be independent. They are going to know it doesn't make any difference whether they are Republicans or Democrats, whether they are rich or poor, no matter what their color, no matter what their religion, no matter whether they are liberal, conservative, moderate, or whatever part of the country they are from, when they go to the Federal courts they can see they are independent.

Now, in this attempt to change the ideology of all the Federal courts into one narrow ideological strata, we see a attempt not to unite Americans but to divide them. But worse than that, because these are lifetime appointments, we see an attempt to irrevocably damage the integrity and the independence of the Federal judiciary.

With unprecedented speed—certainly unprecedented in the last 15 or 20 years—the Democratic-controlled Senate moved through and, in 17 months, confirmed 100 of President Bush's nominees. The vast majority of them were conservative Republicans, and I voted for almost all of them because I thought, having listened to them, at least we knew enough about them to know that they could be impartial on the bench. There were some we did not take up because it was so obvious from their statements that they were there to take a political, ideological view. Then we find some, of course, who will not tell us at all what they are there for.

The fundamental checks and balances of our Federal system are at risk of being sacrificed to a one-party rule with the coequal branches of our Government collapsing into one.

The Senate should not abandon its critical role. I wish more people—I wish 100 Members of the Senate—would sit down and read history books and determine how we got here and what our advice and consent rule is. Look at the fact that even President George Washington had judges who were turned down by the Senate at that time.

This is a great institution. I have given 29 years of my life here. It is the main place of checks and balances in our Federal Government, especially when it comes to advising and consenting to appointees. We are not talking about an appointment to an assistant secretaryship, or administratorship somewhere in a job that may last for a couple of years, important though it may be; we are talking about lifetime appointments, appointments of judges who will be there long after all of us have left.

Defending and upholding the Constitution is what we Senators are sworn to do. I can remember every time I walked down the aisle of this Senate and up to the Presiding Officer and raised my hand to take my oath of office to begin another 6-year term. I can remember each one of those times as though it was in crystal, as though time stopped, because what I remember is not the fact that I have become a Senator again, or that my family may be in the Gallery, or that my friends are happy. What I remember is I am taking a very awesome oath. This oath says that I will uphold the Constitution, and I will uphold my duties as a U.S. Senator—not as a Democrat or as a Republican, and not even as a Vermonter but as a U.S. Senator. We are a nation of 275 million Americans. Only 100 of us get the opportunity to represent this country at any given time. And it is an awesome responsibility.

I see the administration trying to pack the Federal court with activists. I take that very seriously. I have voted against nominees of Republican Presidents and of Democratic Presidents if I believed it would not be upholding my duties as a Senator to vote for them. But, unfortunately, this debate will be contentious, and it may be split largely along party lines.

Already, Republicans have charged those who have spoken or voted against this nomination as motivated by racism. I do not know any racist in this body in either party, and I resent the fact that some Republicans have said those who have voted against this nominee in the committee were motivated by racism. There are none in this body.

The Associated Press reports that Republicans, last Thursday, charged those who opposed this nomination of doing so ''because of ethnicity'' and with wanting ''to smear anyone who would be a positive role model for Hispanics.'' Those who made such statements should begin this debate by withdrawing those statements and disavowing that divisive rhetoric.

It is wrong for anybody to be declaring that Members of this body in either party are racists. I think it is wrong what has happened here.

Those who have done so should apologize to Democratic Senators on the Judiciary Committee who voted against this nomination, and also to the Hispanic leaders—very respected Hispanic leaders—in this country who showed the courage to examine this nomination, and, having examined the nomination of Mr. Estrada, decided to oppose it.

Last year, some Republicans made an outrageous and slanderous charge that religious bigotry motivated votes by the Democrats on the Senate Judiciary Committee—even going so far as to say no Christians should get a vote, and basically made it very clear because there are four Catholics and four Jews on that committee. As one of those Catholics, I resent that, and I resent that more than anything I have heard in 29 years in the U.S. Senate. We have not seen that outrageous and slanderous charge withdrawn.

Again, I have never met a Senator in either party who showed religious bigotry. But I have heard Senators accuse Democratic members of the Senate Judiciary Committee of that. It is wrong. It is absolutely wrong—and just as wrong to say if you vote against somebody it is out of racism. That is wrong.

I have voted on thousands upon thousands of nominees for Presidents of both parties. For most of them I had

absolutely no idea what their race or religion was. And when I did, it never once entered into my thought. It may cause fundraising letters or cheap applause lines when speaking to different groups, but I must admit as a member of a religious minority that I find that it is something which I resent greatly.

I had hoped the administration and the Republican leadership would not do something so controversial and divisive with this nomination—not with all this Nation has gone through and continues to go through, with the tragedy of last weekend, and not knowing that we are coming to the final decision on going to war.

Just as the President has, once again, chosen to divide rather than unite by sending controversial judicial nominations in an effort to pack the courts, the Republican leadership in the Senate has chosen this time to force that controversy forward.

I made efforts over the last 2 years to try to work with the White House to confirm and appoint judges to the judicial vacancies, including a very large number of vacancies that are there because Republicans refused to allow a vote on nominations by President Clinton—moderate nominations by President Clinton. The vacancies remain year after year after year because the Senate does not allow a vote on the nominee.

As I said, during the last 17 months of the last Congress under Democratic leadership, the Senate confirmed 100 of President Bush's judicial nominees. Actually during that time, even though the Republicans were in charge for 6 months, they did not confirm a single one of President Bush's judicial nominees—but Democrats did, 100 of them. We worked at a rate almost twice that averaged during the preceding years when a Republican-led Senate was considering nominees of a Democratic President.

Consensus nominees were considered first and relatively quickly. Controversial nominees took more time but we considered many of them as well.

The last judicial nominee considered by the Senate last December was from the neighboring State of the distinguished Presiding Officer, Judge Dennis Shedd of South Carolina. Judge Shedd's nomination was chiefly supported by Senator Strom Thurmond. Despite his record—and certainly a record with which I disagree—in civil rights cases and his record on the bench, we proceeded. His record raised serious concerns among many—especially among African Americans living in the Fourth Circuit and across the Nation. But we brought the nominee forward. I do recall when we did that some Republicans said it would bring adversity to the bench. I am not sure what they meant by that. But we brought it forward, nonetheless, as I had agreed to. The Senate vote was 55 to 44 to confirm him.

Shortly thereafter, the Nation and the Senate were confronted by the controversy over the remarks of the former Republican leader, and people openly speculated whether the President would renominate that Senator's choice, Judge Charles Pickering. The nomination was defeated in our committee.

I do not know of any precedent for a President renominating a judicial nominee who was voted on and rejected by the Judiciary Committee. Yet this President has chosen to renominate—to go against precedent—both Judge Pickering and Justice Priscilla Owen, who both had been voted on by the Judiciary Committee and whose nominations were rejected last year.

I am over the fact that we haven't seen them on the agenda, in case Senators have second thoughts. But we will see. But now we have a different nomination before the Senate.

As I have said for some time, the Senate and the American people deserve to have an adequate record and strong confidence about the type of judge Mr. Estrada would be in order to support a favorable vote on this nomination. But we don't have that in the sparse record before the Senate on his nomination to the second highest court of the land, and as a Senator I certainly don't have confidence to support this nomination when basically all I can say about him is he is a pleasant person to be with. We have seen different sort of constantly changing biographies of him in the press—all impressive, whichever one is the latest one being used. But what I want to know is what is he going to be like in a court? You have to be concerned. Will he be an activist on the DC court?

Throughout our earlier proceedings, I repeatedly urged Mr. Estrada and the administration to be more forthcoming—certainly to be forthcoming at least to the extent that the five previous administrations I served with have been. But neither the nominee nor the administration has shown any interest—any interest whatsoever—in being more forthcoming.

So what do we have? We have before us for consideration a nominee with no judicial experience, and little relevant practical experience related to the jurisdiction of this court. He counts Justice Scalia, Kenneth Starr, and Ted Olson among his friends and mentors, but any information about how his decisionmaking would go or what he thinks is not there.

The Senator from New York, Mr. SCHUMER, asked him: Well, we are not going to ask you about a case that may actually be before the court. Senator SCHUMER said: We are not going to ask you how you would vote on the WorldCom case because that may well be there. But if you look at Supreme Court cases, for example, can you name any you disagree with? And that was just to get some idea of what he thinks. He asked him: Can you name any cases you disagree with? And he could not.

Even if you did not want to look at some very recent cases, I would think somebody would think of a case, such as the Dred Scott decision, or Plessy v. Ferguson. These are a couple cases that would come to mind that you might disagree with. I certainly would disagree with the court upholding, what everybody now realizes is unconstitutional, the locking up of Japanese Americans during World War II, the locking up of loyal American citizens absent any due process just because of where their ancestors came from, which was upheld by a very political Supreme Court. I could have disagreed with that.

There has to have been some cases—over all these years. Upholding slavery? Upholding separate but equal? Upholding the internment of Americans for no other reason than the color of their skin and where their parents or grandparents came from? That was a softball toss. We are not even going to be allowed to know what he thinks about that. Maybe he thinks those were good cases. But if that is the case, then say they are good cases, which actually is what he did. He said there were none he disagreed with.

So you have to think that maybe one of the reasons for the controversy over Mr. Estrada is because he appears to have been groomed to be an activist appellate judge and groomed by well-connected, ideologically driven legal activists.

For example, those who he declares are his friends—you can have friends whenever you want. I have friends who range across the political spectrum. But I think I also would be willing to state what my political philosophy is, or certainly what my judicial philosophy is if I am going to ask for a lifetime appointment to the bench, just as I have to state what my political philosophy is when I ask the people of Vermont to elect or reelect me.

Last week, the Congressional Hispanic Caucus and the Congressional Black Caucus restated their concerns, and the Puerto Rican Legal Defense and Education Fund, the Mexican American Legal Defense and Education Fund, and the Southwest Voter Registration and Education Project reiterated their concerns.

Some of the most respected Latino labor leaders, including Maria Elena Durazo of HEAR, Arturo S. Rodriguez of the UFW, Miguel Contreras of L.A. County Fed., Cristina Vazquez of UNITE, and Eliseo Medina of SEIU have indicated their strong opposition to this nomination.

Let me quote from the letter from Antonia Hernandez and Antonio Gonzalez:

> As a community, we recognize the importance of the judiciary, as it is the branch to which we have turned to seek protection when, because of our limited political power, we are not able to secure and protect our rights through the legislative process or with the executive branch. This has become perhaps even more true in light of some of the actions Congress and the executive branch have taken after 9/11, particularly as these actions affect immigrants.

After an extensive review of the public record that was available to us, the testimony that Mr. Estrada provided before the Senate Judiciary Committee, and the written responses he provided to the committee, we have concluded at this time that Mr. Estrada would not fairly review issues that would come before him if he were to be confirmed to the D.C. Circuit Court of Appeals. As such, we oppose his nomination and urge you to do the same.

Two of the Nation's most respected Hispanic leaders.

They go on to analyze an array of issues that affect not only the Latino community but all Americans on which they find this nomination wanting. Of course, MALDEF outlined its concerns in advance of the hearing last fall in a memorandum to the White House. As their recent letter says:

[T]he Judiciary Committee gave Mr. Estrada ample opportunity to address [their concerns]. Ultimately, Mr. Estrada had the affirmative obligation to show that he would be fair and impartial to all who would appear before him. After reviewing the public record, the transcript and the hearing, and all written responses submitted by Mr. Estrada, we conclude that he failed to meet this obligation. He chose one of two paths consistently at his hearing and in his written responses: either his responses confirmed our concerns, or he chose not to reveal his current views or positions.

My view of the record is similar to theirs. It is also shared by the respected Puerto Rican Legal Defense and Education Fund.

Senator SCHUMER chaired a fair hearing for Mr. Estrada last September. Every Senator—Republican and Democrat—had ample time to ask whatever questions they wanted. I was hoping that the hearing would allay concerns because I have been impressed with Mr. Estrada as a person in meeting with him. But what I wanted to know was not Mr. Estrada the person, somebody who lived next door to you, but what would a Judge Estrada—the person sitting up at the bench when you appear there—how would that person be?

When he avoided answering question after question after question, then I ended up with more questions than answers.

The recent statement from Latino labor leaders makes the following point:

Mr. Estrada is a ''stealth candidate'' whose views and qualifications have been hidden from the American people and from the U.S. Senate. Since his nomination, Mr. Estrada has consistently refused to answer important questions about his views and his judicial philosophy.

These Latino leaders went on to say that it would be ''simply irresponsible for the Senate to put him on the bench.''

After a thorough review, the Puerto Rican Legal Defense and Education Fund concluded that Mr. Estrada was not sufficiently qualified for a lifetime seat on the Nation's second highest court and said that his ''extreme views should be disqualifying; that he has not had a demonstrated interest in or any involvement with the Hispanic community or Hispanic activities of any kind; and that he lacks the maturity and judicial temperament necessary to be a circuit judge.''

PRLDEF said Mr. Estrada has ''made strong statements that have been interpreted as hostile to criminal defendants' rights, affirmative action and women's rights.'' They expressed concern about his temperament. People they interviewed about Mr. Estrada described him as ''arrogant and elitist'' and that he '''harangues his colleagues' and 'doesn't listen to other people,''' that he is not even tempered and he is ''contentious, confrontational, aggressive and even offensive in his verbal exchanges'' with them.

As I said before, some of his supporters have said, if a Senator opposes him, that Senator is racist or anti-Hispanic.

These claims are offensive and absurd. Well-respected leaders of the Hispanic community itself have raised very serious objections and concerns about his nomination. In fact, to say that those who vote against him are racist or anti-Hispanic is as false as the statements made last fall that those who voted against Judge Pickering were anti-Christian.

No one has worked harder to increase Hispanic representation on our courts than PRLDEF, MALDEF, and the congressional Hispanic caucus. In fact, they didn't begin their review of Mr. Estrada's record with the expectation of opposing his nomination. Instead, they started with their strong record of supporting more diversity on the Federal bench, something they have done for years, President after President, urging more diversity on the Federal bench. This was before the 10 Hispanics on the court of appeals. I know President Clinton listened to them because he appointed eight of those 10. They actually would have had three more had the Republican-controlled committee allowed them to come to a vote.

Now there is all this talk about how can we possibly be stopping President Bush when he is trying so hard to have Latinos on the bench. There are 42 vacancies that have existed in the 13 circuit courts of appeal during President Bush's tenure. Mr. Estrada is the only Hispanic he has nominated. Unlike the eight that were confirmed of President Clinton's and the other three that he had in there, 11 that he nominated, President Bush has nominated one, and he had 42 chances to nominate. Out of those 42 chances, the only one he nominates is not somebody who could form a consensus within the Hispanic or non-Hispanic community, but he has one that is rejected by much of the Hispanic community, is guaranteed to be divisive. And one more time—one more time but consistent as always—the administration seeks to divide, not to unite, something that has been their hallmark.

They didn't find any Hispanics to nominate for the four vacancies on the Tenth Circuit. That includes New Mexico and Colorado, both States with large Hispanic populations. They didn't find any Hispanics to nominate for the three vacancies in the Fifth Circuit, which includes Texas, certainly a State with a large Hispanic population, or the six vacancies on the Ninth Circuit. They couldn't find any Hispanics to nominate there, but that includes California and Arizona, certainly States with large Hispanic populations. There are three vacancies on the Second Circuit, no Hispanics, even though that includes New York and Puerto Rico. Certainly, they should have found some there. Or the Third Circuit, New Jersey and Pennsylvania, they couldn't find any Hispanics there to appoint.

And we know that there are some outstanding Hispanic lawyers in each of those circuits. Some are sitting on the State courts doing a superb job where there is a record and where there would be a consensus and where you would have somebody who would unite rather than divide.

In fact, there are more than 1,000 local, State, or Federal judges of Hispanic heritage, and out of those 1,000, for these 42 vacancies, the President finds one, and that one is there with no experience, no background as a judge, and is there solely because he has been put forward to carry on a particular judicial ideology.

I don't want to leave the impression that the President sent nobody up here of Latino descent. He did. And a Democratic-controlled Congress confirmed them all. Judge Christina Armijo of New Mexico, Judge Phillip Marinez, and Randy Crane of Texas, Judge Jose Martinez of Florida, Magistrate Judge Alia Ludlum, and Jose Linares of New Jersey—they were all nominated. We confirmed every one of them. In fact, we just held a hearing on Judge James Otero of California. I told him at the end of the hearing that I assumed we would be confirming him very quickly. Actually, we would have, had the nominee had his hearing last year, had his paperwork been completed.

But also, as I have said before, there are 10 Latino appellate judges currently seated in the Federal courts. Eighty percent of them were appointed by President Clinton. Even there, a number of them were denied Senate consideration for years while the Republicans controlled the Senate.

For example, the confirmation of Judge Richard Paez to the Ninth Circuit took more than 1,500 days, even though he was strongly supported by both his home State Senators. And after Republicans delayed Judge Paez for 5 years, 39 voted against him.

Judge Sonia Sotomayor is in the Second Circuit, my circuit; everybody agreed that she was a superb candidate, but then for month after month after month—we wanted to bring her up for a vote—an anonymous hold on the Republican side of the aisle blocked consideration—anonymous hold after anonymous hold.

The irony there is that she had a strong court record. She had first been

appointed to the Federal bench by the first President Bush. He appointed her. She had this record. She had a unanimously well qualified, the highest rating possible. They stalled her and stalled her with an anonymous hold. Finally, the embarrassment got too much. And when it came to a vote, 29 Republicans voted against her.

Now a number of the circuit court nominees President Clinton sent up here never even received a hearing or vote. Jorge Rangel and Enrique Moreno of Texas were both nominated to the Court of Appeals for the Fifth Circuit. President Clinton was able to find qualified Hispanics for the Fifth Circuit, but the Republican leadership would not allow them to come to a vote. And Christine Arguello of Colorado was nominated to the Tenth Circuit. An awful lot of President Clinton's judicial nominees were never even given hearings or votes. Many of them were qualified Hispanics, African American, or women.

That is why during the past Congress, in the year and a half the Democrats were in control, we tried to restore fairness to the confirmation process. We tried to address the vacancies we had inherited. Even though those vacancies were caused because Republicans would not allow votes on Democratic nominees, we brought forward Republican nominees for the same places. Diversity has been the greatest strength of our Nation. That diversity of backgrounds should be reflected in our Federal courts, not just on the streets of our cities and towns. We also should accept the fact that race or ethnicity or gender are no substitute for the wisdom, experience, fairness, and impartiality that qualify someone to be a Federal judge—especially a Federal judge—entrusted with a lifetime appointment.

No potential candidate for a lifetime appointment to the Federal courts should get a presumption of competence or entitlement. You are not automatically competent or entitled simply because you are appointed. It makes no difference which party the President is from. If it were otherwise, we should do away with the advise and consent clause of the Constitution and change it to advise or rubber stamp, or something like that.

Nominees should be treated fairly, but the proof of suitability for a lifetime appointment rests on the nominee and on the administration. The Senate is not required to prove they are qualified for a lifetime appointment. We have to satisfy ourselves as individual Senators, as 100 Senators, that they are qualified and suitable for this lifetime appointment. It is up to the nominee himself or herself and the administration to make the case that allows us to reach the conclusion that they are qualified.

We have to look at their records, listen to their answers to the questions—if they will answer the questions—and if they refuse to answer the questions, I don't know why any Senator would think that he or she has an obligation to vote for this person if they will not even answer the question of why they are qualified, beyond a political connection, to a lifetime appointment on what is supposed to be an independent, nonpolitical Federal bench.

Certainly, we know the benefits of diversity and how it contributes to achieving and improving justice in America. That is fine. We should look at that and the President should. All of these questions should be looked at, and the answers to the questions should be looked at. But if all we have are questions and no answers, where do we go?

As Antonia Hernandez wrote in the Wall Street Journal:

> The fact that a nominee is Latino should not be a shield from full inquiry, particularly when a nominee's record is sparce, as in Mr. Estrada's case.

She continued:

> It is vital to know more about a nominee's philosophies for interpreting and applying the Constitution and the laws.

It was in connection with the nomination of Judge Dennis Shedd, a white male and former staffer to Senator Thurmond, that Republicans argued he would bring diversity to the Fourth Circuit. Maybe that is their sense of diversity. I suspect it is not the sense of many others. Be that as it may, each Senator has to make up his or her mind about the qualifications. I defy any Senator to make up his or her mind satisfactorily when they don't have a record before them or answers to questions.

The Fourth Circuit was a Federal circuit court that had the longest history without an African-American judge, speaking of diversity. It wasn't until President Clinton's recess appointment of Judge Roger Gregory that the Fourth Circuit was finally desegregated.

The reason we were not able to get him through before was the Republican majority used blue slips and secret objections to block the integration of that court for years during the Clinton administration as the Clinton administration nominated one qualified African American after another. He was accorded a hearing, but they did say Judge Shedd would bring diversity to that court. In that regard, I am glad that common sense came out, and I applaud the two Senators from Virginia—Republican Senators—for convincing the President to renominate Judge Gregory, this outstanding African-American jurist. I commend both Senator ALLEN and Senator WARNER for standing up for him. When he came to the Senate floor and we had a rollcall vote on him, every Senator, except one, voted for him. It shows the quality of the nominee, but also it is a strong signal to that court that here is a judge who has been looked at by both Republicans and Democrats in 1990, and 100 Senators came to the conclusion that he was qualified.

Mr. President, I ask unanimous consent to have printed in the RECORD a letter from the Congressional Hispanic Caucus and a CHC civil rights task force scorecard.

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

CONGRESS OF THE UNITED STATES,
Washington, DC, September 25, 2002.

Hon. PATRICK J. LEAHY,
Chairman, Judiciary Committee, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: On behalf of the Congressional Hispanic Caucus (CHC), we wish to inform you that the CHC has decided to oppose Miguel Estrada's nomination to the United State Court of Appeals for the District of Columbia Circuit. After reviewing Mr. Estrada's record and meeting with him in person, we have concluded that he fails to meet the CHC's evaluation criteria for endorsing judicial nominees.

As you know, the judicial nomination process is important to the CHC because we believe that our nation's courts should reflect the diversity of thought and action that enrich America. Earlier this year, we launched the Hispanic Judiciary Initiative to further formalize our involvement in this issue by establishing a set of evaluation criteria and an internal process for endorsing nominees. We hope that this initiative will allow us to continue our work to ensure fair treatment of Latino judicial nominees and tackle the lack of diversity in the federal judiciary.

In evaluating Mr. Estrada, we considered not only his honesty, integrity, character, temperament, and intellect, but also his commitment to equal justice and advancement opportunities for Latinos working in the field of law. Because of the nature of the CHC's mission and the important role that the courts play in achieving that mission, in order to support a judicial nominee the CHC requires that he or she has a demonstrated commitment to protecting the rights of Latinos through his or her professional work, pro bono work, and volunteer activities; to preserving and expanding the progress that has been made on civil rights and individual liberties; and to expanding advancement opportunities for Latinos in the law profession. On this measure, Mr. Estrada fails to convince us that he would contribute under-represented perspectives to the U.S. Court of Appeals for the District of Columbia Circuit.

As stated by Mr. Estrada during his meeting with us, he has never provided any pro bono legal expertise to the Latino community or organizations. Nor has he ever joined, supported, volunteered for or participated in events of any organization dedicated to serving and advancing the Latino community. As an attorney working in government and the private sector, he has never made efforts to open doors of opportunity to Latino law students or junior lawyers through internships, mentoring or other means. While he has not been in the position to create internships or recruit new staff, he never appealed to his superiors about the importance of making such efforts on behalf of Latinos. Furthermore, Mr. Estrada declined to commit that he would be engaged in Hispanic community activities once appointed to the bench or that he would pro-actively seek to promote increased access to positions where Latinos have been traditionally under-represented, such as clerkships.

Mr. Estrada shared with us that he believes being Hispanic would be irrelevant in his day-to-duties on the court, which leads us to conclude that he does not see himself

as being capable of bringing new perspectives to the bench. This is deeply troubling since the CHC's primary objective in increasing ethnic diversity of the courts is to increase the presence of under-presented perspectives.

Mr. Estrada's limited record makes it difficult to determine whether he would be a forceful voice on the bench for advancing civil rights and other protections for minorities. He has never served as a judge and has not written any substantive articles or publications. However, we did note that in responding to inquiries about case law, Mr. Estrada did not demonstrate a sense of inherent ''unfairness'' or ''justice'' in cases that have had a great impact on the Hispanic community.

The appointment of a Latino to reflect diversity is rendered meaningless unless the nominee can demonstrate an understanding of the historical role courts have played in the lives of minorities in extending equal protections and rights; has some involvement in the Latino community that provides insight into the values and mores of the Latino culture in order to understand the unique legal challenges facing Latinos; and recognizes both the role model responsibilities he or she assumes as well as having an appreciation for protecting and promoting the legal rights of minorities who historically have been the victims of discrimination.

Based on the totality of the nominee's available record and our meeting with him, Miguel Estrada fails to meet the CHC's criteria for endorsing a judicial nominee. In our opinion, his lack of judicial experience coupled with a failure to recognize or display an interest in the needs of the Hispanic community do not support an appointment to the federal judiciary. We respectfully urge you to take this into account as you consider his nomination to the U.S. Court of Appeals.

Sincerely,

SILVESTRE REYES,
Chair, Congressional Hispanic Caucus

CHARLES A. GONZALEZ,
Chair, CHC Civil Rights Task Force.

CONGRESSIONAL HISPANIC CAUCUS HISPANIC JUDICIARY INITIATIVE—SCORECARD FOR CIRCUIT COURT NOMINEE MIGUEL ESTRADA

Evaluation criteria	Mr. Estrada's record	Conclusion
Commitment to equal justice for Latinos.	No record	
Commitment to protecting Latino interests in the courts.	None	Failed.
Support for Congress' right to pass civil rights law.	No record	
Support for individuals access to the courts.	Unclear	
Support for Latino organizations or causes through pro bono legal expertise.	No	Failed.
Support for Latino organizations or causes through volunteerism.	No	Failed.
Support for Latino law students or young legal professionals through mentoring and increasing internship opportunities.	No	Failed.
Commitment to increase Latinos' access to clerkships once on the bench.	No	Failed.

Mr. LEAHY. Mr. President, before my voice goes, I see the distinguished Senator from Utah in the Chamber. Obviously, he will be recognized next. Then I hope we will go to Senator SCHUMER. I will have more to say, but the spirit is more willing than the vocal cords.

I yield the floor.

Mr. SCHUMER. Mr. President, will the Senator yield for a unanimous consent request?

Mr. HATCH. I yield to Senator SCHUMER for a unanimous consent request.

Mr. SCHUMER. Mr. President, I ask unanimous consent that immediately after Senator from Utah finishes, I be recognized for a period of time.

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

The Senator from Utah.

Mr. HATCH. Mr. President, I thought I would make some points here because the distinguished Senator from Vermont is mistaken in a number of accusations he makes.

I wish to list the following Hispanic groups or Hispanic-owned businesses that express their support for Miguel Estrada. One of the oldest Hispanic organizations in the country is the League of Latin American Citizens. It is well known, well respected, and bipartisan. They are firmly behind Miguel Estrada. Next is the U.S. Hispanic Chamber of Commerce; Hispanic National Bar Association; Hispanic Business Roundtable; National Association of Small Disadvantaged Business; Mexican American Grocers Association; ATL, Inc.; PlastiComm Industries, Inc.; Phoenix Construction Services; Hispanic Chamber of Commerce of Greater Kansas City; eHEBC Hispanic Engineers Business Corporation; Hispano Chamber of Commerce de Las Cruces; Casa Del Sinaloense; Republican National Hispanic Assembly; Hispanic Engineers Business Corporation; Hispanic Contractors of America, Inc.; and the Charo-Community Development Corporation.

That is to mention a few. There are dozens of organizations that support Miguel Estrada. As anybody would understand, there is a lot of pride in Hispanic organizations for this type of a nominee, who has achieved so much in his life, and has done it basically on his own and has achieved the heights that very few lawyers and people have achieved, who has not had a glove laid on him in our committee hearing—other than complaints that they don't know his philosophy. My goodness, they have had almost 2 years to learn his philosophy and they could have asked any question, and they did ask a lot of questions.

Let me say there is a double standard here on judicial qualifications. On January 30, 2003, the Senate Judiciary Committee voted 10 to 9 to approve the nomination of Miguel Estrada to the U.S. Court of Appeals for the DC Circuit. On January 24, 2003, Senator LEAHY questioned Mr. Estrada's qualifications, saying he ''has no judicial experience. He has no publications since law school.''

He is not a distinguished legal scholar or professor of law.

I might add that in 1997, the distinguished Senator from Vermont praised Merrick Garland—as did I, by the way; I supported him strongly; he was another DC Circuit nominee with no judicial experience, no professional experience, no publications—as ''highly qualified for this appointment'' and someone who would make ''an outstanding Federal judge.'' That is in the CONGRESSIONAL RECORD of March 19, 1997, at S2518.

That is what was said about Merrick Garland. I agree with Senator LEAHY on that point. He was an excellent candidate, an excellent judge. I supported him strongly and broke down barriers to make sure he could become a judge on the Circuit Court of Appeals.

Mr. Estrada's and Mr. Garland's credentials, or should I say Judge Garland's credentials, were exactly the same at the time. Let me go down through a list of credentials.

The age of the nominee: Miguel Estrada was 41. That was 2 years ago almost; Merrick Garland was 44.

Phi Beta Kappa: Yes for Miguel Estrada; yes for Merrick Garland.

Harvard Law School, magna cum laude: Yes for Miguel Estrada; yes for Merrick Garland.

Editor of the Harvard Law Review: Yes for Miguel Estrada; yes for Merrick Garland.

Law clerk, U.S. Court of Appeals, the Second Circuit: Yes for Miguel Estrada; yes for Merrick Garland.

Law clerk of the U.S. Supreme Court: Yes for both of them.

Private practice: 7 years for Miguel Estrada; 7 years for Merrick Garland.

Assistant U.S. attorney: 2 years for Miguel Estrada; 3 years for Merrick Garland.

U.S. Department of Justice: From 1992 to 1997 for Miguel Estrada; from 1993 to 1997 for Merrick Garland who now sits on the DC Circuit Court of Appeals.

Bipartisan support: Yes for Miguel Estrada; yes for Merrick Garland.

Race: Miguel Estrada is Hispanic. Merrick Garland is white.

Days from nomination to Judiciary Committee approval: 631 days for Miguel Estrada; only 100 for Merrick Garland. They are not quite equal there.

Seven current Judiciary Committee Democrats served in the Senate in 1997. Seven of them are current Democrats on the committee. Every one of those Democrats voted for Merrick Garland, and every one of them voted against Miguel Estrada—all seven of them.

Let me say that the statement of Senator KENNEDY, our distinguished former chairman of the committee way back when, about Merrick Garland in the CONGRESSIONAL RECORD of March 19, 1997 at S2518 I think applies to Miguel Estrada. This is our distinguished colleague from Massachusetts:

> No one can question Mr. Garland's qualifications and fitness to serve on the DC Circuit. He is a respected lawyer, a former Supreme Court law clerk, a partner at a prestigious law firm, and has served with distinction in the Department of Justice under both Republican and Democratic administrations. Support for him is bipartisan.

I think that statement in every detail applies to Miguel Estrada. I do not think there is any question about it.

What is going on here? What is wrong with this tremendous lawyer who has

made it on his own under very trying circumstances; who has an ABA rating of unanimously well qualified; who has argued 15 cases before the U.S. Supreme Court—I am not sure Merrick Garland did that, although I think Merrick Garland is a terrific individual—Columbia and Harvard Law, magna cum laude; editor of the Harvard Law Review, something that is about as prestigious as it gets in law school; a law clerk for U.S. Supreme Court Justice Kennedy; Assistant Solicitor General not only for George Bush I, but for President Clinton as well, praised by the person who supervised him, who later, not knowing we had all of those praises, besmirched him. But it is pretty hard to go against what he put in writing way back when, and I will get into that before we are through.

I have been listening very carefully to some of the comments of my distinguished friend from Vermont, and I do not believe that bringing up the names of Clinton nominees who happen to be of Hispanic descent has anything to do with how this Senate should treat Mr. Estrada. However, since my Democratic colleagues have criticized my treatment of these nominees when I was chairman, I feel compelled to set the record straight.

The fact is, under Republican leadership, most of President Clinton's Hispanic nominees—14, to be exact—were, indeed, confirmed. Although my Democratic colleagues would have you believe something more nefarious was at work, the fact is the nominations of Jorge Rangel and Enrique Moreno for the Fifth Circuit stalled because there was an utter failure of consultation by the Clinton White House. There is no question about that. And neither sitting Senator in Texas was willing to return their blue slips because there was no consultation, which is a requisite.

My colleagues on the other side are certainly raising consultation questions all the time about this White House, and we have directed the White House to consult. Unfortunately, some of them, I think, take the attitude that unless the White House chooses who they want, it is not consultation. That is not a good definition of consultation.

Tenth Circuit nominee Christine Arguello has been brought up. She was not nominated until July of 2000. It was way too late in the session to effectively move her nomination under those circumstances. We did not receive her questionnaire until August of 2000 and, if my records are correct, I do not believe we ever did receive her FBI file. So to raise that is sophistry at best.

It is unfortunate for the nominee when he or she is not confirmed because of these obstacles, but none of these face Mr. Estrada. As we all know, he has been pending for 2 years now and has been rated unanimously well qualified, the highest rating by the American Bar Association.

As for Ninth Circuit Court nominee Richard Paez, I was a vocal supporter of Judge Paez in the face of harsh criticism from some in my own party. I was one of two Republicans to vote for him in this committee, and I led the effort on the Republican side to get him confirmed on the floor. I believe my Democratic colleagues know this, so I take exception when they cite his name as an example of my alleged stonewalling on Clinton nominees. There was none.

Let me talk about the hearing testimony of Mr. Estrada. Mr. Estrada repeatedly answered the questions that were put to him. Let me give some examples.

Mr. Estrada testified he was committed to following the precedents of higher courts faithfully and giving them full force and effect, even if he disagrees with them and even if he believes such precedents are erroneous. That is pretty important testimony, and it is testimony that should be in his favor.

When asked how he would decide cases presenting an issue for which there was no controlling authority, Mr. Estrada testified:

> When facing a problem for which there is not a decisive answer from a higher court, my cardinal rule would be to seize aid from anyplace I could get it.

He testified this would include related case law and other areas of legislative history and views of academics.

When asked if he sees the local process as a political game, Mr. Estrada testified: The first duty of a judge is to self-consciously put that aside and look at each case by withholding judgment, with an open mind, and listening to the points. I think the job of a judge is to put all that aside and to the best of his human capacity to give a judgment based solely on the arguments on the law.

Miguel Estrada said: I will follow binding case law on every case, and I don't even know if I can say whether I concur in the case or not without actually having gone through all the work of doing it from scratch. He further says: I may have a personal moral philosophical view on the subject matter, but I undertake to you that I would put all that aside and decide cases in accordance with binding case law, and even in accordance with the case law that is not binding but seems instructive on the area, without any influence whatsoever from a personal view I may have about that subject matter.

Mr. President, I could go on and on. What is clear from this testimony is Mr. Estrada will be a judge who sets aside his personal convictions, whatever they may be, and follow the law. This is precisely the type of a person we want on the Federal bench.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, I thank the senior Senator from New York for permitting me to go for 5 minutes.

Mr. SCHUMER. Mr. President, I ask unanimous consent before I speak the Senator from Pennsylvania be given 5 minutes. I also ask unanimous consent Senator KENNEDY be allowed to speak at 5:40.

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

Mr. SPECTER. Mr. President, I have sought recognition to support the nomination of Miguel Estrada. We have heard a lot about his academic record. The Senator from New York knows what a taste of being magna cum laude at Harvard is like. He is a Harvard graduate himself. I know what it is like to be magna cum laude of Harvard, too, and the Phi Beta Kappa standing from Columbia and magna cum laude there, and editor of the Harvard Law Review.

These academic credentials are unsurpassable. Fifteen cases argued before the Supreme Court, extraordinary. Clerk for the U.S. Supreme Court Justice—again, an ''A+'' rating. There could be no doubt about the qualifications of this man.

Now, there is an objection raised that not enough is known about his philosophy. What is really being attempted here is to impose a test that you have to be in philosophical agreement in order to get the vote of a Senator for confirmation. I suggest that is an inappropriate test. It is not the traditional test. It is going much too far.

When Justice Scalia was confirmed, he would not even give his opinion on whether he would uphold *Marbury* v. *Madison*. There have been many Supreme Court nominees and circuit court nominees with whom I have disagreed philosophically on major points, but I have not withheld my vote in confirmation for Chief Justice Rehnquist, Justice Scalia, Justice Kennedy and Justice Thomas because I did not like their views on the issue of choice.

If a nominee is outside of the mainstream, that is one thing. I did not hesitated to oppose the nomination of Judge Robert Bork, where he was outside of the mainstream, even though he was nominated by my party, where he articulated the view of original intent, which simply could not be comprehended, and did not accept judicial review. He said absent original intent, there is no judicial legitimacy, and absent judicial legitimacy there cannot be judicial review. That is beyond the mainstream.

No one can contend Miguel Estrada is beyond the mainstream. If there are specific objections, let's hear them. But we have not heard them.

Then you have the business about the refusal to turn over his memoranda when he was in Solicitor General general's office, and you have the letter from seven ex-Solicitors General, which I ask unanimous consent to have printed in the RECORD—both Democrat and Republicans.

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

WILMER, CUTLER & PICKERING,
Washington, DC, June 24, 2002.

Hon. PATRICK J. LEAHY,
Chairman, Committee on the Judiciary,
U.S. Senate, Washington, DC.

DEAR CHAIRMAN LEAHY: We write to express our concern about your recent request that the Department of Justice turn over ''appeal recommendations, certiorari recommendations, and amicus recommendations'' that Miguel Estrada worked on while in the Office of the Solicitor General.

As former heads of the Office of the Solicitor General—under Presidents of both parties—we can attest to the vital importance of candor and confidentiality in the Solicitor General's decisionmaking process. The Solicitor General is charged with the weighty responsibility of deciding whether to appeal adverse decisions in cases where the United States is a party, whether to seek Supreme Court review of adverse appellate decisions, and whether to participate as amicus curiae in other high-profile cases that implicate an important federal interest. The Solicitor General has the responsibility of representing the interests not just of the Justice Department, nor just of the Executive Branch, but of the entire federal government, including Congress.

It goes without saying that, when we made these and other critical decisions, we relied on frank, honest, and thorough advice from our staff attorneys, like Mr. Estrada. Our decisionmaking process required the unbridled, open exchange of ideas—an exchange that simply cannot take place if attorneys have reason to fear that their private recommendations are not private at all, but vulnerable to public disclosure. Attorneys inevitably will hesitate before giving their honest, independent analysis, if their opinions are not safeguarded from future disclosure. High-level decisionmaking requires candor, and candor in turn requires confidentiality.

Any attempt to intrude into the Office's highly privileged deliberations would come at the cost of the Solicitor General's ability to defend vigorously the United States' litigation interests—a cost that also would be borne by Congress itself.

Although we profoundly respect the Senate's duty to evaluate Mr. Estrada's fitness for the federal judiciary, we do not think that the confidentiality and integrity of internal deliberations should be sacrified in the process.

Sincerely,

SETH P. WAXMAN,
On behalf of
WALTER DELLINGER,
DREW S. DAYS, III,
KENNETH W. STARR,
CHARLES FRIED,
ROBERT H. BORK,
ARCHIBALD COX.

Mr. SPECTER. It is absolutely chilling to the operation of the Solicitor General's office or the operation of any governmental office with lawyers working to say their work product, their views, will be subject to review and scrutiny if they are later nominated to some judicial position.

I think it boils down to—I will not call the request for the opinions of the Solicitor General's office a red herring; that could be a little too harsh—it certainly is a subterfuge. It is not what they are really looking for. They are looking for an excuse.

The news reports today are that the Democrats plan a filibuster. That is the headline: ''Democrats Plan Filibuster on Estrada Nomination.'' If that is so, the Senate is going to come to a grinding halt. If Miguel Estrada cannot be confirmed, then I doubt that anybody can be confirmed. We may be locked in debate on this matter—I heard an estimate of 3 months at lunch; that may be an understatement.

I don't think the American people are going to tolerate this. There has been much too much judicial politics. Republicans are as guilty of it as are the Democrats. When President Clinton was in office and Republicans controlled the Senate, nominations were blocked inappropriately. I was prepared to cross party lines where I thought it was justified. Now that we have a Republican in the White House and the Democrats have controlled the Judiciary Committee for most of the last 2 years, the shoe is on the other foot and there have been inappropriate blocking of nominees.

The only filibuster which we can find is the one on Abe Fortis for Chief Justice of the United States Supreme Court, which is hardly a judgeship for the court of appeals.

I say to my colleagues on the other side of the aisle, the Democrats on the Judiciary Committee, and the Democrats generally, we have to come to some accommodation. We have to come to a judicial protocol so we consider the issues on the basis of merit and qualification without politicizing and without looking for people who agree with us philosophically.

I may come back to speak later, but I wanted to speak at an early point in this proceeding because of my participation in the confirmation hearings of some seven Supreme Court nominees and hundreds of lower Federal court nominees. I hope we will take Estrada out of politics and confirm him.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, this is going to be a long debate, whatever happens. I very much appreciate the sincere concerns of my colleagues from Utah and Pennsylvania.

I say to my friend from Pennsylvania before he leaves, he asked, if Miguel Estrada cannot get confirmed, who can? I, for one, have voted for 96 of the 102 judges President Bush has nominated. We passed over 100 of them.

There seems to be an idea on the other side if we oppose a single judge we are totally blocking the President's program. I argue just the opposite. I argue to my friend, as he well knows because he knows the Constitution better than just about anyone else in this Chamber, with maybe the exception of our good friend from West Virginia, the Founding Fathers wanted debate. They wanted the Senate to have a role. Read the Federalist Papers. That is how it was for many years.

To sum up, the White House has started to nominate ideological nominees—not like President Clinton, not like the first President Bush—but when we try to examine the ideology of these nominees, that is wrong. We do virtually no moderates before us. Everyone is from conservative, to way out of the mainstream, and we have voted for most of the conservative judges. Let's be honest about it. This debate was not started by Democrats in the Senate. This debate was started by a White House that is intent on changing the character of the Federal bench, to go way beyond what is the mainstream of America. Everyone will agree, Justice Scalia and Justice Thomas are the two most conservative judges on the court. President Bush said it in his campaign. He said: I will nominate Justices like Scalia and Thomas.

That is not saying moderation. He promised the American people moderation when he ran. But when it comes to the article III section of Government, we don't see a drop of moderation.

We will continue to make this argument because we believe we are defending the Constitution. We are doing just what James Madison and John Jay and Alexander Hamilton and all of the great writers of this Constitution wanted us to do, which is have some influence on the article III section of Government.

I am going to speak at some length, which is not what I usually do here. I usually say I think you can say everything in 5 or 10 minutes. But this issue is so important to me that I intend to be on the floor here today for a period of time, and regularly after that.

I rise in opposition to the nomination before us today. Mr. Estrada has been nominated to a lifetime appointment, a lifetime seat on the DC Circuit, the Nation's second most important court. If confirmed, this 42-year-old man will spend the next half century making important decisions that will affect our children, our grandchildren, our great-grandchildren, and generations beyond. If we vote to confirm Mr. Estrada, there is no going back. There is no opportunity to look at what he does in his first years as judge and reconsider. The vote here is final. If he is confirmed, we are all going to have to live with the consequences for decades to come.

So this is not a trivial matter. This is not a trifling matter. This is one of the most important matters that comes before us. The ability to ratify or reject a President's nomination to a lifetime appointment in article III, the third branch of Government, is a solemn obligation. It is one that should not be taken lightly. To rush through the nomination, to not have questions fully answered and explored, does violation to the very Constitution that we all revere. Yet that is what the other side is asking us to do.

The Senate has a solemn, almost sacred duty when evaluating applicants for such powerful posts. I will quote my good friend from Utah, Senator HATCH:

> The Senate has a duty not to be a rubberstamp.

Those are his words. That is every bit as true today as it was when he uttered them.

The Founding Fathers, in my opinion—not just mine, almost everybody's—were really quite brilliant in devising a system of checks and balances. When it came to judicial nominations, they had a robust debate. For a good period of time at the Constitutional Convention they were considering vesting all the power in the Senate. There was a period where they considered vesting all the power in the President. They realized, as they did with most matters, that our country was best off with a system of shared power.

The Framers gave the President the power to select nominees but gave the Senate coordinate responsibilities to advise the President on whom to nominate, and to decide whether the nominees deserve confirmation. By and large, the system has worked well for over 200 years. For those of us who revere the Constitution and who believe in the rule of law, it is a beautiful work of art.

I believe to this day what was said when America was founded, that we are God's noble experiment. We still are. That is why the debate today and in the following weeks has so much vitality. For this beautiful work of art to maintain its beauty and brilliance, the Senate must hold up its end of the bargain. We have a duty, a responsibility, an obligation to the judiciary, to the Constitution, and, yes, to the American people, to carefully evaluate these nominees and decide whether they merit confirmation.

This cannot be a rote process where the President sends us names and we just say ''OK,'' without undertaking an independent evaluation. As we hear so often from Senator BYRD, the keeper of tradition in this body, we have a duty to be vigilant defenders of constitutional principles and the Senate's role in checking executive power. For the Senate to retain its historical role in our system of government, we must live up to the standards set by those who came before us and ensure that we have balance in Government.

Too often, debates around here devolve into rancor and partisan backbiting. Too often in the past, debates involved personal attacks on people. Because we don't like a nominee, someone goes back and finds they smoked marijuana when they were in college, or they took out the wrong kind of movie when they were a young man or woman. That demeans the process.

To have a full debate and a fulsome discussion with the nominee about how he or she feels about important issues such as the first amendment and the second and the fourth and the commerce clause and the sovereignty clause and the right to privacy is not simply fun. It is not simply optional. It is deeply and solemnly necessary to uphold the will of the Founding Fathers, to uphold the very structure of the Government we revere. We should focus on facts in what we do and, equally important, on what we know and, equally important to this debate, what we don't know about this nominee.

When a nominee is seeking such a powerful post, this lifetime position on the Nation's second highest court, I believe the nominee has an obligation to answer questions. I believe the nominee has a duty to tell us what he thinks about the law, how he views vexing legal questions of the day, and to share with us his approach to the Constitution and his judicial philosophy. These are not only reasonable areas of inquiry, they are urgent and important areas of inquiry. We cannot be expected to undertake our constitutional duties without answers to these questions.

In the words of Mr. DOOLEY, ''this ain't beanbag.'' This isn't fun or a political game. This isn't trying one-upmanship. This goes to the very sacred obligation each of us has, when we take that oath of office upon our election or our reelection.

I know my friends on the other side of the aisle agree with me on this fundamental view. While I expect they will take to the floor and denounce the inquiries we have made, if we go back and look at the questions they asked—my friend from Utah and all the members of the Judiciary Committee, the questions they asked of President Clinton's nominees—they will see our questions pale in comparison. The questions we asked were exactly the kinds of questions the Founding Fathers expected us to ask to ensure balance in our system of government and justice. We asked nearly 100 questions of this nominee and he refused to answer all too many of them. He refused to answer most of the important ones. It is his right to duck or dodge or hide behind legal subterfuge. That he can do. But that doesn't mean we have to confirm him, plain and simple.

I have sat through a good number of judicial hearings in my years in the Senate. I followed many more in my career in the House. I have never seen such an incredible sense of avoidance and of ultimate stonewalling in any confirmation process as I saw when Miguel Estrada came before our committee. I chaired that hearing, as my good friend from Utah will remember, and one exchange we had was particularly memorable to me. Mr. Estrada kept saying, when we asked him about his views, that he didn't want to discuss it because future cases might come before him.

I'm a lawyer. Many of us are lawyers. We know, when you are asked what's your view of the first amendment, and you say: Well, a case might come before me on the first amendment and I can't discuss it, that is not the appropriate response. Certainly, if we were to ask Mr. Estrada how he might rule on, say, WorldCom and the suits against WorldCom, or on an existing case before the lower courts, he would have a right and an obligation not to answer that question. But to say he cannot discuss his views of the expansiveness or the narrowness of the commerce clause because eventually he will have to rule on the commerce clause makes a mockery of every judicial hearing we have had or will have.

But I kept trying. I decided if Mr. Estrada would answer nothing about his prospective views, why not look at what happened in the past.

So I asked him to discuss cases that by definition could never come before him if he were confirmed to a lifetime seat on the District of Columbia Circuit. I asked him about Supreme Court cases which are already decided. These cases are already the law of the land and can be reconsidered only by the Supreme Court. So there is no fear that a nominee would be doing something unethical by taking such a position. There is not only nothing wrong with discussing these cases, but there is a lot right about discussing these cases.

Answers to these questions will give us insight as to what kind of judge he will be:

Whether the nominee will fairly assess the claims of average people who want their basic rights vindicated in Federal courts;

Whether the nominee will approve the administration's environmental rollbacks against the interests of people who would protect the environment;

Whether the nominee has a general inclination to side with business interests or labor interests;

And whether this nominee basically supports States' rights or the rights of individuals within those States.

We have seen in the Supreme Court in the last decade these decisions being carefully discussed by the Justices with great differences of opinion.

These are the things the public wants to know. These are the things that determine, in my judgment, whether somebody should become a judge.

Everyone in this Chamber will come to a different conclusion once they know those answers. People will weigh answers differently. That is fair, and that is good.

But there is no question, my colleagues, that we should know something about how this nominee views the first amendment, the second amendment, the fourth amendment, the 11th amendment, and the 14th amendment before we just hand him such an important job.

We should know whether the nominee has an expansive view of the commerce clause or a narrow view; an expansive right to privacy or a narrow view.

These are the issues that are the sinew, that are the warp and woof of what our Republic is about. When the Founding Fathers in their beautiful and infinite wisdom decided that they would be careful with the one unelected branch of government—article III section of Government, the Judiciary—they knew what they were doing. They didn't want to vest too much power in any one person—the

President, any Member of this body—and simply appoint judges, because they knew with a lifetime appointment, which in its wisdom insulates people from the vicissitudes of political pressures—that was too serious and solemn a happening to just pass off to one person.

So the questions we hoped Mr. Estrada would answer honestly and forthrightly are the kinds of questions the American people depend on us to ask. These are the kinds of questions that should be answered before we vote on a nominee. Realizing Mr. Estrada would not answer anything about the future, despite the fact that countless others have—it hasn't interfered with their ability to be fine judges—I went back and asked him, Mr. Estrada, to answer questions about the past so we might get some feeling for his views. I asked him to name any one Supreme Court case from the history of all Supreme Court jurisprudence he was critical of. To the surprise of myself and some on the committee, he even declined to do that.

I asked him to tell me his views on a particular case I disagree with, Buckley v. Valeo. I don't think a millionaire has an absolute first amendment right to spend all the money he or she wants on putting on the same political commercial 411 times. I don't think it is what the Founding Fathers intended. There are two views on that. The Court disagrees with me. But I wanted to know Mr. Estrada's view. No matter how many times I tried, no matter how many opportunities he was given, Mr. Estrada insisted he could not state a view on a single court case—not Korematsu, not Dred Scott, not Plessy 1v. Ferguson, not Brown v. Board of Education, not Miranda v. Arizona, not Griswold v. Connecticut, not Roe v. Wade, not a single case.

Mr. HATCH. Mr. President, will the Senator yield for one question?

Mr. SCHUMER. I would be happy to yield.

Mr. HATCH. Is it not true that the question the Senator asked was whether he could name three cases in the last 40 years and not in all of jurisprudence? The specific question was in the last 3 years, and he said there were cases. But that is a little different than saying in all the jurisprudence.

Mr. SCHUMER. I say to my colleague, if I might reclaim my time, I first asked him about the first 40 years. And when he refused to answer that, frustrated as I was, I said, How about in all of jurisprudence?

Mr. HATCH. Could I just ask the question again? All I wanted to make sure of was the Senator said, Please tell us what three cases from the last 40 years of the Supreme Court jurisprudence you are most critical of, and just give me all of the sentences and as to why for each one. Then Mr. Estrada said, Senator, I think there are cases that I have been critical of that I can think of—and then he goes on to say more. Then you asked again on page 210, With all your legal background and legal work, you can't think of three or even one single case that the Supreme Court has decided that you disagree with. And then Mr. Estrada said he wasn't sure he was even in a position to disagree, et cetera. Then on page 211, you then asked this question.

Mr. SCHUMER. Could I reclaim my time?

Mr. HATCH. Let me finish this one last question. You don't know a single case in the last 40 years? I will tell you that for me, I think Buckley v. Valeo. But all I am trying to say is, Isn't it true that in the last 40 years, not in all jurisprudence.

Mr. SCHUMER. I will say to my colleague, reading from the transcript, I asked 40 years first. And then I said to him, So with all of your legal background and your immersion in the legal world, you can't think of three or even one single case that the Supreme Court has decided that you disagree with? I didn't say in the last 40 years at that point.

Mr. HATCH. On the next page, 40 years.

Mr. SCHUMER. I asked both, as I said to my colleague. And he didn't say. And I will argue to my colleague—I will not yield on that point—I asked him about 40 years. And then I asked him about it permanently on page 211. But I will say this.

Mr. HATCH. Will the Senator yield again?

Mr. SCHUMER. I will say this. I think it is amazing he couldn't name a case he disagreed with in 40 years alone. I don't think that is really the point here, whether it is 40 years or all the way back in jurisprudence. But I will continue with my remarks, and then I will yield for a question.

(Ms. COLLINS assumed the chair.)

Mr. HATCH. Will the Senator yield for one last question?

Mr. SCHUMER. I will yield for one last question.

Mr. HATCH. That is on the one page, the first page limited to 40 years, and on the second page it was more broad. But it wasn't clear that it meant all of jurisprudence. On the next page, again, 40 years.

That is just my point. All I am saying is in the heat of the moment someone may not be able to conjure up some cases. But be that as it may, he indicated he had some he was critical of. But I think the Supreme Court advocate, not knowing whether he will be confirmed, he probably wasn't about to antagonize anyone on the Court.

Mr. SCHUMER. That is for each of us to judge, whether a nominee who is worried about his confirmation should not speak about any case he might disagree with, whether it be 40 years or in all of jurisprudence.

But I just wanted to say, if you look at the record, it is clear. I gave him many different opportunities to answer that question. I asked the question in different ways. I came back to it. And Mr. Estrada didn't answer. To the average citizen who looked at it, he was stonewalling. He was just not giving answers that every law professor, or law student, or lawyer when asked would venture a guess at.

Let me tell you why many of us think he refused to answer the question. I would like my colleagues to hear this, because I don't think this has come out. Mr. Estrada stonewalled because that is the game plan he was given by the Justice Department and the White House. They told him not to answer questions. That was what they told him to do. Because again, they know Mr. Estrada's views. They do not want anybody else to know, because I believe if they were revealed, they are so far out of the mainstream he would not be approved. I don't know if that prediction will prove to be true. Maybe we will know, if we find the views on the issue.

But there is no secret to this. This has been the game plan of those who have sought to stack the judiciary to the far right side for years.

Let me review with my colleagues an article in the Legal Times which talked about a meeting that Judge Laurence Silberman—a leading conservative judge, a very erudite man, but he shared his strategy with prospective judicial nominees at a Federalist Society meeting just last year.

The Federalist Society is the breeding ground for most of the States rights agenda, supporting nominees the administration is sending us. It is no secret that Federalist Society members are among the most active in the White House and Justice Department in choosing judges. I will let the American people judge for themselves, but most believe the Federalist Society is not moderate and not conservative but way over to the hard right.

Judge Silberman appeared along with Senator KYL and Fred Fielding, President Reagan's counsel, to discuss with the group how to get these out-of-the-mainstream nominees on the bench, because they realized if they told the truth, they would have a difficult time because America is not far left or far right but moderate.

If President Clinton tried to stack the bench with far left nominees, we heard howls. He did not. But that is just what President Bush is trying to do. President Clinton, as I mentioned, nominated mostly partners in law firms and prosecutors, not many legal aid society people, not many ACLU advocates. President Bush is not doing the mirror image himself.

In any case, this is what was reported about that meeting. And I am quoting from an article in the Legal Times:

> President George W. Bush's judicial nominees received some very specific confirmation advice last week:

This is the article, not me—

> ''Keep your mouths shut.''
>
> The warning came from someone who has been a part of the process. Laurence Silberman, a senior judge on the U.S. Court of Appeals for the D.C. Circuit—

The very court we are talking about—

Told an audience of 150 at a Federalist Society luncheon that he served as an informal adviser to his then-D.C. Circuit colleague Antonin Scalia when Scalia was nominated to the Supreme Court in 1986.

This is a quote from the article:

''I was his counsel, and I counseled him to say nothing [at his confirmation hearings] concerning any matter that could be thought to bear on any cases coming before the Court,'' Silberman said.

Silberman said his advice led to Scalia's speedy confirmation by keeping the nominee out of trouble on Capitol Hill. He also explained that the advice was intended to be rather far-reaching.

Scalia called Silberman at one point, the latter recalled, and told him he was about to be questioned about his views about Marbury v. Madison, the nearly 200-year-old case that established the principle of judicial review.

''I told him that as a matter of principle, he shouldn't answer that question either,'' Silberman said. He explained that once a prospective judge discusses any case at all, the floodgates open and he would be forced to discuss other cases.

Does that help shed some light on why this nominee refused to discuss and answer an innocuous softball of a question: to name a case—whether it be in the last 40 years or all the way back—with which you disagree?

My colleagues, is the idea that a nominee to a powerful lifetime post on the Federal bench would be ''forced'' to discuss with the Senate his or her views on important historical cases really so terrifying?

If we cannot talk about Marbury v. Madison with nominees, if we cannot discuss the case that provides the foundation for jurisprudence in America, we are in pretty bad shape.

I was not in the Senate at the time of Justice Scalia's confirmation hearing, but I cannot imagine us confirming any nominee refusing to discuss a case that is 200 years old, a case that establishes the judiciary's power.

I do not think there was a philosophical reason by Judge Silberman. I think he thought that if the nominee's real views were known, many of the American people would rise up and say: This is not the kind of nominee we want. This is the kind of nominee who will not just interpret the laws as the Constitution calls for but make law.

It so happens judges on the far right and on the far left have a proclivity to want to make law because they feel things are so bad that they have to change them on their own.

I have to tell you that a nominee who refuses to discuss the single most important case in the history of the Supreme Court will have a hard time winning many Senators' votes. Confirming such a nominee would confirm that the Senate's role is nothing more than a mere formality. If the President picks you, and we cannot find something in your ancient past, some little personal transgression, then you go to the bench.

Balance becomes the baby that gets thrown out with the bath water. Our system of government gets thrown out of whack.

It is very interesting that Mr. Estrada seems to be executing the Federalist Society's game plan, remaining silent and stonewalling, while other nominees, who are generating less opposition, are simply answering questions.

There were five district court nominees at the hearing where Mr. Estrada testified. Because we spent so much time trying to get answers out of Mr. Estrada, we had little time to question each of them. So I asked each of them to answer, in writing, the very same question I asked of Mr. Estrada. I asked them to identify three Supreme Court cases with which they disagree. And do you know what? Each of them answered. Each was able to give me three cases with which they disagreed.

Some of them picked obvious cases, such as Korematsu, the Supreme Court case upholding the Government's power to put Japanese-American citizens into interment camps, a case which has been thoroughly discredited; cases such as Plessy v. Ferguson which held that separate was equal, a case that was later overruled by Brown v. Board of Education. But many of these nominees picked cases that have not been overruled.

Judge Linda Reade, a judge who I voted for in committee and on the floor—one of 96 judicial nominees by President Bush that I have supported so far, and who we unanimously confirmed to a district court judgeship in Iowa—gave some particularly interesting answers.

Judge Reade was critical of two Supreme Court cases that expanded police powers and diminished privacy rights under the fourth amendment.

One of the these cases, United States v. Rabinowitz, held that police had the power to search someone's office when he was arrested with an arrest warrant but without a search warrant.

The other case was Harris v. United States, where the court held, again, that a search of an arrestee's entire four-bedroom apartment was constitutional despite the fact that the police did not have a search warrant.

Her concerns about these cases reflected a heightened sensitivity to privacy rights protected by the fourth amendment. I do not want judges who read the fourth amendment so expansively that the police are handcuffed and unable to do their jobs. I want judges who will balance privacy rights with law enforcement interests.

Her answers suggested to me that Judge Reade would be attuned to the privacy side of the argument. I may not have fully agreed with her—I tend to be more conservative on these criminal justice issues—but I appreciated her candor and her forthrightness. I appreciated her straightforwardness. She was not hiding a thing. She was telling us what she thinks. And I voted for her.

Obviously, there is not a single Senator in this body who thinks Judge Reade's answers disqualify her for a Federal judgeship. Not a single one of us objected to her nomination or voted against her. And the same is true of the four other nominees we asked questions of the day of Mr. Estrada's hearing. They answered the questions forthrightly. They didn't hide the ball. They appeared to be within the mainstream. We confirmed them all quickly.

Just last week we held a confirmation hearing for Jeffrey Sutton, a very controversial nominee to the Sixth Circuit.

He is one of the leaders in the States rights movement. He has argued many of the seminal cases, and clearly he evokes much controversy. As my good friend from Utah will recall, the disabled community was so upset that they came out in large numbers, and we had to move the hearing room to a larger room, to which my friend from Utah graciously acceded.

I haven't decided how I will vote on Mr. Sutton's nomination, and there are still questions I have asked him to answer. But I will say this about him: He started on the right foot with me by at least telling us what he thinks of some cases. Twice Jeffrey Sutton told us on his own, without being asked, that he was critical of Supreme Court cases Buck v. Bell and Kiryas Joel.

When I asked him about other cases he was critical of, he said he had problems with Korematsu and Plessy v. Ferguson. I will grant these are not hard cases to be critical of, and I will repeat that there is still ground to cover with Mr. Sutton, but at least Mr. Sutton said that much and was committed to discussing other cases in writing.

Mr. Estrada told us nothing, not a single thing. This is reminiscent of what I thought was one of the least fine moments of the Judiciary Committee. It is reminiscent of Clarence Thomas telling America that he had never discussed Roe v. Wade and had no views on the case whatsoever. How many of us believed him then? How many of us believe him now? It is simply not credible. It is totally unbelievable that this nominee, Mr. Estrada, had no critical views on any Supreme Court case in history. Every lawyer in America, and most nonlawyers in America, can point to one Supreme Court case he or she is critical of. Of course, we all know Mr. Estrada has thoughts on the subject. Every single person, ask every one of the 100 Senators to bet all their money on whether Estrada has opinions on certain cases. We would all bet he does.

The bottom line is simple: If we confirm Miguel Estrada, we are ratifying a ''don't ask, don't tell'' policy for judicial nominees. Mr. Estrada sat there and said nothing, believing if he didn't say a word, we would rubberstamp him. By remaining silent, Mr. Estrada only buttressed the fear that he is a far-right stealth nominee, a sphinx-like candidate who will drive the Nation's

second most important court way out of the mainstream. I had hoped he would choose candor over secrecy. He refused to do so. All he said is: I will follow the law.

In my book, that doesn't explain much.

There is a myth that the law is something automatic, that the facts of a case, the applicable statutes can be dumped into a computer, and the right answer will just pop out, that a person's philosophy and ideology have nothing to do with determining how they vote when they get to be a judge. We all know that is poppycock. Anyone who studied the system knows that is not how the law works. If we did, we would have IBM build a computer, put some black robes on the computer, and obviate the need for these confirmation hearings or any judges. But we all know there is more to judging than that. We all know judges bring their experiences, their values, their judgment and, yes, their ideology to the bench with them.

If ideology didn't matter, both Republican and Democratic Presidents would nominate judges from across the political spectrum. Instead, Democrats tend to nominate Democrats; Republicans tend to nominate Republicans. That is fine. I know that as long as President Bush is President, I will be voting on mainly Republican nominees. I still voted for 96 out of 102, as did most of my colleagues. But that doesn't mean we have to rubberstamp each one. And certainly it doesn't mean that ideology is in play. If ideology was not in play, if we were just relying on the legal quality of the mind, then Estrada's mind is of good legal quality, excellent legal quality. But then the appointees of Democratic Presidents to the Supreme Court and other courts and the appointees of Republican Presidents to the Supreme Court and the other courts would be scattered all over the lot when it came to rendering decisions.

We know that is not true. There are always exceptions. Earl Warren became a very liberal Chief Justice although he was nominated by President Eisenhower. But by and large, the ideology matters. And that is why Democratic nominees tend to support different opinions and decisions than Republican nominees. That is our system, and that is great.

But to say ideology doesn't matter would mean President Bush would be nominating a whole lot of Democrats for judge and a whole lot of moderate Republicans. He has hardly nominated any of either category. The best you get is someone who is a conservative, not a hard right conservative.

Now let's go back to Mr. Estrada. There are some other ways to get at what Mr. Estrada actually believes and how he will act as a judge. By the way, this is all we have. If he refuses to answer questions at a hearing, and he doesn't, he is not a judge and he is not a law professor who opines on these issues.

Mr. DOMENICI. Might I inquire from the Senator, how much longer do you think you will be?

Mr. SCHUMER. I would say to my colleague, I will probably be another 15 minutes. I appreciate it. I rarely speak on the floor very long. I speak often, but usually for 5 or 10-minute amounts. But as my good friend from New Mexico knows, I feel very strongly about this issue.

Mr. DOMENICI. I had assumed your usual.

Mr. SCHUMER. I will try to finish as quickly as possible, in deference to my good friend from New Mexico.

So we don't have much on the record about Mr. Estrada. That is why his papers as Solicitor General mean so much. Because when Mr. Estrada worked in the Justice Department, he looked at cases and analyzed them and assessed the constitutionality of laws. That is, for all intents and purposes, what appellate judges do. Unlike a lawyer in a law firm who is looking out for a client with a vested interest, Mr. Estrada was working for the Government. His client was the Constitution. His memos would help show how he interprets the Constitution. Similar memoranda have been requested and produced when Congress was evaluating other nominees, both to the executive and judicial branches, creating ample precedent for such a request.

I know there has been a series of letters that have gone back and forth. I know we have differing views about the propriety of sharing these memoranda. But one thing is clear, there is precedent because others, including Bradford Reynolds and Justice Rehnquist, submitted those papers. It is clear there is no privilege. And it is clear these memos are needed to lift the veil covering whatever it is Mr. Estrada wants to remain covered.

So, in other words, because we have so little information on how Mr. Estrada thinks, these memos are more important to understand his thinking than they would be for the typical judicial nominees.

Mr. Estrada did work that was quintessentially judge-like, but we are being denied the opportunity to examine it, evaluate it, and assess for ourselves what kind of judge he would be. That doesn't seem right. A former supervisor has charged that Mr. Estrada advocated extreme positions, more aligned with his own interests than the Government's interest, when he was Solicitor General.

My friend from Utah said at a hearing that he had backed off those positions. He has not backed off those positions.

Many have said: Well, his evaluations were excellent.

We have talked to Mr. Bender, and he has said, first, when you look at those evaluations, they don't talk about his views and whether he would have fidelity to the Constitution or try to impose his own views. They talk about whether he was a hard worker. But what Mr. Bender said is: Everyone gets checked off excellent on those—we will have to check the record there—because it helps them get merit advancements.

So here you have the supervisor saying he was extreme, saying he would take his own views and not follow the law. Guess what the best way is to disprove that supervisor. Make the memos public. If the memos prove the supervisor wrong, Mr. Estrada has nothing to fear from their disclosure. If the memos prove the supervisor is right, this is someone no one in the Senate should want on the DC Circuit.

Mr. President, I have always used three criteria in evaluating judicial nominees. I call them excellence, moderation, and diversity.

Excellence is legal excellence, the quality of the mind. We don't want political hacks on these important courts. No one disputes that Mr. Estrada passes this point with flying colors. He comes highly recommended in this regard. When the ABA recommends him, that is all they are evaluating.

My second criteria is diversity. Clearly, he passes on this point. I have fought for as long as I have been in public service to promote diversity. A principal goal of mine in New York is to put more people of color on the Federal bench—and I have, as my record shows. We are going to talk a lot about the push for diversity, and we are going to see Mr. Estrada is the only Hispanic nominee of President Bush. Diversity seems to be limited at this point to Mr. Estrada when it comes to the court of appeals; whereas, those of us on this side, in the Hispanic caucus and others who oppose the nomination, have done far more for diversity than those who claim they are moving its cause forward today. In any case, I am for diversity. I will not talk more about that today. I will give that part of the speech next week.

The third factor forces me to take the floor today, and that is moderation. I don't like judges too far to the right, and I don't like them too far to the left. To be honest with you, when my judicial committee sends me recommendations, those are their instructions. I think judges too far left, as well as those too far right, want to make the law, not interpret it. I think they don't belong on the bench, with certain exceptions—rare, but certain.

So is Mr. Estrada moderate? Is he even a moderate conservative? Well, he gives every appearance of being extreme. People who know him say that, people who have talked to him about his views. That is one of the reasons, again, many of us feel he doesn't want to speak out, because if we knew his real views, he might well be rejected. Why has the Congressional Hispanic Caucus, the Puerto Rican Legal Defense and Education Fund, and the Mexican American Legal Defense Fund opposed Mr. Estrada? These groups have acted courageously in opposing

him because they share my commitment to promoting Latinos on the Federal judiciary. I have worked with them for years to diversify the bench. But the concerns about his views are overwhelming.

Let me tell you what Mr. Paul Bender had to say. He oversaw Mr. Estrada's work in the Solicitor General's office. He said he was too much of an ideologue to serve as a Federal judge. Mr. Bender said Mr. Estrada would bring his own personal agenda—an extreme agenda—to the courts if we confirm him.

My friend from Utah suggested Professor Bender has backed off. I assure my colleagues that is not the case. He stands by them 100 percent.

Again, my friends on the other side have suggested Bender is not credible because he gave Mr. Estrada high marks on his work evaluations. Every one of those evaluations went to legal excellence. I am not disputing that. Those evaluations did not deal with Mr. Estrada's potential extreme ideological nature. But don't take Professor Bender's word for it. Here is what Ann Coulter, the conservative pundit and Mr. Estrada's close friend, said about him this week:

> The second [Mr. Estrada] gets in there, he'll overrule everything you love.

This is a close friend of Mr. Estrada's, a conservative columnist. What was Ms. Coulter talking about? She was talking to Paul Begala. Was she saying Mr. Estrada will approve the Bush administration's rollback of environmental protections? Was she saying he would side with big business and special interests against the rights of labor and workers every time?

When Ms. Coulter says Miguel Estrada will overrule everything Mr. Begala cares about, it is not hard to worry that he will be another in a long line of rightwing judicial activists who prioritize States' rights over people's rights.

This is a lifetime appointment. Once it is done, it cannot be undone. If we approve Mr. Estrada, he is there for life and his decisions will affect all of us for generations to come. This Senate deserves a full and open debate. This Senate deserves answers to questions that may sound esoteric but will affect the lives of every single American. The people of this country, the American people, deserve these answers. They are so important to the future of this country.

When you have judges who try to make law, they make this Senate, the House, and the President—the elected branches of Government—less significant and less important. I say to my colleagues, many of us on this side of the aisle feel very strongly about this issue. We urge Mr. Estrada and the administration to reconsider. We urge them to give a fulsome view of how Mr. Estrada feels on the important issues of the day, and not simply to say he has a good legal mind, not simply to talk about the fact he has a nice history—which he does, and I give him credit for it—but to talk about the main thing that will influence what he does when he becomes a judge—his views.

We will continue this debate over the next few weeks and it could be one of the Senate's finest moments. I hope—no, I pray—we will rise to the occasion.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. DOMENICI. Madam President, anyone who doubted whether or not there were certain Democrats who intend to filibuster this nomination just heard a leading Senator who is going to espouse that. Two weeks of debate, he said; he hopes we will still be discussing this nomination then. It is the desire of at least one Senator, the Senator from New York, that this nominee not be approved, and that we will not have the opportunity to vote because they will not give us time.

Madam President, I come from a State, New Mexico, where 42 percent of the people are from what we generally call Hispanic descent—42 percent. Some people wonder why the Senator from New Mexico has different views than some of you around here. Well, we have 8 to 10 percent Native American Indians. If my arithmetic is right, when you add the two, there is about 51 percent either Hispanics or Native American Indians in my State.

I say right up front, I am not afraid of the views of a Hispanic whether he is a Democrat or a Republican. I don't niche Hispanics because they are Democrats and say they must be liberals who I would not approve for anything. Neither do I niche Republican Hispanics and say because they are Republicans—there is an implication they should not be, they should be Democrats—but if they are, they obviously should not be on the bench because they are obviously too conservative, or they would not be Hispanic Republicans.

I believe we are perilously close to determining it is OK to discriminate against Hispanics if they are conservative. I don't even know how conservative Mr. Estrada is, but the allegation is he is too conservative. He happens to also be Hispanic.

Just imagine, Madam President, if there was a Democrat nominee with the name Espinoza—I just picked one that came to mind—and Republicans found something wrong with him as a candidate—imagine what they might be saying: Republicans oppose a Hispanic for the circuit court of the United States. They don't want people of color on the circuit court of appeals.

I have not said that of the Democrats yet, but I am getting perilously close to wondering why, if he does not know enough about this nominee, he would call him unqualified for the bench in the circuit court. Is it because of his color? Is it because of from where he came? He epitomizes the American dream beyond what anyone in this Senate would probably epitomize. Coming here at 17 years of age and speaking no English; in a short period of time he learned the English language; graduated magna cum laude from law school, none other than Harvard—and we have people here wondering whether he is qualified.

In New Mexico, nobody would say of that man, Miguel Estrada: He is not qualified because he probably is too conservative, because he joined the Republican Party or, at least, he is one of them. I believe that would be wrong.

Again, I want to make sure everybody understands that I am doing my very best to tell it like I see it, but I am also doing a bit of surmising because my good friend from New York has not been here very long, and we welcome him. But there is no doubt in my mind that if they ever get a nominee on their side of the aisle who is a Hispanic Democrat for the circuit court of the United States and a Republican or a group of them are against that nominee, they might say the Republicans do not want to put a Hispanic on the bench.

Mr. SCHUMER. Will my colleague yield?

Mr. DOMENICI. I sat here for 30 minutes. I am very sorry.

Mr. SCHUMER. There were Hispanic nominees opposed by your side, and we never raised the issue because they were Hispanic—Paez, Rangel, Moreno.

Mr. DOMENICI. Madam President, I have the floor.

The PRESIDING OFFICER. The Senator from New Mexico has the floor.

Mr. DOMENICI. I did not interrupt his comments when there was tremendous opportunity to point out inconsistencies. I made only five notes and I could have stopped and asked him if something he said is really what he meant, but I chose not to. I am going to finish my few remarks. I will not be much longer.

I did not say that would happen, nor that they were discriminating against him, but the implication is clearly that it is kind of strange that this bright Hispanic young man is a Republican. I believe that is in the marketplace of ideas on the Democratic side.

I suggest there are some things happening in our country. In my own State, a young Hispanic came up to me the other day from a very large family—young people, middle-age people, grandmas, grandpas. They all have very beautiful Spanish names for all of those categories of people. He put his arm around me and he said: We have all been Democrats. There are probably 200 people in my family. We have all been Democrats. But you know, I am wondering if I should not join with you and become a Republican. It seems like you think like we do, and wouldn't it be something if I did and my whole family decided that I was right?

I said to him: I believe there are thousands like you who feel that way in New Mexico and in our country, and we welcome you.

If this young man, Miguel Estrada, when he became a citizen, became a Republican—and I do not know that, but there is an implication he is one of us or he is conservative—I welcome him. I am proud of him. I am glad he did it. I do not believe he ought to be eliminated from consideration on the circuit court of appeals or even a higher court because of that issue. I honestly believe it takes people of diversity in our country to join both parties and speak through their ideology and their feelings about what they think of our country.

I am not at all sure the argument being made today by the distinguished Senator from New York is anything other than ''we are afraid of this guy; we're not so sure he should be on the bench,'' but they really do not know why.

I hope that many Republicans join with Democrats and decide that if the distinguished Senator from New York wants to speak and wants to be joined for 2 weeks, that we will do him the favor and let him talk for 2 weeks. I am not sure our leader will do that because maybe we should shut off debate, but maybe it would be doing a favor for America and Hispanics across this country if we let him speak for 2 weeks. I do not think their cause will get any better. I think it might get even worse with the passage of time.

This young man went through all this effort thinking that he might complete the American dream. What must it have been like for this young man who learned English so quickly, went on to school and law school at Harvard? He must have thought the American dream for him might mean fulfillment as a judge.

He was appointed by the President of the United States more than 630 days ago, and instead of a dream, he has had a nightmare. I think it should end. The nightmare should be over. If they would like to make it 2 weeks longer and want to talk that long in the Senate, I hope the Senate insists that those who want to talk long on the Senate floor can talk long.

Certainly I am a very knowledgeable Senator about the institution. I love it, where some Senators do not even like to hear people say that. They think we waste too much time; we do this, that, and the other. I really love it. I did not at first, but I do now. I do not believe the other side will spend 2 weeks talking about this man unless they clearly do not want him to be on the bench, perhaps because of what I have said here; that maybe he does not belong as a Hispanic because, after all, he is conservative. I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Madam President, I am one who really cares for the distinguished Senator from New York. I understand him. I know him very well, and I care a great deal for him. He is just totally wrong.

For instance, Senator SCHUMER, the distinguished Senator from New York, submitted no written questions to Mr. Estrada. We waited 631 days to have a hearing. They conducted the hearing. The distinguished Senator from New York conducted the hearing. He could have asked any questions he wanted. He is saying he did not get good answers. I think some are interpreting that to mean he—or other Democrats as well—did not get the answers he wanted and he could not get anything on this man.

Following Mr. Estrada's hearing, the distinguished Senator from New York did not submit any questions. That is his right. I think sometimes we do submit too many written questions, and I respect him for not doing that. In fact, only two of my Democratic colleagues submitted any written questions at all to Mr. Estrada, which, of course, he answered immediately.

I find it amusing that the Senator from New York now claims he has questions for Mr. Estrada. If he did, why not write some questions? He certainly had a right to do that. With regard to the hearing testimony, Mr. Estrada repeatedly answered the questions put to him.

Let me give some examples. Mr. Estrada testified he is committed to following the precedents of higher courts faithfully and giving them full force and effect, even if he disagrees and even if he believes the precedents are erroneous. He will follow them. That is mainstream. That is not out of the mainstream. That is mainstream. I would not support anyone who would not answer the question that way.

When asked how he would decide cases presenting an issue with no controlling authority, Mr. Estrada testified: When facing a problem to which there is not a decisive answer from a higher court, my cardinal rule would be to seize it from any place I could get it. He testified this would include related case law and other areas, legislative history and views of academics.

How do you answer better than that? I guess you can using semantics that might be better than that, but I don't think you can do so.

When asked if he sees the legal process as a political game, Mr. Estrada testified: The first duty of a judge is to self-consciously put that aside and look at each case by withholding judgment with an open mind and listening to the parties. So I think that the job of a judge is to put all that aside and, to the best of his human capacity, give a judgment based solely on the arguments on the law.

Mr. Estrada also said: I will follow binding case law in every case. I don't even know that I can say whether I concur in the case or not without actually having gone through the work of doing it from scratch. I may have a personal, moral, philosophical view on the subject matter, but I undertake to you I would put all that aside and decide cases in accordance with binding case law and even in accordance with the case law that is not binding but seems instructive on the area without any influence whatever from any personal view I may have about the subject matter.

That is a pretty good answer. I could go on and on.

What is clear from his testimony is that Mr. Estrada will be a judge who will set aside his personal convictions, whatever they may be, and will follow the law. This is precisely the type of person we want to be a Federal judge.

I have heard the comments about the Federalist Society for years. The Federalist Society does not take positions in the law, but they put on the best seminars and conferences in the country today. And in every conference they have put on that I know of since I am a member of the board of advisers, along with a lot of other very distinguished people, far more important than I am, who have been mainstream thinkers through all the years, they put on these conferences with both sides being fully represented—plenty of Democrats representing the liberal side, to be brutally honest about it.

Now, let me just put one other thing to bed. I am so doggone tired of hearing about this Professor Bender. I ask unanimous consent I be permitted to talk about Professor Bender for a few minutes.

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

Mr. HATCH. As far as I can tell, Mr. Estrada's primary critic is Paul Bender, who supervised Mr. Estrada at the Clinton Solicitor General's office. I caution my Democratic colleagues that, before they rely too heavily on Mr. Bender to make their case against Mr. Estrada, there are many reasons why Mr. Bender's allegations lack credibility.

According to published reports, Mr. Bender himself was the source of much conflict during his tenure at the Clinton Solicitor General's office.

According to published reports, while Mr. Bender was serving as the principal deputy from 1993 to 1996, about 1/3 of the assistants, including one 16-year career veteran, left the office.

Mr. Bender is an extremist by even the most liberal standards, as his 30-year history of hostility to Federal efforts to regulate pornography illustrates.

Mr. Bender has stated publicly that sexually explicit material should not be banned ''any more than material about war, crime, housing, poetry and music.''

In 1993, Mr. Bender pressed his agenda on pornography while serving as principal deputy Solicitor General, forcing President Clinton and the United States Congress—including 9 of my 10 Democratic colleagues on the Committee—to publicly reject his views.

In a case which became a political embarrassment for the Clinton Administration and the Reno Justice Department, Mr. Bender approved a brief filed with the U.S. Supreme Court in September 1993 which sought to overturn

the conviction of a repeat child pornographer and known pedophile.

The facts of the Knox case are straightforward. Stephen Knox was convicted of receiving and possessing child pornography under the Child Protection Act after the U.S. Customs Service found in Knox's apartment several videotapes of partially-clad girls—some as young as age ten—wearing bathing suits, leotards, or underwear in sexually seductive poses.

The brief that Mr. Bender approved sought to reverse the previous Bush Administration's policy of liberally interpreting the Child Protection Act to define as child pornography any materials which showed clothed but suggestively posed young children.

In response, on November 3, 1993, the United States Senate voted 100–0 for a resolution to reject Mr. Bender's position in the case.

Upon learning of the Justice Department's position in the case, and after the Senate's unanimous vote denouncing it, President Clinton wrote to Attorney General Reno in November 1993 to argue that the Department's new interpretation of the Child Protection Act left the child pornography law too narrow and emphasized that he wanted ''the broadest possible protections against child pornography and exploitation.''

In 1994, the House voted 425–3 to condemn the Department's position, finding that Mr. Bender's argument would ''bring back commercial child pornography and lead to a substantial increase of sexual exploitation of children.''

Each of my Democratic colleague on the Committee who were Members of Congress at the time voted for either the Senate or House resolutions.

Bowing to congressional pressure and the rebuke by President Clinton, Attorney General Reno reversed Mr. Bender's position and filed her own brief, which restored the first Bush Administration's interpretation of the Child Protection Act.

My democratic colleagues who once condemned Mr. Bender now appear to rely on his views of Mr. Estrada's qualifications for the federal bench and continue to repeat his description of Mr. Estrada as ''an ideologue.'' I find this illogical, given that their determination in the past that Mr. Bender's views were out of the mainstream.

The Knox case is only one example of Mr. Bender's extremism.

In 1977, he testified before the Committee against tough anti-child pornography laws in a hearing entitled ''Protection of Children Against Sexual Children Against Sexual Exploitation.''

According to Mr. Bender's testimony, he rejected the notion that Congress could prohibit child pornography in order to protect children from harm because ''the conclusion that child pornography causes child abuse involves too much speculation in view of the social situation as we know it, and the fact that it seems that most kids who act in these films probably are doing these acts aside from the films anyway. . . .''

This is the hero they are quoting?

Mr. Bender testified that in order to prohibit child pornography and not run afoul of the First Amendment, ''you would have to have a finding, based on evidence, that in fact, the distribution of this type of film substantially increases the incidence of child abuse before you could possibly support the constitutionality'' of new laws prohibiting child pornography.

He noted that, in his experience, ''the estimates of the size of the pornography problem are usually much, much too large.''

Tell that to the millions of people who see child pornography all over the internet.

Mr. Bender concluded that he ''could not find any discernible harm to children from being exposed to explicit sexual materials as children . . . the harms that we found to children who were exposed to these things were harms that flowed, not from the materials, but from the social settings in which they saw them.''

Mr. Bender's testimony before this Committee exposes his ultra-liberal, pro-pornography views that are difficult to characterize as anything but out of the mainstream.

From 1968 to 1979, Mr. Bender served as the controversial Chief Counsel to the President's Commission on Obscenity and Pornography. Once again, his views were roundly rejected by the Senate.

Mr. Bender was the architect of the commission's report recommending the abolishment of all federal, state, and local laws interfering with the rights of adults to obtain and view any type of pornography, including hard-core pornography.

Dissenting members of the commission described the Bender Report as a ''Magna Carta for the pornographer.''

In 1970, the Senate vote 60–5 for a resolution rejecting the Commission's report and recommendations, with nine additional Senators announcing that if they had been present they would have supported the resolution.

No current member of the Senate supported Mr. Bender's views.

One Democratic Senator noted during the debate on the resolution that:

> The Congress might just as well have asked the pornographers to write the report, although I doubt that even they would have had the temerity and effrontery to make the ludicrous recommendations that were made by the Commission.

Mr. Bender's extreme views aren't limited to pornography. In 1998, he argued that convicted murderer James Hamm should be admitted to the Arizona bar. Hamm was convicted in 1974 and sentenced to 25 years to life after pleading guilty to killing a Tucson, AZ man during a drug deal. Mr. Bender, who taught Hamm constitutional law at Arizona State Law School, called him ''a poster boy for rehabilitation in prison'' and argued that he should be admitted to the bar because ''he's not going to steal from clients or file frivolous suits.''

Mr. Bender's views are certainly out of the mainstream of society in general. What's more, he appears to be out of the mainstream even among former members of the Clinton administration—hardly a conservative bunch—when it comes to Mr. Estrada.

Ron Klain, former chief of staff to Vice President Gore, praised Mr. Estrada, saying that he would be able to ''faithfully follow the law.'' Ron Klain was a former member of the Judiciary Committee. He is a wonderful Democrat and, no question, he's a wonderful attorney. We all know him and appreciate him and respect him.

Former Solicitor General Drew Days opined of Mr. Estrada, ''I think he's a superb lawyer.''

Another Clinton era Solicitor General, Seth Waxman, called Mr. Estrada an ''exceptionally well-qualified appellate advocate.'' Seth Waxman was a great Solicitor General. We all respect him. I know him personally. He's a very fine lawyer and a wonderful Democrat. I'm not calling him a wonderful Democrat because he's on our side with Estrada. I am calling him that because that's the way he is. He's a great attorney. I strongly supported him at that time.

Randolph Moss, former Chief of the Justice Department's Office of Legal Counsel, wrote the Committee:

> to express my strong support for the nomination of Miguel Estrada . . . . Although I am Democrat and Miguel and I do not see eye-to-eye on every issue, I hold Miguel in the highest regard, and I urge the Committee to give favorable consideration to his nomination.

These are people who know him forward and backwards, who know what a great lawyer he is. These are mainstream Democrats calling him a mainstream person, we ought to listen to them.

And Robert Litt, Deputy Assistant Attorney General in the Clinton Justice Department, said:

> Miguel has an absolutely brilliant mind. He is a superb analytical lawyer and he's an outstanding oral advocate.

With all of this glowing support from former high-ranking, well respected Clinton administration lawyers, you have to wonder why my Democratic colleagues choose to listen instead to the unsubstantiated criticisms of Mr. Bender, a liberal extremist whose out-of-the-mainstream views have been twice condemned by the U.S. Senate.

There are many reasons to discredit Paul Bender's criticisms of Mr. Estrada. That is why I am taking this time to do it and I will try to finish so the distinguished Senator from Massachusetts can have the floor.

There are many reasons to discredit Paul Bender's criticisms of Mr. Estrada, not the least of which is the fact that he is the lone voice of criticism amid a sea of admiration and praise for Mr. Estrada.

One of Mr. Estrada's most ardent supporters from the Clinton administration is Seth Waxman, who specifically disputed Mr. Bender's criticisms of Mr. Estrada, yet they are being brought up on the floor again. There is a time to quit bringing these types of people to try to hurt Mr. Estrada. Let me read you what Mr. Waxman said in a letter to the Committee dated September 17, 2001.

I understand from published reports that . . . Paul Bender[] has criticized Mr. Estrada's professional conduct while in the Solicitor General's Office. I do not share those criticisms at all. During the time Mr. Estrada and I worked together, he was a model of professionalism and competence. In no way did I ever discern that the recommendations Mr. Estrada made or the analyses he propounded were colored in any way by his personal views—or indeed that they reflected any consideration other than the long-term interests of the United States. I greatly enjoyed working with Miguel, profited from our interaction, and was genuinely sorry when he decided to leave the office in favor of private practice.

Much has been said about Mr. Estrada's views regarding policy and social issues. I have never had a conversation with Mr. Estrada about either. To my mind—and I believe Mr. Estrada's as well—those views were entirely irrelevant to the work we had before us in the Solicitor General's office. I have great respect both for Mr. Estrada's intellect and for his integrity.

Now, this is not some right-wing fanatic who is praising Mr. Estrada's intellect and integrity. This is former Clinton Solicitor General Seth Waxman. Can there be any genuine doubt about his sincerity? The answer is no.

Mr. President, I ask unanimous consent that a copy of this letter be printed in the RECORD.

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

WILMER, CUTLER & PICKERING,
Washington, DC, September 17, 2001.

Chairman PATRICK J. LEAHY,
Senate Judiciary Committee, Washington, DC.
Senator ORRIN G. HATCH,
Senate Judiciary Committee, Washington, DC.
Re: Miguel Estrada

DEAR CHAIRMAN LEAHY AND SENATOR HATCH: During much of the year in which I served as Principal Deputy Solicitor General (1996–1997), Miguel Estrada and I were colleagues. I understand from published reports that my predecessor, Paul Bender, has criticized Mr. Estrada's professional conduct while in the Solicitor General's Office. I do not share those criticisms at all. During the time Mr. Estrada and I worked together, he was a model of professionalism and competence. In no way did I ever discern that the recommendations Mr. Estrada made or the analyses he propounded were colored in any way by his personal views—or indeed that they reflected any consideration other than the long-term interests of the United States. I greatly enjoyed working with Miguel, profited from our interactions, and was genuinely sorry when he decided to leave the office in favor of private practice.

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Yours sincerely,

SETH P. WAXMAN.

Mr. HATCH. I will put Seth Waxman up against Paul Bender any day, any time, anywhere. This is not some right-wing fanatic.

Mr. KENNEDY. Mr. President, I want to permit my friend and colleague to complete his thought, but we are trying to get some idea—

Mr. HATCH. I think I will only be a few more minutes.

Mr. KENNEDY. I believe there was an order before the Senate that I be recognized at 5:40, as I understood it?

Mr. HATCH. As I understand it, you were not here at the time and I had to make these points.

Mr. KENNEDY. I believe I was in the Chamber at 5:40. I heard the Senator speak at that time.

Mr. HATCH. I will try to finish as soon as I can. As I understand it, I have the floor.

The PRESIDING OFFICER. The Senator from Utah does have the floor.

Mr. HATCH. I will certainly try—

Mr. KENNEDY. Just as an parliamentary inquiry, what was the understanding?

The PRESIDING OFFICER. The order was to recognize the Senator from Massachusetts at 5:40. But the Senator was not present at that time.

Mr. KENNEDY. And what is the time now?

The PRESIDING OFFICER. The time is 5:56.

Mr. KENNEDY. Fine. I wasn't here at 5:40. I think I was at the entrance to the Chamber when the Senator asked consent to be able to proceed. If he wants to take advantage of that, so be it. But I think that it is unfortunate and unfair.

Mr. HATCH. If I might remark, I have been a friend of the Senator from Massachusetts for a long time.

Mr. KENNEDY. I just stated that—

Mr. HATCH. Who has the floor?

The PRESIDING OFFICER. The Senator from Utah has the floor.

Mr. KENNEDY. You have the floor.

Mr. HATCH. I ask for the regular order.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. I have been his friend for a long time, and I am going to finish this very quickly in deference to him. But he wasn't here. I did not see him at the door. And I had to make these comments because of some of the comments that were made that I thought were improper, against Mr. Estrada. And I am going to defend Mr. Estrada on the floor when these kinds of comments are made. I think it is the right thing to do. I am certainly not trying to take advantage of the distinguished Senator from Massachusetts, but I exercise my rights as a coequal Senator. Let me just finish this, and I will do it as quickly as I can.

Mr. President, at the request of the Committee, Mr. Estrada provided copies of his annual performance evaluations during this tenure at the Solicitor General's office. These documents cast serious doubt on Mr. Bender's allegations about Mr. Estrada.

The evaluations show that during each year that Mr. Estrada worked at the SG's Office, he received the highest possible rating of ''outstanding'' in every job performance category.

The rating official who prepared and signed the performance reviews for 1994 to 1996 was none other than Paul Bender.

Let me read a few excerpts from the evaluations that Mr. Bender signed. They say that Mr. Estrada:

States the operative facts and applicable law completely and persuasively, with record citations, and in conformance with court and office rules, and with concern for fairness, clarity, simplicity, and conciseness. . .

Is extremely knowledgeable of resource materials and uses them expertly; acting independently, goes directly to point of the matter and gives reliable, accurate, responsive information in communicating positions to others. . .

All dealings, oral, and written, with the courts, clients, and others are conducted in a diplomatic, cooperative, and candid manner.

I might add this doesn't sound like some radical rightwing fanatic some would portray Mr. Estrada as.

He goes on to say:

All briefs, motions or memoranda reviewed consistently reflect no policies at variance with Departmental or Governmental policies, or fails to discuss and analyze relevant authorities. . .

Is constantly sought for advice and counsel. Inspires co-workers by example.

These comments represent Mr. Bender's contemporaneous evaluation of Mr. Estrada's legal ability, judgment, temperament, and reputation for fairness and integrity.

In short, these comments unmask Mr. Bender's more recent statements, made after Mr. Estrada's nomination, for what they are: A politically motivated effort to smear Mr. Estrada and hurt his chances for confirmation.

The performance evaluations confirm what other Clinton Administration lawyers, and virtually every other lawyer who knows Mr. Estrada, have said about him: That is he a brilliant attorney who will make a fine federal judge.

Having said all that, I apologize to my colleague from Massachusetts for having to make these comments after the comments made by the distinguished Senator from New York. But I think I would have been remiss had I not made those comments to correct the Record to show this man Bender may be a law professor at an institution in the West, but he certainly has not been very fair to Mr. Estrada. And his own reputation would lead one to believe he is not worth listening to with regard to his opinion, which I believe and I think any fair person would believe was nothing but a politically motivated smear.

I yield the floor.

The PRESIDING OFFICER (Mr. ALEXANDER). The Senator from New York is recognized.

Mr. KENNEDY. Mr. President, first of all, as I stated at the hearing, the personal attacks on Paul Bender are really beneath this body. Paul Bender has a long and esteemed history in public and private practice. He clerked for Felix Frankfurter on the Supreme Court. He argued dozens of cases before the Supreme Court. He taught constitutional law at the University of Pennsylvania and the University of Arizona. To criticize Paul Bender because you disagree with his statements is also chilling to anyone who wishes to express their personal opinions about a nominee. I really hope we can talk about the issues without resorting to personal attacks.

Others as well have echoed the Bender criticism.

Among the great debates at the Constitutional Convention two centuries ago was the issue of judicial appointments. Initially, there was broad agreement among the delegates that either the Senate alone or the legislature as a whole should appoint federal judges, and in June of 1787, the delegates tentatively adopted a proposal to give the appointment power to the Senate. But opposition soon arose. The delegates re-opened the issue and considered alternatives such as giving the power of appointment to both the Senate and the House, or to the President with the advice and consent of Congress, or to the President alone.

After months of debate, the issue was finally resolved in September. It was decided the President was to nominate, and the Senate would be asked to concur before the appointment could be made. The Framers believed that one person should have the responsibility for nominating judges, but they clearly wanted to avoid vesting too much power on this issue in the President. The Senate would have the power to prevent the President from shaping a judiciary in his own image. As Alexander Hamilton said in Federalist No. 77, ''If by influencing the President meant restraining him, this is precisely what must have been intended.''

By requiring the President and the Senate to share the responsibility of appointing federal judges, the Framers created one of the most important checks and balances in the Constitution and laid a solid foundation for the independence of the judiciary that has served the Nation so well.

In keeping with this shared responsibility, the Senate must fulfill its constitutional duty to review the nominations sent to us by President Bush—including the nomination of Miguel Estrada. We must assure ourselves that every nominee has the qualifications, temperament, and commitment to enforcing the constitutional and federal statutory protections that are central to our American democracy.

This is not a role we take lightly. At stake are lifetime appointments to courts that have the power to make far-reaching decisions affecting the lives of our people and the life of our Nation. The D.C. Circuit is one of the most important courts in the country—second only to the Supreme Court. It is particularly important to workers, immigrants, and those seeking to enforce their civil rights. It has a unique and prominent role among the Federal courts of appeals, particularly in the area of administrative law, and has exclusive jurisdiction over many workplace, environmental, civil rights, and consumer protection statutes.

If confirmed, Mr. Estrada would make decisions about the rights of workers. He would decide cases involving the right to form a union without intimidation by an employer and cases that affect health and safety rules and regulations—regulations affecting workers exposed to tuberculosis, and dangerous, even toxic, chemicals. These problems aren't going away—they are increasing. The administration continues to issue anti-worker Executive Orders and undermine the labor rights of airline workers. It refuses to put a plan in place to address the serious problem of ergonomic injuries in the workplace. We need judges who will interpret the law fairly—not judges tied to special interests that drive the administration's agenda.

In recent years, the D.C. Circuit has become a safe haven for employers eager to defy the orders of the National Labor Relations Board. In 1980, 83 percent of all NLRB decisions were enforced in full by the D.C. Circuit. Deference was given to the Board by the court. In 2000, however, only 57 percent of NLRB decisions were enforced in full. Time after time, the closely-divided D.C. Circuit has refused to defer to the NLRB's expertise.

Jose Castro knows that one judge's vote can make a difference. A few years ago, the Hoffman Plastics Company fired workers in retaliation for their attempts to organize a union. In response, the National Labor Relations Board ordered reinstatement and backpay for the workers affected. The board later denied reinstatement and granted only limited backpay to Mr. Castro, an undocumented worker. When Hoffman Plastics challenged the board's decision, the D.C. Circuit—in a 5 to 4 decision—rejected the employer's argument and enforced the board's order. The court determined that the board had appropriately crafted its order to take into account the policies underlying both the National Labor Relations Act and the Immigration Reform and Control Act.

Last year, however, the Supreme Court reversed the board and the D.C. Circuit and held—in a 5 to 4 decision—that many immigrant workers are not entitled to backpay remedies under the National Labor Relations Act. The Supreme Court's decision affects as many as 6 million immigrant workers across the United States, and employers have used it to claim that those workers have no labor protections.

If confirmed, Mr. Estrada would make decisions about our environmental laws—such as challenges to clean water regulations, Superfund clean-up of toxic sites, and Clean Air Act regulations. He will decide cases such as American Trucking Associations v. EPA, which denied EPA the authority to establish health standards for smog and soot. The issue in that case directly affects the thousands of children who suffer and die from asthma every year.

Mr. Estrada will be making these decisions as the Bush administration takes dramatic steps to curtail enforcement of our environmental laws. The administration has proposed rules to remove 20 million acres of wetlands from Federal protection, new regulations to weaken national forest protections enacted by the Reagan administration, approved natural gas drilling in Texas along the Nation's longest stretch of undeveloped beach, and proposed to scale back environmental reviews and judicial oversight over national forests and public lands.

Mr. Estrada will also make decisions about the enforcement of our nation's civil rights laws when he reviews race, gender, and disability discrimination cases like Kolstad v. American Dental Association. Carole Kolstad sued her employer for gender discrimination, and a one-vote majority of the D.C. Circuit upheld a very high standard for the collection of punitive damages. The Supreme Court later vacated the D.C. Circuit's decision, but once again it is clear that one vote can make a difference on the D.C. Circuit.

The question before the Senate is what role Mr. Estrada will play on this important court and in the lives of the American people. Will he be a fair and impartial advocate for the law and the Constitution, or will he be at the forefront of efforts to deny basic rights and protections for those who need them?

Mr. Estrada's record and his testimony before the Judiciary Committee provides little information and even less assurance that he is the right person for this important position. It is difficults—if not impossible—for us to exercise our constitutional duty of advice and consent, and to satisfy ourselves that Mr. Estrada is fit for a lifetime appointment without full information. Yet, Mr. Estrada remains a mystery. He refused to provide candid answers to questions during his hearing or in writing to the committee. And the Justice Department refuses to provide memoranda produced by Mr. Estrada when he served in the Solicitor General's office.

These Solicitor General memoranda would be helpful in understanding Mr. Estrada's fitness for a judgeship. They would aid us in determining how he would approach the complex task of judging, and whether he would be able to separate his own personal views from an objective analysis of the law. This administration and previous administrations have provided us with this kind of information in the past, and it is incumbent upon the administration to provide the Senate with the

information necessary to evaluate nominees to our Nation's Federal courts.

The little we do know of Mr. Estrada's record raises grave concerns. In fact, his direct supervisor in the Office of the Solicitor General has raised questions about whether Mr. Estrada has the temperament and requisite moderation to sit on the D.C. Circuit. The supervisor, Mr. Bender, has expressed his belief that Mr. Estrada would have difficulty separating himself from his personal ideological views.

It has been reported, for instance, that some of Mr. Estrada's colleagues have said that he is not openminded and that he ''does not listen to other people.'' After an in-depth meeting with Mr. Estrada, a member of the Congressional Hispanic Caucus stated that Mr. Estrada appeared to have a ''very short fuse'' and that he did not ''have the judicial temperament that is necessary to be a judge.'' According to the Puerto Rican Legal Defense Fund, with whom Mr. Estrada met, he was not ''even-tempered''—he became angry during their meetings with him, and he even threatened the group with legal action because they had raised concerns about his record.

These reports are very troubling. What we seek in our judges is a quality that makes them more than just talented lawyers or advocates. We want to know that a judge is openminded and fair. I am not persuaded that Mr. Estrada possesses the key qualities of moderation, openness and fairness required of our judges.

The cases that Mr. Estrada has made the primary focus of his pro bono activity also raise concerns about whether he will be fair in the wide range of cases that come before him. In two cases, Mr. Estrada tried to limit the first amendment rights of minorities to congregate and associate on public streets. He also sits on the board of the Center for Community Interest, which advocates the kind of police tactics that have often led to harassment and racial profiling in minority communities.

Mr. Estrada's single-minded focus on justifying such ordinances is cause for great concern. Even after the clear rebuke from the Supreme Court about the Chicago ordinance, he devoted many hours to defending the City of Annapolis against challenges to the constitutionality of its own antiloitering ordinance. When the NAACP challenged the ordinance, Mr. Estrada ''offered to take the city's case all the way to the U.S. Supreme Court, if necessary, free of charge.'' Mr. Estrada lost that case, too, however, when a Federal district court struck down the law as unconstitutional.

We know that decades of important civil rights precedents may well be at stake in coming years. These issues raise very serious concerns about Mr. Estrada's nomination. He is an intelligent and talented lawyer. But that is not enough. To serve as a Federal judge—particularly on the second most important court in the land requires a commitment to the core constitutional values of our democracy. It requires the special qualities that enable judges to meet their own important responsibilities—fairness, impartiality, and openmindedness.

There is nothing anti-Latino about our objections to Mr. Estrada. President Bush has nominated five Latinos to the Federal courts, four of whom were confirmed last year, when the Democrats controlled the Senate. It is the Democrats who have taken the lead in appointing Latinos to the Federal courts. During the Clinton administration, 23 Latino nominees were confirmed to the Federal courts—more than in any previous administration, Republican or Democrat. More Latinos would have been confirmed had it not been for the unfair tactics of Senate Republicans.

In fact, five Latino nominees sent to the Senate by President Clinton were not confirmed by the Republican-controlled Senate. Two of them, nominated to the Fifth Circuit Court of Appeals from Texas, were not even given hearings. One waited more than a year in the Senate before his nomination was returned to the President because of inaction by the Judiciary Committee. The other waited more than a year, and was then renominated by President Clinton in January of 2001, but President Bush withdrew it.

All five Latino nominees blocked by Senate Republicans had the full support of the Latino community—but the same cannot be said of Mr. Estrada. The major Latino organizations have raised strong concerns about Mr. Estrada. The Congressional Hispanic Caucus has opposed his nomination. The Latino organizations opposing or raising concerns about Mr. Estrada include: the Mexican American Legal Defense Fund, the Puerto Rican Legal Defense Fund, the National Association of Latino Elected and Appointed Officials, the National Council of La Raza, the California La Raza Lawyers, the Southwest Voter Registration Project, and the Illinois Puerto Rican Bar Association.

The Congressional Hispanic Caucus has told the Senate Judiciary Committee that Mr. Estrada does not meet their criteria for endorsement of a nominee. As the letter they sent to the committee states:

> The appointment of a Latino to reflect diversity is rendered meaningless unless the nominee can demonstrate an understanding of the historical role courts have played in the lives of minorities in extending equal protections and rights; has some involvement in the Latino community that provides insight into the values and mores of the Latino culture in order to understand the unique legal challenges facing Latinos; and recognizes both the role model responsibilities he or she assumes as well as having an appreciation for protecting and promoting the legal rights of minorities who historically have been the victims of discrimination.
>
> Based on the totality of the nominee's available record and our meeting with him, Mr. Estrada fails to meet the CHC's criteria for endorsing a nominee.

The Mexican American Legal Defense Fund opposes Mr. Estrada as well. According to their statement:

> The most difficult situation for any Latino organization is when a President nominates a Latino who does not reflect, resonate or associate with the Latino community, and who comes with a predisposition to view claims of racial discrimination and unfair treatment with suspicion and doubt instead of with an open mind. Unfortunately, the only Latino whom President Bush has nominated in two years to any Federal circuit court in the country is such a person. President Bush nominated Mr. Estrada to the D.C. Circuit Court of Appeals.
>
> After a thorough examination of his record, his confirmation hearing testimony, and his written answers to the U.S. Senate, we announce today our formal opposition to his nomination. We cannot in good conscience stand on the sideline and be neutral on his nomination or others like his. We oppose his nomination and that of others that will prevent the courts from serving as the check and balance so desperately needed by our community to the actions being taken by the executive and legislative branches.

Recently, the Puerto Rican Legal Defense Fund also issued a statement reaffirming its opposition to Mr. Estrada's nomination.

Many of us have deep concerns about Mr. Estrada's record and his unwillingness to supplement the record with answers to important questions or production of the memoranda from his days in the Solicitor General's office.

I urge the Senate to reject this nomination. A lifetime appointment to a court so important in deciding so many basic issues should not be given to a nominee about whom we know so little.

The basic values of our society—whether we will continue to be committed to equality, opportunity, freedom of expression, the right to privacy, and many other fundamental rights—are at stake in all of these nominations. On the role of the Senate in the appointment process, the genius of the Constitution is the clear system of checks and balances that it provides. The Constitution says ''advice and consent''—not ''rubber stamp.'' When this or any other administration nominates judges who would weaken the core values of our country and roll back the basic rights that make our country a genuine democracy, the Senate should reject them.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. CHAMBLISS. Mr. President, today I rise in support of Miguel Estrada, the nominee for the 12th Circuit Court of Appeals.

It is an honor to serve my State of Georgia in this great institution, and I am pleased that the work we are undertaking today pertains to such an important issue for our country—filling the vacancies in our courts with good and honorable judges.

One of the most important burdens that has been placed on the shoulders

of the Senate is the sanction of Federal judges. I relish this task because it grants us an opportunity to have a hand in the future of the laws that govern this great land. And there is no better way to help craft the America of the next generation, the America to be served by our children and our grandchildren.

Before I came to Congress, I practiced law for 26 years and I can say that it is rare to meet someone as qualified for the bench as Miguel Estrada. The American Bar Association unanimously rated Mr. Estrada as ''well qualified.'' I understand that some of my colleagues in the past have referred to this rating as the ''gold standard'' for judicial nominees. It seems then that a unanimous ''well qualified'' rating should speak volumes about Mr. Estrada's merit.

Some critics have said that Mr. Estrada should not be confirmed because he lacks judicial experience. I would simply highlight the examples of Justice White and Chief Justice Rehnquist. Both men had no prior judicial experience when they were appointed to the Supreme Court. Also on the same court that Mr. Estrada would join, five of the eight sitting judges had no prior judicial experienced, two of which were nominated by President Clinton.

Mr. Estrada, however, has had exceptional experience both in the government and in private practice. From 1992 to 1997, he served in the Clinton administration as Assistant to the Solicitor General in the Department of Justice. He has argued 15 cases before the Supreme Court and is widely regarded as one of America's leading appellate advocates. He is currently a partner for a leading law firm with their appellate and constitutional law practice group. I believe that this represents sufficient experience for his nomination.

Another argument made by some is that Mr. Estrada has refused to produce confidential memoranda that he wrote when he was with the Solicitor General's office. I would argue that this request, if met, would have a debilitating effect on the ability of the Department of Justice to represent the United States before the Supreme Court and I have a letter signed by every living former Solicitor General—Democrat and Republican alike—saying the same. I would ask unanimous consent to print this letter in the RECORD.

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

WILMER, CUTLER & PICKERING,
WASHINGTON, DC,
June 24, 2002.

Hon. PATRICK J. LEAHY,
Chairman, Committee on the Judiciary,
U.S. Senate, Washington, DC.

DEAR CHAIRMAN LEAHY: We write to express our concern about your recent request that the Department of Justice turn over ''appeal recommendations, certiorari recommendations, and amicus recommendations'' that Miguel Estrada worked on while in the Office of the Solicitor General.

As former heads of the Office of the Solicitor General—under Presidents of both parties—we can attest to the vital importance of candor and confidentiality in the Solicitor General's decisionmaking process. The Solicitor General is charged with the weighty responsibility of deciding whether to appeal adverse decisions in cases where the United States is a party, whether to seek Supreme Court review of adverse appellate decisions, and whether to participate as amicus curiae in other high-profile cases that implicate an important federal interest. The Solicitor General has the responsibility of representing the interests not just of the Justice Department, nor just of the Executive Branch, but of the entire federal government, including Congress.

It goes without saying that, when we made these and other critical decisions, we relied on frank, honest, and thorough advice from our staff attorneys, like Mr. Estrada. Our decisionmaking process required the unbridled, open exchange of ideas—an exchange that simply cannot take place if attorneys have reason to fear that their private recommendations are not private at all, but vulnerable to public disclosure. Attorneys inevitably will hesitate before giving their honest, independent analysis if their opinions are not safeguarded from future disclosure. High-level decisionmaking requires candor, and candor in turn requires confidentiality.

Any attempt to intrude into the Office's highly privileged deliberations would come at the cost of the Solicitor General's ability to defend vigorously the United States' litigation interests—a cost that also would be borne by Congress itself.

Although we profoundly respect the Senate's duty to evaluate Mr. Estrada's fitness for the federal judiciary, we do not think that the confidentiality and integrity of internal deliberations should be sacrificed in the process.

Sincerely,

On behalf of: Seth P. Waxman, Walter Dellinger, Drew S. Days, III, Kenneth W. Starr, Charles Fried, Robert H. Bork, Archibald Cox.

Mr. CHAMBLISS. Also, as we have heard, Mr. Estrada has a great story; he is accomplished, competent, and experienced. This man came to America to seek the American Dream and he is now living that dream. He came to the United States from Honduras when he was seventeen years old and has spent his life gaining credibility as a Hispanic man of distinction. If confirmed, Mr. Estrada would break a glass ceiling by being the first Latino judge to serve on the DC Court of Appeals. However, if he is not confirmed, it would not just be terrible for the District of Columbia, but it would send the wrong message to Hispanic communities in my home state of Georgia and across the nation. But I would say to my colleagues that you should not vote for Miguel Estrada because he is Hispanic, you should vote to confirm him because he is a world-class laywer and he will make a world-class judge.

Mr. Estrada is a great lawyer and will make a superb judge. He has the qualifications, the capacity, the integrity, and the temperament to serve on the federal bench. I was happy to support his nomination last week in the Judiciary Committee and I urge my colleagues to join me in supporting the President's nominee for this important position.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, just a few remarks. The distinguished Senator from Massachusetts is very concerned about this court and how judges function on it, as am I. It is a very important court. In fact, next to the Supreme Court, it is the next most important court in the country—no question about it—because the decisions they make affect almost every American in many instances.

In terms of straightforward application of the law, the DC Circuit is one of the best functioning courts in the country. Recent years have seen DC circuit judges agreeing in the overwhelming majority of cases, including ones of great political significance, even when Republicans outnumbered Democrats six to four.

I might also add that the DC Circuit is in the midst of a vacancy crisis unseen in recent memory. Only eight of the court's 12 authorized judgeships currently are filled. In the past 2 years, two of the court's judges have taken senior status.

The DC Circuit has not been down to eight active judges since 1980. It is a crisis situation because it is extremely important. The vacancy crisis is substantially interfering with the DC Circuit's ability to decide cases in a timely fashion. As a result, litigants find themselves waiting longer and longer for the court to resolve their disputes. Because so many DC Circuit Court cases involve constitutional and administrative law, this means that the validity of challenged government policies is likely to remain in legal limbo.

In the 2001–2002 term, the court had to cancel several scheduled days of oral argument. As a result, cases that would have been heard in 2001–2002 will not be heard until September of 2002 at the earliest. For the 2002–2003 term, the court will be able to hear cases on just 96 days and will be able to schedule just 336 cases. Because of the limited number of sitting days, the court's oral argument calendar is already nearly full through March of 2003.

The vacancy crisis is also interfering with the operation of the court's emergency panel which hears emergency cases and various motions. Because only seven judges are now available for emergency panels, each one has to serve 6 weeks of overtime emergency duty on top of the 16 weeks he or she ordinarily serves throughout the year.

The court often has been forced to constitute emergency panels with fewer than the usual complement of three judges.

The chief judge of the DC Circuit, at a recent circuit conference said:

> If the court does not have additional judges soon, our ability to manage our workload in a timely fashion will be seriously compromised.

He further explained that:

. . . it is clear that the Senate's inaction is coming to jeopardize the administration of justice in this Circuit.

That is important stuff. It is really important that we put Miguel Estrada on the court.

We have had some comments about a few Latino groups that are known for liberal politics and have been opposed to Miguel Estrada. Let me list a few groups that support him. The following groups are just some that have announced support for him: League of United Latin American Citizens, LULAC, the Nation's oldest and largest Hispanic civil rights organization; U.S. Hispanic Chamber of Commerce; Hispanic National Bar Association; Hispanic Association of Corporate Responsibility; Association for the Advancement of Mexican Americans; MANA, a national Latina organization; Cuban American National Council; U.S.-Mexico Chamber of Commerce; Hispanic Business Roundtable; The Latino Coalition; National Association of Small Disadvantaged Businesses; Mexican American Grocers Association; Phoenix Construction Services; Hispanic Chamber of Commerce of Greater Kansas City; HEBC, Hispanic Engineers Business Corporation; Hispano Chamber of Commerce de Las Cruces; Casa Del Sinaloense; Republican National Hispanic Assembly; Hispanic Engineers Business Corporation; Hispanic Contractors of America; Charo, Community Development Corporation; Cuban American National Foundation.

The League of United Latin American Citizens is the oldest Hispanic civil rights organization. Established in 1927, it has more than 700 councils and more than 120,000 individual members.

The U.S. Hispanic Chamber of Commerce was established in 1979, with a network of more than 200 local chambers across the country, and it advocates on behalf of the 1.8 million Hispanic-owned businesses in the country.

The Hispanics National Bar Association was established in 1972 and has more than 25,000 members, consisting of lawyers and judges.

MANA, a national Latino organization, was established in 1974 to give a voice to the more than 20 million Hispanic women of all backgrounds and professions across the U.S.

The AAMA, Association for the Advancement of Mexican Americans, with over 30 years of service to the community, has been ranked the ninth largest Hispanic nonprofit in the country, providing education, employment and training, health care, and related services to more than 30,000 people annually.

The Cuban American National Council has served the Cuban American community of Florida for the past 23 years, through education, housing, health and human services, and employment and training.

I just thought the record needed to show that Miguel Estrada has tremendous support among Hispanic people. Now, things we've heard in the debate against Miguel have been some of the saddest things I have ever witnessed. It is akin to the lioness eating her cubs—Democratic Latino community leaders turning on one of their own because he doesn't fit their definition of ''Latino.''

Among their concerns is he is a recent immigrant, he hasn't lived in this country long enough to understand the plight of Hispanic Americans, he wasn't poor enough, his family was middle class and he attended private schools, he speaks English too well, he speaks Spanish too well—these are comments made by some of the liberal Latino groups. He is not from Mexico or Puerto Rico, he is from Honduras; he didn't do the right kind of pro bono work; he sought to protect victims of crime, not criminals. Jeepers.

His critics would have you believe that to be Hispanic you have to be poor, attend only inner city schools, work for the public defenders office, and never aspire to work for the Department of Justice, or to clerk for the U.S. Supreme Court. I don't think the vast majority of Hispanic people think that way. I think they are proud of Miguel Estrada, and they ought to be because he is a man who has really made something of his life, and he is still a very young man.

Miguel Estrada is the American dream incarnate. I think this should be celebrated by all Americans, but certainly by Hispanic Americans, and especially Hispanic mothers and fathers who dream of a bright future for their children. Tell those mothers and fathers that in order to be considered Hispanic, your children have to remain poor, forgo a quality education, and give up their dreams of succeeding in the legal profession. That is pure bunk and everybody knows it. But these are some of the arguments that have been made against Miguel Estrada.

Lest anybody think I am just saying these things because I am supporting Miguel Estrada, I have spent most of my Senate career working very closely with the Hispanic community in the United States, getting to know the issues and addressing the community's concerns through legislation. In fact, in 1986, I started the U.S. Senate Republican Conference Task Force on Hispanic Affairs to ensure that the Hispanic community had a strong voice in the Senate. Over my lifetime, I have grown to love the Hispanic culture, their people, and their history. I believe their values and culture have infused and invigorated the American dream. The Latinos I have come to know over the past 26-plus years tell me it is all about heart. It is the ''corazon.'' Frankly, I have come to feel like I personally have a Latino heart beating in my breast. That is how important this community is to me. That is how close I feel to my Hispanic brothers and sisters. I have the credentials to make that case. I happen to know Miguel Estrada. He, too, has ''corazon.''

The Hispanic community leaders I respect and admire have dedicated themselves to ensuring that people such as Miguel have the very opportunity Miguel has used to his advantage. They want Hispanics to succeed. They are not trying to force all Latinos into cookie cutter shapes. They want Hispanics to be as free to find their own way as American citizens. Organizations such as the League of United Latin American Citizens, the oldest Hispanic civil rights organization in the country, and the United States Hispanic Chamber of Commerce have existed for decades. Their mission has been to ensure that the downtrodden, the poor, the recent immigrant, and his heirs have an opportunity to succeed absent discrimination.

Hector Flores, president of LULAC, and George Herrera, the Hispanic Chamber's President, work hard to get more Hispanic kids into Columbia and Harvard, more Latino youth to clerk in at the U.S. Supreme Court, to work at the Department of Justice, and to become partners of a prestigious law firm. Miguel Estrada deserves credit, rather than this constant worry that he might be too conservative, or he might be too conservative than some of these liberal groups would like.

I have a lot more to say, but I will yield the floor at this point.

The PRESIDING OFFICER. The Senator from Nevada is recognized.

Mr. REID. Mr. President, I didn't want the night to go by without commenting on some remarks made by two Senators on the other side, the majority, who have suggested that those who oppose Miguel Estrada are doing it on the basis of his ethnicity. In fact, one Senator said it was anti-Hispanic. The Congressional Hispanic Caucus, which is in existence here in Congress and consists of Hispanic members of Congress who have been elected by people from congressional districts all around the country, was formed many years ago. The Congressional Hispanic Caucus has taken a position against the nomination of Miguel Estrada. I hope nobody would suggest that the Congressional Hispanic Caucus is not Hispanic.

In fact, the Congressional Hispanic Caucus was so concerned about the fact there are not enough Hispanics in the judiciary that they formed in the last Congress the Congressional Hispanic Caucus Hispanic Judiciary Initiative to assure fair treatment of judicial nominees and to promote diversity.

While the Congressional Hispanic Caucus has endorsed other Bush judicial nominees who are Hispanic, such as Jose Linares, Mr. Estrada failed most of the factors in their evaluation. Therefore, they oppose his nomination.

The Congressional Hispanic Caucus sent a letter to the Judiciary Committee late last year. It was signed by Congressmen SILVESTRE REYES and CHARLES GONZALEZ on behalf of the entire Hispanic caucus. The letter was based on the review of his qualifications and their interview with him.

I am certainly not a member of the Judiciary Committee, and I am not here to debate the issue with the learned chairman of the committee, but I want everyone within the sound of my voice to understand that someone can opposes this nomination and not do it based on anti-Hispanic grounds. There is no better logic than to look at the Congressional Hispanic Caucus which opposes this nomination.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. HATCH. Mr. President, I wish to make a few points. Some of my colleagues are suggesting that we are playing what amounts to the race card on this nominee. That is ludicrous. Personally, I resent it.

Let me make one point clear: No one is suggesting that anyone in the Senate has a bigoted bone in his or her body. No one is suggesting that for a minute. No one is suggesting Mr. Estrada is being opposed because he is a Hispanic. That is just a red herring. It is a shame on anyone who is arguing that carbuncle.

What I have suggested is exactly what Herman Badillo, a former Democratic Congressman, has written publicly. Some liberal, and, yes, Democrats, show increasing intolerance to Hispanics and African Americans who do not subscribe to their left of mainstream ideology. Their intolerance is not because they are Hispanic or African American but because they are Hispanic or African American and not liberals. That is where the intolerance is.

Some people will simply not accept a Hispanic, African American, or even women who do not toe the line of the radical left of special interest groups. We are finding that all over this instance.

Herman Badillo, a former Democratic Congressman, for whom I have always had respect, has written:

> Liberals and their special interest groups want to force these minorities into one monolithic intellectual ghetto demanding that they be of one mind.

I would think that every minority, whether liberal or conservative, would find such patronizing thought, control, and elitism demeaning and insulting. It amounts to an intellectual glass ceiling for minorities, and that is, to a degree, what is happening here.

In the hearing we held last September and in the follow-up questions, I have not heard one argument against Miguel Estrada—not one, not one valid argument. I have not heard one person make a case that the American Bar Association was wrong when they gave Miguel Estrada a unanimously well-qualified rating, the highest rating that the American Bar Association can give.

I have not heard one person indicate that this man is not of the highest intellect, the highest moral purpose, the highest qualifications, except for Paul Bender, who I think we more than explained away a few minutes ago, and it had to be done because for some reason they keep bringing up this man who has been very unfair and for partisan, cheap political reasons apparently, after having given the highest, most glowing recommendations for Mr. Estrada when he worked for him at the Justice Department.

They try to explain it away: Well, he was not talking about his ideology. Of course, he was. If there had been one indication of bad ideology or too much extreme ideology, I can guarantee you Paul Bender would never have given those glowing performance evaluations.

It is offensive. This man is a law professor in this country and, unfortunately, I hate to say it, but the law professors in this country, as a whole, are extremely to the left, and that is not too far different from many of the political science professors in this country.

I remember I went to one of the major universities a few years ago, and of the 41 members of the faculty, only one claimed to maybe be a moderate. All the rest admitted they were left wing, and yet these are the people teaching our children. That is not bad. They have a right to hear left-wing ideology and more liberal teachers, but I think they also have a right to hear people who are on the other side of the equation who may be right in many ways, not just right ideologically.

To be honest, I get a little tired of this business that we Democrats are the ones who have really done more appointments for Hispanics. Republican Presidents altogether in recent years have appointed 25 Hispanic judges. Sonia Sotomayor of New York was appointed by the first President Bush and was subsequently nominated to the Second Circuit by President Clinton and was confirmed.

The second President Bush has already nominated nine Hispanics, with three more coming up, according to press reports, for a total of 12. His chief counsel in the White House is Hispanic. There is no question he is reaching out and doing a good job. It is one of the things I love about him.

At the current rate of second President Bush, we can expect in 8 years President Bush I think will probably appoint at least 36 to 40 Hispanic judges on his own, more than all the past Republican Presidents put together and more than any single Democratic President.

To try to make the case only Democrats care for Hispanics is just ludicrous. I will say this, my colleagues on the other side are good people. I believe they are sincere in working for minorities as they have done, and I appreciate them personally, but to try to imply we are not I think is hitting below the belt in ways that should not happen on the Senate floor.

In all honesty—and I have heard arguments today that would cause anybody—I mean the bad arguments—the arguments against Miguel Estrada would cause people to vote for him. Miguel Estrada is a fine man. Miguel Estrada has made it to the top of his profession even with a disability. There are not many people who have argued 15 cases before the Supreme Court or who have the unanimously well-qualified American Bar Association rating or who have been the editor in chief of the Harvard Law Review, who have served various Federal judges.

I am a little surprised about some of my colleagues' confusion as to why Mr. Estrada, they claimed, did not address policy questions put to him. It is quite understandable. Would we policymakers want another public official, in this case a judicial nominee, to answer policy questions? A judicial nominee is not applying for a job as a policymaker. He or she is going to be a judge. Judges are not in the business of answering policy questions. It is just that simple.

When one asks the question, What is your view of the first amendment, my gosh, how does one answer that question? It is easy to say: I believe in it. I guess that is what Miguel Estrada could have said. Or if one asks, Are you going to overturn all of the environmental laws of our country, or words to that effect I heard on the floor today, first, it is offensive to ask that kind of question and, second, nobody in his or her right mind as a judicial nominee would want to give an opinion on a broad issue that might foreclose them from sitting on important cases that would come before the court later.

Yes, nominees are told on both sides, whether it is a Clinton judge or George W. Bush judge, that you should not be giving opinions that might involve what you might later have to judge when you get on the bench.

So it is a fine line and it is not an easy thing for witnesses, and frankly especially those who have not served on the Judiciary Committee and have not been through it for a long time. And even if they have, it is not easy.

The important realization in regard to Miguel Estrada is they had every opportunity to ask him any questions they wanted. They were in the majority. They held the committee hearings. I have heard Democrats on the committee say those hearings were conducted fairly and responsibly. Afterwards they had a right to submit any written questions they wanted to submit, and only two Senators submitted them and they were answered. So some of these arguments I have heard today are not arguments at all.

I think it was Walter Mondale who said: Where is the beef? What is it that makes Miguel Estrada unqualified to be on the Circuit Court of Appeals for

the District of Columbia? I do not think there has been even the slightest case made against him.

Then what is it? What is against him? What is against this fine Hispanic man who has made it on his own? I do not see any reason. Maybe we will get some in the next few days, but I do not see any reason. And I sure as heck would not rely on Paul Bender, not after what we all know he has done. He gave glowing performance evaluations when he really had the power—as an honest liberal, which we believed him to be at the time—he gave glowing performance evaluations and then later when this fine person, Miguel Estrada, is offered up as a judicial nominee by the President of the United States, he comes out and says he is an ideologue.

Who are you going to believe? I do not think I would believe Paul Bender on that issue, and I do not think anybody else should, either.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. REID. Mr. President, there have been too many protests on the other side. The majority has said time and time again that they, the Republicans, treat the Hispanics well. I do not know why they have to keep saying that. The record speaks for itself. This side need not do so because our record does speak for itself. And that is the reason, as I said earlier, when people come—one Senator did come and talk about words to the effect I am not anti-Hispanic and then proceeded to lay out everything that was. That is why I thought I would come forward and talk about the fact that the Hispanic Caucus, which certainly could never be judged to be anti-Hispanic, has come out against this nomination, as have numerous other organizations: the Congressional Hispanic Caucus, the Congressional Black Caucus, and Hispanic organizations such as the Puerto Rican Legal Defense and Education Fund, Juan Figuera, President and General Counsel, the Mexican American Legal Defense and Education Fund, National Association of Latino Elected and Appointed Officials, National Council of La Raza, NCLR, National Puerto Rican Coalition, California La Raza Lawyers, Puerto Rican Bar Association of Illinois, Southwest Voter Registration Education Project, Labor Council for Latin American Advancement, Linda Chavez Thompson, AFL–CIO, 52 different Latino labor leaders, including people from all over the country from California to New York and places in between.

There are civil rights and other organizations that oppose this nomination: the American Federation of Labor and Congress of Industrial Organizations, AFL–CIO, Sierra Club, Leadership Conference on Civil Rights and Alliance for Justice, Leadership Conference on Civil Rights, National Association for the Advancement of Colored People, National Organization for Women, National Black Women's Health Project, Mexican American Legal Defense and Education Fund, Lawyers' Committee for Civil Rights Under Law, National Association for the Advancement of Colored People, Alliance for Justice, People for the American Way, National Council of Jewish Women, National Family Planning and Reproductive Health Association, Feminist Majority, National Association for the Advancement of Colored People, People for the American Way, Planned Parenthood Federation of America, NARAL Pro-Choice, National Family Planning and Reproductive Health Association, and scores of other organizations.

I think the debate at this stage is being framed improperly. There are people on this side who have not made up their mind what they are going to do, but the way the debate is going forward, it does give me some concern. I hope the debate in during the next whatever period of time it goes forward, we can talk about the man's judicial qualifications and not berate people who say for one reason or another he is not qualified, such as Mr. Bender. I have never met Mr. Bender, but I think he has taken enough lashes today that we should drop the subject. He has a right, in my opinion, to oppose someone. These organizations have a right to oppose him. The organizations who support him have every right to come forward and support him. It should be on the basis of this man's qualifications, whatever they might be, and not on ethnicity and on whether or not groups support people because they are for the poor.

I made some notes here that someone suggested Latinos only support those lawyers who work for the poor or for the public defender's office. I really do believe this debate would be much more structured, civil, and productive if we dealt with Miguel Estrada's qualifications and not berate people who are for or against him.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Let me say about Mr. Bender, I was criticized by the distinguished Senator from Massachusetts for pointing out the biases of Mr. Bender. I was accused of finding fault with him. Well, what about Mr. Bender dishonestly finding fault with Miguel Estrada? I think I more than made a case that this man has done it for partisan political purposes, and I am going to make that case over and over. If they want to keep bringing up Paul Bender, then I am going to make the case that Paul Bender has done a very bigoted, rotten thing, after having given the greatest performance reviews one could get in the Solicitor General's office.

So who would you believe? I think it is important to point that out and not let anybody get away with that.

I will mention one group because it has been mentioned by my friend—and he is my friend—the distinguished Senator from Nevada. A review of the Congressional Hispanic Caucus' statement in opposition is most disappointing to me. It was issued in advance of Miguel's hearing. They did not even listen to him, and they issued it. My colleagues in the House, who have argued persuasively for a fair process, decided Miguel was not so entitled. They did not even wait until he testified to condemn him. They pronounced judgment beforehand. But that should not surprise us because the Democrat Congressional Hispanic Caucus is exactly that. It is a Democrat machine. The Republican members of the caucus who were members at one time were forced out because they did not think and act like their Democrat counterparts. There are no Republican members of the Congressional Hispanic Caucus, not one. They were forced out. The Democrat Congressional Hispanic Caucus may oppose Miguel Estrada, but the Republican Congressional Hispanic members, LINCOLN DIAZ-BALART, ILEANA ROS-LEHTINEN, HENRY BONILLA, MARIO DIAZ-BALART, all support his confirmation.

Again, I say to my colleagues on the other side, where is the beef? All this speculation about what they think that Miguel Estrada will be on the court, where is the proof? There is not any. In fact, there is proof to the contrary.

So that is one reason why I have been a little bit upset today, and I think I am going to continue to be upset if these types of approaches are taken against this really fine man. We are going to defend him. We are going to defend him as the good person he is.

I ask unanimous consent that the Senate now return to legislative session and that it proceed to a period for morning business.

Mr. REID. Mr. President, I object at this time.

The PRESIDING OFFICER. The objection is heard.

Mr. REID. Mr. President, I will respond very briefly.

The PRESIDING OFFICER. The Senator from Utah has the floor.

Mr. HATCH. I am happy to yield to the distinguished Senator.

Mr. REID. I was involved in a long conference with the Hispanic caucus yesterday. This organization met long and hard with Miguel Estrada. They met for 3 hours on one occasion, and based upon that and other issues they raised in their letter, they thought they could not support him.

As I stated earlier today, the Congressional Hispanic Caucus has supported, and will continue to support, other Bush judicial nominees who are Hispanic, and they have already done so.

I mentioned a number of names earlier. They can speak for themselves.

They are Members of the other body and do not have authority to speak here, but if they could speak, they would speak loudly, with a lot of articulation, about the fact that this man is not qualified, in their opinion. They are entitled to that opinion.

This is a body that is not known for its radicalism; it is a body known for its stability, having a long line of very prominent chairmen.

Maybe with Mr. Bender I should have said he needs to be beaten up some more and he would not have been, but I think the record is replete that those on the other side think Mr. Bender's evaluation of Miguel Estrada is wrong. He has a right to do that. He was his supervisor. He has made and continues to make known his opinion that he is not temperamentally qualified for this job as a circuit court judge. That is what he said.

This debate should focus on the qualifications of this man. That is what this letter to the Senate Judiciary Committee consists of, from the Hispanic caucus, to Senator LEAHY. They say that the man is not qualified. He is not qualified based upon his past experience. They are entitled to that opinion.

As the debate proceeds, a decision will have to be made in this body as to whether people agree with the Hispanic caucus about the qualifications of persons before this body. Debate that has taken place and will take place in the future will be productive in that regard. That is why we have a Senate. That is why we are not limited, as in the House of Representatives, with, on many occasions, 1 minute and sometimes no minutes. We can talk here as long as we want about the qualifications of this man. I hope we do not have to talk a long time about this man's qualifications. We should talk long enough that full debate on his qualifications takes place.

I am happy now to have my friend reoffer his unanimous consent request.

Mr. HATCH. I add one thing. I believe they are entitled to their opinion but they are not entitled to their own facts. They have to live with the facts that exist.

I don't see a fairness in this process. It has not been fair. It has been quite partisan, especially on Mr. Bender's part.

I have been told by those who know, by my Hispanic friends, that the Congressional Democratic Hispanic Caucus was pretty split. But the majority prevailed. There was a real split over whether they should do this to Miguel Estrada. I personally believe that all these liberal groups persuaded them.

I point out, where are the arguments? To say he is not qualified, when their own gold standard, the American Bar Association, says he is unanimously well qualified flies in the face of any facts. That is just my point. Where are the facts?

I ask unanimous consent that a letter from HENRY BONILLA, LINCOLN DIAZ-BALART, and ILEANA ROS-LEHTINEN be printed in the RECORD.

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

CONGRESS OF THE UNITED STATES,
Washington, DC, September 23, 2002.

DEAR SENATORS DASCHLE, LOTT, LEAHY, AND HATCH: We are Hispanic Members of the United States House of Representatives who write to strongly support Miguel Estrada, President Bush's nominee to be a judge on the United States Court of Appeals for the District of Columbia Circuit. If confirmed, Miguel would be the first Hispanic judge on what is widely recognized as the nation's second highest federal court. President Bush made an historic decision by nominating Miguel Estrada, and we urge the Senate to promptly confirm this outstanding Hispanic-American.

Miguel Estrada is an American success story. He immigrated to the United States as a teenager from Honduras speaking little English. He attended Columbia College and Harvard Law School, graduating magna cum laude from both. He clerked for Judge Amalya Kearse on the Second Circuit and Justice Anthony Kennedy on the Supreme Court. Miguel is one of the few Hispanics ever to serve as a law clerk on the Supreme Court of the United States. Miguel worked as an Assistant United States Attorney in the Southern District of New York, and both tried cases in federal district court and argued appeals before the Second Circuit on behalf of the United States. He has worked twice in private practice at leading law firms, in New York at Wachtell, Lipton, Rosen & Katz and in Washington at Gibson, Dunn & Crutcher.

Miguel also served for five years in the Office of Solicitor General at the United States Department of Justice. In that capacity, Miguel argued 14 cases before the Supreme Court and wrote numerous briefs on behalf of the United States. He is widely recognized as a brilliant lawyer and oral advocate, and his official performance reviews noted that he "inspired co-workers by example."

As demonstrated during his service as Assistant to the Solicitor General, Assistant United States Attorney, and law clerk on the Supreme Court, Miguel Estrada believes in the integrity of the courts and the law. He appreciates the difference between law and policy, between the judicial task and the legislative task.

Based on his qualifications, intellect, judgment, and temperament, it is no surprise that Miguel Estrada received a unanimous "well qualified" rating—the highest possible rating—from the American Bar Association Standing Committee on Federal Judiciary. As Hispanic Members of Congress, we are very proud that the American Bar Association gave this outstanding Hispanic-American its highest possible rating.

Miguel has performed significant public service beyond his work in government. Most notably, while in private practice, he represented pro bono a capital defendant before the Supreme Court. Capital cases are very difficult legally and emotionally for the lawyers representing the capital defendants. Miguel's decision to involve himself in a difficult capital case speaks volumes about his integrity and devotion to the legal system, and his willingness to perform difficult public service. He also assisted the former United States Attorney in New York, who was appointed by President Clinton, in discussing how to ensure that more federal prosecutors are Hispanic.

Miguel is widely supported by Hispanic organizations, such as the Hispanic National Bar Association, the League of United Latin American Citizens, and the U.S. Hispanic Chamber of Commerce. He also is supported by prominent Democrat lawyers, such as Ronald Klain, who served as Counsel to Vice President Gore, Robert Litt, who served as Assistant Attorney General for the Criminal Division under President Clinton, and Randy Moss, who served as Assistant Attorney General for the Office of Legal Counsel under President Clinton. Furthermore, Seth Waxman, who served as Solicitor General under President Clinton, has written to the Judiciary Committee that he has "great respect both for Mr. Estrada's intellect and for his integrity" and that Miguel was "a model of professionalism and competence."

Miguel Estrada would be the first Hispanic judge on the United States Court of Appeals for the District of Columbia Circuit. You and your colleagues have spoken often about the need for balance on the courts. It is past time that an Hispanic judge serve on this important court. Confirmation of Miguel Estrada would provide balance. We urge you to treat Miguel Estrada with fairness and to confirm him promptly.

Thank you for your consideration of our views.

Sincerely,

HENRY BONILLA,
LINCOLN DIAZ-BALART,
ILEANA ROS-LEHTINEN,
Members of Congress.

Mr. REID. I ask unanimous consent that a letter to PAT LEAHY from the Hispanic caucus signed by SILVESTRE REYES and CHARLES GONZALEZ be printed in the RECORD.

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

CONGRESS OF THE UNITED STATES,
Washington, DC, September 25, 2002.

Hon. PATRICK J. LEAHY,
Chairman, Judiciary Committee,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: On behalf of the Congressional Hispanic Caucus (CHC), we wish to inform you that the CHC has decided to oppose Miguel Estrada's nomination to the United States Court of Appeals for the District of Columbia Circuit. After reviewing Mr. Estrada's record and meeting with him in person, we have concluded that he fails to meet the CHC's evaluation criteria for endorsing judicial nominees.

As you know, the judicial nomination process is important to the CHC because we believe that our Nation's courts should reflect the diversity of thought and action that enrich America. Earlier this year, we launched the Hispanic Judiciary Initiative to further formalize our involvement in this issue by establishing a set of evaluation criteria and an internal process for endorsing nominees. We hope that this initiative will allow us to continue our work to ensure fair treatment of Latino judicial nominees and tackle the lack of diversity in the federal judiciary.

In evaluating Mr. Estrada, we considered not only his honesty, integrity, character, temperament, and intellect, but also his commitment to equal justice and advancement opportunities for Latinos working in the field of law. Because of the nature of the CHC's mission and the important role that the courts play in achieving that mission, in order to support a judicial nominee the CHC requires that he or she has a demonstrated commitment to protecting the rights of Latinos through his or her professional work, pro bono work, and volunteer activities; to preserving and expanding the progress that has been made on civil rights and individual liberties; and to expanding advancement opportunities for Latinos in the

law profession. On this measure, Mr. Estrada fails to convince us that he would contribute under-represented perspectives to the U.S. Court of Appeals for the District of Columbia Circuit.

As stated by Mr. Estrada during his meeting with us, he has never provided any pro bono legal expertise to the Latino community or organizations. Nor has he ever joined, supported, volunteered for or participated in events of any organization dedicated to serving and advancing the Latino community. As an attorney working in government and the private sector, he has never made efforts to open doors of opportunity to Latino law students or junior lawyers through internships, mentoring or other means. While he has not been in the position to create internships or recruit new staff, he never appealed to his superiors about the importance of making such efforts on behalf of Latinos. Furthermore, Mr. Estrada declined to commit that he would be engaged in Hispanic community activities once appointed to the bench or that he would pro-actively seek to promote increased access to positions where Latinos have been traditionally under-represented, such as clerkships.

Mr. Estrada shared with us that he believes being Hispanic would be irrelevant in his day-to-day duties on the court, which leads us to conclude that he does not see himself as being capable of bringing new perspectives to the bench. This is deeply troubling since the CHC's primary objective in increasing ethnic diversity of the courts is to increase the presence of under-represented perspectives.

Mr. Estrada's limited record makes it difficult to determine whether he would be a forceful voice on the bench for advancing civil rights and other protections for minorities. He has never served as a judge and has not written any substantive articles or publications. However, we did note that in responding to inquiries about case law, Mr. Estrada did not demonstrate a sense of inherent ''unfairness'' or ''justice'' in cases that have had a great impact on the Hispanic community.

The appointment of a Latino to reflect diversity is rendered meaningless unless the nominee can demonstrate an understanding of the historical role courts have played in the lives of minorities in extending equal protections and rights; has some involvement in the Latino community that provides insight into the values and mores of the Latino culture in order to understand the unique legal challenges facing Latinos; and recognizes both the role model responsibilities he or she assumes as well as having an appreciation for protecting and promoting the legal rights of minorities who historically have been the victims of discrimination.

Based on the totality of the nominee's available record and our meeting with him, Miguel Estrada fails to meet the CHC's criteria for endorsing a judicial nominee. In our opinion, his lack of judicial experience coupled with a failure to recognize or display an interest in the needs of the Hispanic community do not support an appointment to the federal judiciary. We respectfully urge you to take this into account as you consider his nomination to the U.S. Court of Appeals.

Sincerely,

SILVESTRE REYES,
Chair, Congressional Hispanic Caucus.

CHARLES A. GONZALEZ,
Chair, CHC Civil Rights Task Force.

Mr. REID. And I say that the final two sentences of this letter be read:

In our opinion, his lack of judicial experience coupled with a failure to recognize or display an interest in the needs of the Hispanic community do not support an appointment to the federal judiciary.

The Hispanic caucus unanimously opposed the nomination.

Mr. HATCH. I cannot let that go. If they are saying because he lacks judicial experience he should not be on the court—which is what it appears to me they are saying—they are just condemning almost every nonjudge Hispanic to never have a chance to be a Federal district or circuit court of appeals judge. That is ridiculous. Every Democrat President I have served with—President Carter and President Clinton—have appointed a wide variety of people who never served on the bench but who are highly qualified and are doing a good job as judges now.

It may be helpful to have some judicial experience, but not having judicial experience does not mean you cannot serve. If that were the case, some of the greatest judges in the history of the world would never have had a chance.

But if you interpret what they say, that means that any Hispanic who has not had judicial experience really should not be supported. That is ridiculous. That is caving in to the liberal special interest groups in this town with which they continually spend time, and is to the detriment of the Hispanic community. I say that as a chairman of the Republican senatorial Hispanic task force who has worked for the last 13 years to try to solve these problems.

I don't take second seat to anyone with regard to my love for the Hispanic community or my work on their behalf.

LEGISLATIVE SESSION

Mr. HATCH. We have had enough debate. I ask unanimous consent that the Senate return to legislative session.

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

MORNING BUSINESS

Mr. HATCH. I ask unanimous consent that the Senate proceed to a period of morning business.

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

TRIBUTE TO DANNY PELHAM

Mr. DASCHLE. Mr. President, on Monday, I had the chance to visit with Danny Pelham. He came to my office, and we reflected on his nearly 35 years of service to the Senate.

As he walked out, I heard a member of my staff say: ''There goes the wisest man I know.'' I couldn't agree more.

Danny arrived in the Senate on March 25, 1968. In his time here, he has seen the making of Senate history, and American history, and he has seen 237 Senators come and go.

Through it all, Daniel Pehlam conducted himself with utter fairness, thoroughness, and discretion. It makes sense that—in his off hours—he is a basketball official.

For 35 years, he has walked the halls of power, but he never let it distort his perspective, or his sense of what is truly important. If you have ever seen him with his grandson Corey, or heard him talk about his wife Phyllis, you begin to understand that.

Ralph Waldo Emerson wrote: ''we put our love where we have put our labor.'' For 35 years, Danny labored for—and loved—the Senate. It is fitting that we adopt this resolution expressing our appreciation—and love—for Danny Pelham.

MEDICAID REFORM

Mr. BINGAMAN. Mr. President, I want to speak for just a few minutes on the Senate floor about the proposal made last Friday by the Bush administration regarding Medicaid. The proposal was a disturbing one, in my view. It was to reform the Medicaid program by shifting to a block grant to the States. That is a recycled proposal, one we have seen before. It was touted, when described last Friday, as giving the States flexibility. It would give them flexibility.

It would give them flexibility to drop benefits to low-income children, to drop benefits to pregnant women, to people with disabilities, and to the elderly. And it would give them flexibility to dramatically increase the cost sharing for those vulnerable populations. With over 41 million Americans who are currently uninsured, in my view, we should be trying to find ways to expand health coverage rather than finding new ways to reduce it.

Unfortunately, the proposal allows States to continue Medicaid as it is or to convert the program into a block grant. This was tried in 1981 and again in 1996. The administration would encourage States to take the latter option; that is, to move to receipt of a block grant by encouragement of being temporarily offered increased dollars. That would be coupled with this offer of added flexibility to be able to reduce the benefits for their Medicaid beneficiaries and increase the costs being charged to those low-income and vulnerable populations. Secretary Thompson notes the proposal would clearly save the States money. This would only happen if the States decided to do what would almost certainly occur; that is, to cut benefits and increase cost sharing.

Also, this proposal takes the Federal Government off the hook for helping States address their uninsured problems because under the proposal there would be no additional Federal money available to States if they attempted to expand coverage in the future. In order to expand coverage, the only option States would have would be to essentially rob Peter to pay Paul. In

short, they could cut benefits or increase cost sharing for certain populations if they wanted to expand coverage to any others.

The proposal is ostensibly based on the success of the State Children's Health Insurance Program, the S–CHIP Program. Secretary Thompson said in his press conference that the proposal works by ''taking the principles of S–CHIP and applying them to Medicaid.''

It is ironic that the proposal actually eliminates CHIP by wrapping it into this block grant with Medicaid and with the Disproportionate Share Hospital Program, the DSH Program. It is surprising and disappointing to me that the administration is proposing to radically transform the identity and the nature of the Children's Health Insurance Program while also praising that program. It is a program that just about everyone lauds as having been quite successful at reducing the number of uninsured children in our country.

So this new proposal by the administration has strong elements of the old bait-and-switch ploy that all of us see from time to time. It advertises that there will be more money available to States—the exact amount is $12.7 billion during the first 7 years—but then, after that first 7 years, it yanks away all that money, starting in the year 2011.

Secretary Thompson noted at the press conference that he is not planning to be around at the time the $12.7 billion in reductions occurs 8 years from now. And the plan, I would say, clearly also counts on the fact that most of our current group of Governors who would be asked to make these changes will not be around either. However, that is exactly the time, 2011, when our Nation's baby boomers hit retirement age in much larger numbers. The long-term care costs within Medicaid will increase significantly during that period. Therefore, the Federal Government, under this proposal, would be dramatically stepping away from its commitment to help States and to help with the Nation's health safety net at a time when the demand for those services will obviously be increasing.

The proposal is counting on the fact that the Governors will jump at the $12.7 billion that is being offered during these initial years and will let future Governors deal with the problem later on. It is my hope and my belief that the Nation's Governors will see this nonoffer for what it is; and that is, a very shortsighted effort to limit the Federal Government's role in Medicaid that will lead to cuts in access to care for those most in need of that care.

In fact, under the proposal, States are left with nothing less than a Hobson's choice of alternatives. Both of the choices they would have would substantially weaken health insurance for low-income Medicaid beneficiaries. Under the first option that States would have, they would be allowed to continue to operate Medicaid without any financial relief from the Federal Government to help them get through the current fiscal crisis. States would have no option but to make deep cuts in their Medicaid Program during the next few years, if they choose that option.

Under the second option, the States would get a fixed amount of Federal money for the millions of people who States have voluntarily decided to cover under Medicaid, and, as a result, Federal funding would be limited and not responsive to those items that it is now responsive to, such as economic recessions, epidemics, terrorist attacks, population growth, changes in the State's health care environment, or the growth in our Nation's elderly that we expect in the next decade. Nor would it be available to States wishing to expand coverage, as I indicated before, States wishing to reduce the uninsured rate.

Although the administration's proposal advertises improved health, just as one would expect with a bait-and-switch proposal, it fails the test when you look at the details. I ask, How does the health of Medicaid beneficiaries improve by eliminating their entitlement to coverage and by allowing States the dramatic ability to reduce benefits and increase the costs that are shifted to those vulnerable populations? I am talking here about 85-year-old widows with incomes of just $800 a month. I am talking about pregnant women with incomes of $15,000 per year, or an 8-year-old boy from a family of three with an income of $19,000 per year or less.

According to Karen Davis, Cathy Schoen, Michelle Doty, and Katie Tenney—all from the Commonwealth Fund—the two main purposes of health insurance are, first, ''assuring access to needed health care services and,'' secondly, ''preventing financial burdens from medical bills.'' When you propose, as this proposal last Friday does, to reduce benefits and increase cost sharing on low-income beneficiaries, clearly you fail in trying to accomplish either of these two main purposes.

Just over a week ago, it was discovered that the Bush administration was allowing States to limit the number of emergency room visits to Medicaid beneficiaries regardless of whether the care sought was an emergency. That proposal allowed States to establish arbitrary limits, such as three visits per year. There was a huge hue and cry and the administration reversed this policy shift, but it is back in full force under this proposal related to Medicaid, as benefits would decrease and cost sharing would dramatically increase for Medicaid beneficiaries.

This is not to state that our Governors are malevolent in their intent. Their goal is to do the best they can for their citizens. It is only to say that many States are facing unprecedented fiscal crises that force them into impossible choices, choices between health care coverage and other needed services. In fact, the States already have substantial flexibility in the Medicaid Program. About 65 percent of spending in that program is for either optional populations or for optional benefits that they have chosen to pay for.

Instead, for some Governors, it may not be the flexibility they are seeking to exploit but the proposal's other aspects that eliminate the limitations on how States spend their Medicaid dollars. On several occasions in recent years, certain States worked to ''game'' the Federal dollars through a variety of mechanisms, such as provider taxes and donations, excessive payments to certain health providers that would be returned to the State via intergovernmental transfers or other mechanisms. These mechanisms to which I am referring largely benefited the budgets of the individual States and did not benefit anyone's health.

Both the first Bush administration and the Clinton administration and the current Bush administration should be applauded for working hard to deal with those problems in the Medicaid system. However, it was revealed at the press conference that those mechanisms would once again be allowed if this newly presented proposal is adopted.

Via these mechanisms, the Medicaid Program can be rapidly turned into nothing more than a giant revenuesharing program. Again, it is hard to see how such so-called innovation would improve health coverage for low-income Americans.

Instead, there is a better approach to the problem, on which I have been working with Congressman JOHN DINGELL; we are preparing legislation to introduce in the next few weeks. Our Medicaid reform proposal will be based on the knowledge that States are facing both short-term and long-term problems with their Medicaid programs, and those problems need to be addressed. As such, our initiative would have the Federal Government step up rather than shirk its commitment to the States.

In exchange, it will ask the States not to reduce their commitment to the Nation's poorest and neediest citizens. It does several things. Let me briefly outline them.

First, it will provide States with much needed short-term and long-term fiscal relief.

Secondly, it will increase Federal responsibility for Federal initiatives and for populations that are paid for by the Medicaid Program.

Third, it will protect States against economic downturns and epidemics and health care inflation and demographic changes.

Fourth, it will provide States with expanded coverage options, with real Federal fiscal support as opposed to this block grant proposal we have seen now from the administration.

And, fifth, it will increase State flexibility in ways to improve the

health of Medicaid beneficiaries rather than options to weaken their health as under the administration's proposal.

The administration's proposal will fail in each of these regards. Let me describe them in a little more detail.

First, we will propose a package that will give States both short- and long-term fiscal relief. This is in sharp contrast to the administration's block grant proposal that would leave States with no additional Federal commitment or help during economic downturns. Block grants do not adjust to problems such as downturns and epidemics and natural disasters and demographic changes, and they do not adjust for the very substantial health care inflation that we have been experiencing.

Second, our proposal takes significant steps to properly assume Federal responsibility for Federal initiatives and for populations that are paid for under the Medicaid Program. This includes assumption of 100 percent of the cost for the premiums and cost sharing that the Medicaid Program provides for low-income Medicare beneficiaries. Medicare is a Federal responsibility, and these costs should be the Federal Government's responsibility.

The same is true for a variety of other payments within Medicaid, including payments to urban Indian health organizations, to outstationed workers, to the breast and cervical cancer program, and payments to federally qualified health centers.

Third, the administration claims its proposal gives States the ability to expand coverage to more people, including the mentally ill, chronically ill, those with HIV/AIDS, and those with substance abuse problems. The difficulty is the administration's proposal gives States the ability to do that but gives them no dollars with which to do it. States are given the ability to do this by robbing Peter to pay Paul.

In sharp contrast, our proposal will give States new options to expand coverage and benefits in Medicare and CHIP, and States choosing to do so will have the Federal Government's commitment to participate with a financial commitment for more than half of those costs, as opposed to no commitment to participate under the administration's proposal.

A fourth aspect of what we are going to propose is that we will grant States the flexibility they have been seeking to provide more efficient and improved health services for these low-income Medicaid beneficiaries. This includes allowing States to simplify eligibility, to emphasize home and community-based care rather than institutional care, and a number of other options. Our proposal specifically chooses not to take the course that the administration is pursuing in several areas.

Unlike the administration, we do not grant States additional flexibility to cut benefits and eliminate quality protections and increase cost sharing on our Nation's most vulnerable populations. We do not propose to eliminate fiscal integrity standards such as those intended to ensure that Medicaid dollars are spent on health care and not on other purposes.

And we do not, as the administration's proposal does, allow for the elimination of the CHIP program, the Children's Health Insurance Program, or the Disproportionate Share Hospital Program, the DSHP program.

Finally, unlike the administration's efforts, our plan does not lock in interstate inequities and disparities on a permanent basis. In fact, the administration's proposal, as I understand it, as it was presented Friday, is particularly devastating to a State such as New Mexico. Our State currently has the highest rate of uninsured in the Nation. It is one of the fastest growing States in the country as well. It has per capita Medicaid expenditures that are well below the national average. The administration's proposal would therefore be a lose/lose/lose proposition for our State.

First, it would prevent us from seeking additional Federal assistance for proposed expansions of coverage including the recently approved Federal waiver by the Federal Government to New Mexico that is so highly touted by the administration.

Second, the block grant often fails to take into account differences in population growth, and we have a rapidly growing population.

Finally, we would be forever locked in at an expenditure level way below the national average under this block grant proposal.

During his State of the Union address this last week, the President said, ''Medicare is the binding commitment of a caring society.'' That is a noble concept. But I would suggest that just as Medicare is the binding commitment of a caring society, Medicaid is as well. For this reason, the Federal Government should not step away from it or abandon its commitment to States or to the 43 million vulnerable citizens currently served by the Medicaid Program.

Particularly, the Federal Government should not do this at a time of growing numbers of uninsured and just before the Nation's baby boomers begin to retire in large numbers.

In the name of increasing personal responsibility of our Nation's neediest and sickest citizens, the administration is proposing that we at the Federal level shirk our responsibility. Rather than abandoning the poor at this critical time, we should be reconsidering the proposed tax breaks that we have been sent intending to help our wealthiest citizens.

We need to be sure our priorities are in line with the priorities of the American people. The proposal we have received from the administration to block grant Medicaid clearly does not reflect the priorities the American people have.

RULES OF THE COMMITTEE ON GOVERNMENTAL AFFAIRS

Ms. COLLINS. Mr. President, pursuant to the requirements of Rule XXVI, Sec. 2, of the Standing Rules of the Senate, I ask unanimous consent to have printed in the RECORD the rules of the Committee on Governmental Affairs for the 108th Congress adopted by the Committee on February 5, 2003.

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

RULES OF THE SENATE COMMITTEE ON GOVERNMENTAL AFFAIRS

RULE 1. MEETINGS AND MEETING PROCEDURES OTHER THAN HEARINGS

A. Meeting dates. The Committee shall hold its regular meetings on the first Thursday of each month, when the Congress is in session, or at such other times as the chairman shall determine. Additional meetings may be called by the chairman as he deems necessary to expedite Committee business. (Rule XXVI, Sec. 3, Standing Rules of the Senate.)

B. Calling special Committee meetings. If at least three members of the Committee desire the chairman to call a special meeting, they may file in the offices of the Committee a written request therefor, addressed to the chairman. Immediately thereafter, the clerk of the committee shall notify the chairman of such request. If, within 3 calendar days after the filing of such request, the chairman fails to call the requested special meeting, which is to be held within 7 calendar days after the filing of such request, a majority of the committee members may file in the offices of the committee their written notice that a special Committee meeting will be held, specifying the date and hour thereof, and the Committee shall meet on that date and hour.

Immediately upon the filing of such notice, the Committee clerk shall notify all Committee members that such special meeting will be held and inform them of its date and hour. (Rule XXVI, Sec. 3, Standing Rules of the Senate.)

C. Meeting notices and agenda. Written notices of Committee meetings, accompanied by an agenda, enumerating the items of business to be considered, shall be sent to all Committee members at least 3 days in advance of such meetings, excluding Saturdays, Sundays, and legal holidays in which the Senate is not in session. The written notices required by this Rule may be provided by electronic mail. In the event that unforeseen requirements or Committee business prevent a 3–day notice of either the meeting or agenda, the Committee staff shall communicate such notice and agenda, or any revisions to the agenda, as soon as practicable by telephone or otherwise to members or appropriate staff assistants in their offices.

D. Open business meetings. Meetings for the transaction of Committee or Subcommittee business shall be conducted in open session, except that a meeting or series of meetings on the same subject for a period of no more than 14 calendar days may be closed to the public on a motion made and seconded to go into closed session to discuss only whether the matters enumerated in clauses (1) through (6) below would require the meeting to be closed, followed immediately by a record vote in open session by a majority of the Committee or Subcommittee members when it is determined that the matters to be discussed or the testimony to be taken at such meeting or meetings—

(1) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of foreign relations of the United States;

(2) will relate solely to matters of Committee or Subcommittee staff personnel or internal staff management or procedure;

(3) will tend to charge an individual with crime or misconduct, to disgrace or injure the professional standing of an individual, or otherwise expose an individual to public contempt or obloquy or will represent a clearly unwarranted invasion of the privacy of an individual;

(4) will disclose the identity of an informer or law enforcement agent or will disclose any information relating to the investigation or prosecution of a criminal offense that is required to be kept secret in the interests of effective law enforcement;

(5) will disclose information relating to the trade secrets of financial or commercial information pertaining specifically to a given person if—

(A) an Act of Congress requires the information to be kept confidential by Government officers and employees; or

(B) the information has been obtained by the Government on a confidential basis, other than through an application by such person for a specific Government financial or other benefit, and is required to be kept secret in order to prevent undue injury to the competitive position of such person; or

(6) may divulge matters required to be kept confidential under other provisions of law or Government regulations. (Rule XXVI, Sec. 5(b), Standing Rules of the Senate.) Notwithstanding the foregoing, whenever disorder arises during a Committee or Subcommittee meeting that is open to the public, or any demonstration of approval or disapproval is indulged in by any person in attendance at any such meeting, it shall be the duty of the chairman to enforce order on his own initiative and without any point of order being made by a member of the Committee or Subcommittee; provided, further, that when the chairman finds it necessary to maintain order, he shall have the power to clear the room, and the Committee or Subcommittee may act in closed session for so long as there is doubt of the assurance of order. (Rule XXVI, Sec. 5(d), Standing Rules of the Senate.)

E. Prior notice of first degree amendments. It shall not be in order for the committee, or a Subcommittee thereof, to consider any amendment in the first degree proposed to any measure under consideration by the Committee or Subcommittee unless a written copy of such amendment has been delivered to each member of the Committee or Subcommittee, as the case may be, and to the office of the Committee or Subcommittee, at least 24 hours before the meeting of the Committee or Subcommittee at which the amendment is to be proposed. The written copy of amendments in the first degree required by this Rule may be provided by electronic mail. This subsection may be waived by a majority of the members present. This subsection shall apply only when at least 72 hours written notice of a session to mark-up a measure is provided to the Committee or Subcommittee.

F. Meeting transcript. The Committee or Subcommittee shall prepare and keep a complete transcript or electronic recording adequate to fully record the proceeding of each meeting whether or not such meeting or any part thereof is closed to the public, unless a majority of the Committee or Subcommittee members vote to forgo such a record. (Rule XXVI, Sec. 5(e), Standing Rules of the Senate.)

RULE 2. QUORUMS

A. Reporting measures and matters. A majority of the members of the Committee shall constitute a quorum for reporting to the Senate any measures, matters or recommendations. (Rule XXVI, Sec. 7(a)(1), Standing Rules of the Senate.)

B. Transaction of routine business. One-third of the membership of the Committee shall constitute a quorum for the transaction of routine business, provided that one member of the minority is present. For the purpose of this paragraph, the term ''routine business'' includes the convening of a meeting and the consideration of any business of the Committee other than reporting to the Senate any measures, matters or recommendations. (Rule XXVI, Sec. 7(a)(1), Standing Rules of the Senate.)

C. Taking testimony. One member of the Committee shall constitute a quorum for taking sworn or unsworn testimony. (Rule XXVI, Sec. 7(a)(2) and 7(c)(2), Standing Rules of the Senate.)

D. Subcommittee quorums. Subject to the provisions of sections 7(a) (1) and (2) of Rule XXVI of the Standing Rules of the Senate, the Subcommittees of this Committee are authorized to establish their own quorums for the transaction of business and the taking of sworn testimony.

E. Proxies prohibited in establishment of quorum. Proxies shall not be considered for the establishment of a quorum.

RULE 3. VOTING

A. Quorum required. Subject to the provisions of subsection (E), no vote may be taken by the Committee, or any Subcommittee thereof, on any measure or matter unless a quorum, as prescribed in the preceding section, is actually present.

B. Reporting measures and matters. No measure, matter or recommendation shall be reported from the Committee unless a majority of the Committee members are actually present, and the vote of the Committee to report a measure or matter shall require the concurrence of a majority of those members who are actually present at the time the vote is taken. (Rule XXVI, Sec. 7(a)(1) and (3), Standing Rules of the Senate.)

C. Proxy voting. Proxy voting shall be allowed on all measures and matters before the Committee, or any Subcommittee thereof, except that, when the Committee, or any Subcommittee thereof, is voting to report a measure or matter, proxy votes shall be allowed solely for the purposes of recording a member's position on the pending question. Proxy voting shall be allowed only if the absent Committee or Subcommittee member has been informed of the matter on which he is being recorded and his affirmatively requested that he be so recorded. All proxies shall be filed with the chief clerk of the Committee or Subcommittee thereof, as the case may be. All proxies shall be in writing and shall contain sufficient reference to the pending matter as is necessary to identify it and to inform the Committee or Subcommittee as to how the member establishes his vote to be recorded thereon. (Rule XXVI, Sec. 7(a)(3) and 7(c)(1), Standing Rules of the Senate.)

D. Announcement of vote.

(1) Whenever the Committee by roll call vote reports any measure or matter, the report of the Committee upon such a measure or matter shall include a tabulation of the votes cast in favor of and the votes cast in opposition to such measure or matter by each member of the Committee. (Rule XXVI, Sec. 7(c), Standing Rules of the Senate.)

(2) Whenever the Committee by roll call vote acts upon any measure or amendment thereto, other than reporting a measure or matter, the results thereof shall be announced in the Committee report on that measure unless previously announced by the Committee, and such announcement shall include a tabulation of the votes cast in favor of and the votes cast in opposition to each such measure and amendment thereto by each member of the Committee who was present at the meeting. (Rule XXVI, Sec. 7(b), Standing Rules of the Senate.)

(3) In any case in which a roll call vote is announced, the tabulation of votes shall state separately the proxy vote recorded in favor of and in opposition to that measure, amendment thereto, or matter. (Rule XXVI, Sec. 7(b) and (c), Standing Rules of the Senate.)

E. Polling.

(1) The Committee, or any Subcommittee thereof, may poll (a) internal Committee or Subcommittee matters including the Committee's or Subcommittee's staff, records and budget; (b) steps in an investigation, including issuance of subpoenas, applications for immunity orders, and requests for documents from agencies; and (c) other Committee or Subcommittee business other than a vote on reporting to the Senate any measures, matters or recommendations or a vote on closing a meeting or hearing to the public.

(2) Only the chairman, or a Committee member or staff officer designated by him, may undertake any poll of the members of the Committee. If any member requests, any matter to be polled shall be held for meeting rather than being polled. The chief clerk of the Committee shall keep a record of polls; if a majority of the members of the Committee determine that the polled matter is in one of the areas enumerated in subsection (D) of Rule 1, the record of the poll shall be confidential. Any Committee member may move at the Committee meeting following the poll for a vote on the polled decision, such motion and vote to be subject to the provisions of subsection (D) of Rule 1, where applicable.

RULE 4. CHAIRMANSHIP OF MEETINGS AND HEARINGS

The chairman shall preside at all Committee meetings and hearings except that he shall designate a temporary chairman to act in his place if he is unable to be present at a scheduled meeting or hearing. If the chairman (or his designee) is absent 10 minutes after the scheduled time set for a meeting or hearing, the ranking majority member present shall preside until the chairman's arrival. If there is no member of the majority present, the ranking minority member present, with the prior approval of the chairman, may open and conduct the meeting or hearing until such time as a member of the majority arrives.

RULE 5. HEARINGS AND HEARINGS PROCEDURES

A. Announcement of hearings. The Committee, or any Subcommittee thereof, shall make public announcement of the date, time, and subject matter of any hearing to be conducted on any measure or matter at least 1 week in advance of such hearing, unless the Committee, or Subcommittee, determines that there is good cause to begin such hearing at an earlier date. (Rule XXVI, Sec. 4(a), Standing rules of the Senate.)

B. Open hearings. Each hearing conducted by the Committee, or any Subcommittee thereof, shall be open to the public, except that a hearing or series of hearings on the same subject for a period of no more than 14 calendar days may be closed to the public on a motion made and seconded to go into closed session to discuss only whether the matters enumerated in clauses (1) through (6) below would require the hearing to be closed, followed immediately by a record vote in open session by a majority of the Committee or Subcommittee members when it is determined that the matters to be discussed or the testimony to be taken at such hearing or hearings—

(1) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of foreign relations of the United States;

(2) will relate solely to matters of Committee or Subcommittee staff personnel or internal staff management or procedure;

(3) will tend to charge an individual with crime or misconduct, to disgrace or injure the professional standing of an individual, or otherwise expose an individual to public contempt or obloquy or will represent a clearly unwarranted invasion of the privacy of an individual;

(4) will disclose the identity of an informer or law enforcement agent or will disclose any information relating to the investigation or prosecution of a criminal offense that is required to be kept secret in the interests of effective law enforcement;

(5) will disclose information relating to the trade secrets of financial or commercial information pertaining specifically to a given person if—

(A) an Act of Congress requires the information to be kept confidential by Government officers and employees; or

(B) the information has been obtained by the Government on a confidential basis, other than through an application by such person for a specific Government financial or other benefit, and is required to be kept secret in order to prevent undue injury to the competitive position of such person; or

(6) may divulge matters required to be kept confidential under other provisions of law or Government regulations. (Rule XXVI, Sec. 5(b), Standing Rules of the Senate.) Notwithstanding the foregoing, whenever disorder arises during a Committee or Subcommittee meeting that is open to the public, or any demonstration of approval or disapproval is indulged in by any person in attendance at any such meeting, it shall be the duty of the chairman to enforce order on his own initiative and without any point of order being made by a member of the Committee or Subcommittee; provided, further, that when the chairman finds it necessary to maintain order, he shall have the power to clear the room, and the Committee or Subcommittee may act in closed session for so long as there is doubt of the assurance of order. (Rule XXVI, Sec. 5(d), Standing rules of the Senate.)

C. Full Committee subpoenas. The chairman, with the approval of the ranking minority member of the Committee, is authorized to subpoena the attendance of witnesses or the production of memoranda, documents, records, or any other materials at a hearing or deposition, provided that the chairman may subpoena attendance or production without the approval of the ranking minority member where the chairman or staff officer designated by him has not received notification from the ranking minority member or a staff officer designated by him of disapproval of the subpoena within 72 hours, excluding Saturdays and Sundays, of being notified of the subpoena. If a subpoena is disapproved by the ranking minority member as provided in this subsection, the subpoena may be authorized by vote of the members of the Committee. When the Committee or chairman authorizes subpoenas, subpoenas may be issued upon the signature of the chairman or any other member of the Committee designated by the chairman.

D. Witness counsel. Counsel retained by any witness and accompanying such witness shall be permitted to be present during the testimony of such witness at any public or executive hearing or deposition to advise such witness while he or she is testifying, of his or her legal rights, provided, however, that in the case of any witness who is an officer or employee of the government, or of a corporation or association, the Committee chairman may rule that representation by counsel from the government, corporation, or association or by counsel representing, other witnesses, creates a conflict of interest, and that the witness may only be represented during interrogation by staff or during testimony before the Committee by personal counsel not from the government, corporation, or association or by personal counsel not representing other witnesses. This subsection shall not be construed to excuse a witness from testifying in the event his counsel is ejected for conducting himself in such manner so as to prevent, impede, disrupt, obstruct or interfere with the orderly administration of the hearings; nor shall this subsection be construed as authorizing counsel to coach the witness or answer for the witness. The failure of any witness to secure counsel shall not excuse such witness from complying with a subpoena or deposition notice.

E. Witness transcripts. An accurate electronic or stenographic record shall be kept of the testimony of all witnesses in executive and public hearings. The record of his or her testimony whether in public or executive session shall be made available for inspection by the witness or his or her counsel under Committee supervision; a copy of any testimony given in public session or that part of the testimony given by the witness in executive session and subsequently quoted or made part of the record in a public session shall be provided to any witness at his or her expense if he or she so requests. Upon inspecting his or her transcript, within a time limit set by the chief clerk of the Committee, a witness may request changes in the transcript to correct errors of transcription and grammatical errors; the chairman or a staff officer designated by him shall rule on such requests.

F. Impugned persons. Any person whose name is mentioned or is specifically identified, and who believes that evidence presented, or comment made by a member of the Committee or staff officer, at a public hearing or at a closed hearing concerning which there have been public reports, tends to impugn his or her character or adversely affect his or her reputation may:

(a) File a sworn statement of facts relevant to the evidence or comment, which statement shall be considered for placement in the hearing record by the Committee;

(b) Request the opportunity to appear personally before the Committee to testify in his or her own behalf, which request shall be considered by the Committee; and

(c) Submit questions in writing which he or she requests be used for the cross-examination of other witnesses called by the Committee, which questions shall be considered for use by the Committee.

G. Radio, television, and photography. The Committee, or any Subcommittee thereof, may permit the proceedings of hearings which are open to the public to be photographed and broadcast by radio, television or both, subject to such conditions as the Committee, or Subcommittee, may impose. (Rule XXVI, Sec. 5(c), Standing Rules of the Senate.)

H. Advance statements of witnesses. A witness appearing before the Committee, or any Subcommittee thereof, shall provide 100 copies of a written statement and an executive summary or synopsis of his proposed testimony at least 48 hours prior to his appearance. This requirement may be waived by the chairman and the ranking minority member following their determination that there is good cause for failure of compliance. (Rule XXVI, Sec. 4(b), Standing Rules of the Senate.)

I. Minority witnesses. In any hearings conducted by the Committee, or any Subcommittee thereof, the minority members of the Committee or Subcommittee shall be entitled, upon request to the chairman by a majority of the minority members, to call witnesses of their selection during at least 1 day of such hearings. (Rule XXVI, Sec. 4(d), Standing Rules of the Senate.)

J. Full Committee depositions. Depositions may be taken prior to or after a hearing as provided in this subsection.

(1) Notices for the taking of depositions shall be authorized and issued by the chairman, with the approval of the ranking minority member of the Committee, provided that the chairman may initiate depositions without the approval of the ranking minority member where the chairman or a staff officer designated by him has not received notification from the ranking minority member or a staff officer designated by him of disapproval of the deposition within 72 hours, excluding Saturdays and Sundays, of being notified of the deposition notice. If a deposition notice is disapproved by the ranking minority members as provided in this subsection, the deposition notice may be authorized by a vote of the members of the Committee. Committee deposition notices shall specify a time and place for examination, and the name of the Committee member or members or staff officer or officers who will take the deposition. Unless otherwise—specified, the deposition shall be in private. The Committee shall not initiate procedures leading to criminal or civil enforcement proceedings for a witness' failure to appear or produce unless the deposition notice was accompanied by a Committee subpoena.

(2) Witnesses may be accompanied at a deposition by counsel to advise them of their legal rights, subject to the provisions of Rule 5D.

(3) Oaths at depositions may be administered by an individual authorized by local law to administer oaths. Questions shall be propounded orally by Committee member or members or staff. If a witness objects to a question and refuses to testify, the objection shall be noted for the record and the Committee member or members or staff may proceed with the remainder of the deposition.

(4) The Committee shall see that the testimony is transcribed or electronically recorded (which may include audio or audio/video recordings). If it is transcribed, the transcript shall be made available for inspection by the witness or his or her counsel under Committee supervision. The witness shall sign a copy of the transcript and may request changes to it, which shall be handled in accordance with the procedure set forth in subsection (E). If the witness fails to sign a copy, the staff shall note that fact on the transcript. The individual administering the oath shall certify on the transcript that the witness was duly sworn in his presence, the transcriber shall certify that the transcript is a true record of the testimony, and the transcript shall then be filed with the chief clerk of the Committee. The chairman or a staff officer designated by him may stipulate with the witness to changes in the procedure, deviations from this procedure which do not substantially impair the reliability of the record shall not relieve the witness from his or her obligation to testify truthfully.

RULE 6. COMMITTEE REPORTING PROCEDURES

A. Timely filing. When the Committee has ordered a measure or matter reported following final action the report thereon shall be filed in the Senate at the earliest practicable time. (Rule XXVI Sec. 20(b), Standing Rules of the Senate.)

B. Supplemental, minority, and additional views. A member of the Committee who gives notice of his intention to file supplemental minority or additional views at the time of final Committee approval of a measure or matter, shall be entitled to not less

than 3 calendar days in which to file such views, in writing, with the chief clerk of the Committee. Such views shall then be included in the Committee report and printed in the same volume, as a part thereof, and their inclusion shall be noted on the cover of the report. In the absence of timely notice, the Committee report may be filed and printed immediately without such views, (Rule XXVI, Sec. 10(c), Standing Rules of the Senate.)

C. Notice by Subcommittee chairmen. The chairman of each Subcommittee shall notify the chairman in writing whenever any measure has been ordered reported by such Subcommittee and is ready for consideration by the full Committee.

D. Draft reports of Subcommittees. All draft reports prepared by Subcommittees of this Committee on any measure or matter referred to it by the chairman, shall be in the form, style, and arrangement required to conform to the applicable provisions of the Standing Rules of the Senate, and shall be in accordance with the established practices followed by the Committee. Upon completion of such draft reports, copies thereof shall be filed with the chief clerk of the Committee at the earliest practicable time.

E. Impact statements in reports. All Committee reports, accompanying a bill or joint resolution of a public character reported by the Committee, shall contain (1) an estimate, made by the Committee, of the costs which would be incurred in carrying out the legislation for the then current fiscal year and for each of the next 5 years thereafter (or for the authorized duration of the proposed legislation, if less than 5 years); and (2) a comparison of such cost estimates with any made by a Federal agency; or (3) in lieu of such estimate or comparison, or both, a statement of the reasons for failure by the Committee to comply with these requirements as impracticable, in the event of inability to comply therewith. (Rule XXVI, Sec. 11(a), Standing Rules of the Senate.)

Each such report shall also contain an evaluation, made by the Committee, of the regulatory impact which would be incurred in carrying out the bill or joint resolution. The evaluation shall include (a) an estimate of the numbers of individuals and businesses who would be regulated and a determination of the groups and classes of such individuals and businesses, (b) a determination of the economic impact of such regulation on the individuals, consumers, and businesses affected, (c) a determination of the impact on the personal privacy of the individuals affected, and (d) a determination of the amount of paperwork that will result from the regulations to be promulgated pursuant to the bill or joint resolution, which determination may include, but need not be limited to, estimates of the amount of time and financial costs required of affected parties, showing whether the effects of the bill or joint resolution could be substantial, as well as reasonable estimates of the record keeping requirements that may be associated with the bill or joint resolution. Or, in lieu of the forgoing evaluation, the report shall include a statement of the reasons for failure by the Committee to comply with these requirements as impracticable, in the event of inability to comply therewith. (Rule XXVI, Sec. 11(b), Standing Rules of the Senate.)

RULE 7. SUBCOMMITTEES AND SUBCOMMITTEE PROCEDURES

A. Regularly established Subcommittees. The Committee shall have three regularly established Subcommittees. The Subcommittees are as follows: Permanent Subcommittee on Investigations, Oversight of Government Management, the Federal Workforce and the District of Columbia, Financial Management, the Budget, and International Security

B. Ad hoc Subcommittees. Following consultation with the ranking minority member, the chairman shall, from time to time, establish such ad hoc Subcommittees as he deems necessary to expedite Committee business.

C. Subcommittee membership. Following consultation with the majority members, and the ranking minority member of the Committee, the chairman shall announce selections for membership on the Subcommittees referred to in paragraphs A and B, above.

D. Subcommittee meetings and hearings. Each Subcommittee of this Committee is authorized to establish meeting dates and adopt rules not inconsistent with the rules of the Committee except as provided in Rules 2(D) and 7(E).

E. Subcommittee subpoenas. Each Subcommittee is authorized to adopt rules concerning subpoenas which need not be consistent with the rules of the Committee; provided, however, that in the event the Subcommittee authorizes the issuance of a subpoena pursuant to its own rules, a written notice of intent to issue the subpoena shall be provided to the chairman and ranking minority member of the Committee, or staff officers designated by them, by the Subcommittee chairman or a staff officer designated by him immediately upon such authorization, and no subpoena shall be issued for at least 48 hours, excluding Saturdays and Sundays, from delivery to the appropriate offices, unless the chairman and ranking minority member waive the 48-hour waiting period or unless the Subcommittee chairman certifies in writing to the chairman and ranking minority member that, in his opinion, it is necessary to issue a subpoena immediately.

F. Subcommittee budgets. During the first year of a new Congress, each Subcommittee that requires authorization for the expenditure of funds for the conduct of inquiries and investigations, shall file with the chief clerk of the Committee, by a date and time prescribed by the Chairman, its request for funds for the two (2) 12-month periods beginning on March 1 and extending through and including the last day of February of the 2 following years, which years comprise that Congress. Each such request shall be submitted on the budget form prescribed by the Committee on Rules and Administration, and shall be accompanied by a written justification addressed to the chairman of the Committee, which shall include (1) a statement of the Subcommittee's area of activities, (2) its accomplishments during the preceding Congress detailed year by year, and (3) a table showing a comparison between (a) the funds authorized for expenditure during the preceding Congress detailed year by year, (b) the funds actually expended during that Congress detailed year by year, (c) the amount requested for each year of the Congress, and (d) the number of professional and clerical staff members and consultants employed by the Subcommittee during the preceding Congress detailed year by year and the number of such personnel requested for each year of the Congress. The chairman may request additional reports from the Subcommittees regarding their activities and budgets at any time during a Congress. (Rule XXVI, Sec. 9, Standing Rules of the Senate.)

RULE 8. CONFIRMATION STANDARDS AND PROCEDURES

A. Standards. In considering a nomination, the Committee shall inquire into the nominee's experience, qualifications, suitability, and integrity to serve in the position to which he or she has been nominated. The Committee shall recommend confirmation, upon finding that the nominee has the necessary integrity and is affirmatively qualified by reason of training, education, or experience to carry out the functions of the office to which he or she was nominated.

B. Information Concerning the Nominee. Each nominee shall submit the following information to the Committee:

(1) A detailed biographical resume which contains information relating to education, employment and achievements;

(2) Financial information, in such specificity as the Committee deems necessary, including a list of assets and liabilities of the nominee and tax returns for the 3 years preceding the time of his or her nomination, and copies of other relevant documents requested by the Committee, such as a proposed blind trust agreement, necessary for the Committee's consideration; and,

(3) Copies of other relevant documents the Committee may request, such as responses to questions concerning the policies and programs the nominee intends to pursue upon taking office. At the request of the chairman or the ranking minority member, a nominee shall be required to submit a certified financial statement compiled by an independent auditor. Information received pursuant to this subsection shall be made available for public inspection; provided, however, that tax returns shall, after review by persons designated in subsection (C) of this rule, be placed under seal to ensure confidentiality.

C. Procedures for Committee inquiry. The Committee shall conduct an inquiry into the experience, qualifications, suitability, and integrity of nominees, and shall give particular attention to the following matters:

(1) A review of the biographical information provided by the nominee, including, but not limited to, any professional activities related to the duties of the office to which he or she is nominated;

(2) A review of the financial information provided by the nominee, including tax returns for the 3 years preceding the time of his or her nomination;

(3) A review of any actions, taken or proposed by the nominee, to remedy conflicts of interest; and

(4) A review of any personal or legal matter which may bear upon the nominee's qualifications for the office to which he or she is nominated. For the purpose of assisting the Committee in the conduct of this inquiry, a majority investigator or investigators shall be designated by the chairman and a minority investigator or investigators shall be designated by the ranking minority member. The chairman, ranking minority member, other members of the Committee and designated investigators shall have access to all investigative reports on nominees prepared by any Federal agency, except that only the chairman, the ranking minority member, or other members of the Committee, upon request, shall have access to the report of the Federal Bureau of Investigation. The Committee may request the assistance of the General Accounting Office and any other such expert opinion as may be necessary in conducting its review of information provided by nominees.

D. Report on the Nominee. After a review of all information pertinent to the nomination, a confidential report on the nominee shall be made in the case of judicial nominees and may be made in the case of non-judicial nominees by the designated investigators to the chairman and the ranking minority member and, upon request, to any other member of the Committee. The report shall summarize the steps taken by the Committee during its investigation of the nominee and the results of the Committee inquiry, including any unresolved matters that

have been raised during the course of the inquiry.

E. Hearings. The Committee shall conduct a public hearing during which the nominee shall be called to testify under oath on all matters relating to his or her suitability for office, including the policies and programs which he or she will pursue while in that position. No hearing shall be held until at least 72 hours after the following events have occurred: The nominee has responded to prehearing questions submitted by the Committee; and, if applicable, the report described in subsection (D) has been made to the chairman and ranking minority member, and is available to other members of the Committee, upon request.

F. Action on confirmation. A mark-up on a nomination shall not occur on the same day that the hearing on the nominee is held. In order to assist the Committee in reaching a recommendation on confirmation, the staff may make an oral presentation to the Committee at the mark-up, factually summarizing the nominee's background and the steps taken during the pre-hearing inquiry.

G. Application. The procedures contained in subsections (C), (D), (E), and (F) of this rule shall apply to persons nominated by the President to positions requiring their full-time service. At the discretion of the chairman and ranking minority member, those procedures may apply to persons nominated by the President to serve on a part-time basis.

RULE 9. PERSONNEL ACTIONS AFFECTING COMMITTEE STAFF

In accordance with Rule XLII of the Standing Rules of the Senate and the Congressional Accountability Act of 1995 (P.L.104–1), all personnel actions affecting the staff of the Committee shall be made free from any discrimination based on race, color, religion, sex, national origin, age, state of physical handicap, or disability.

RULES OF THE COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. COCHRAN. Mr. President, today the Committee on Agriculture, Nutrition and Forestry conducted a business meeting and approved the subcommittee membership of the committee along with the rules of the committee. I ask unanimous consent that they be printed in today's RECORD. The committee also reported it's funding resolution for fiscal year 2003, fiscal year 2004 and fiscal year 2005.

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

RULES OF THE COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

RULE I—MEETINGS

1.1 REGULAR MEETINGS.—Regular meetings shall be held on the first and third Wednesday of each month when Congress is in session.

1.2 ADDITIONAL MEETINGS.—The Chairman, in consultation with the ranking minority member, may call such additional meetings as he deems necessary.

1.3 NOTIFICATION.—In the case of any meeting of the committee, other than a regularly scheduled meeting, the clerk of the committee shall notify every member of the committee of the time and place of the meeting and shall give reasonable notice which, except in extraordinary circumstances, shall be at least 24 hours in advance of any meeting held in Washington, DC, and at least 48 hours in the case of any meeting held outside Washington, DC.

1.4 CALLED MEETING.—If three members of the committee have made a request in writing to the Chairman to call a meeting of the committee, and the Chairman fails to call such a meeting within 7 calendar days thereafter, including the day on which the written notice is submitted, a majority of the members may call a meeting by filing a written notice with the clerk of the committee who shall promptly notify each member of the committee in writing of the date and time of the meeting.

1.5 ADJOURNMENT OF MEETINGS.—The Chairman of the committee or a subcommittee shall be empowered to adjourn any meeting of the committee or a subcommittee if a quorum is not present within 15 minutes of the time scheduled for such meeting.

RULE 2—MEETINGS AND HEARINGS IN GENERAL

2.1 OPEN SESSIONS.—Business meetings and hearings held by the committee or any subcommittee shall be open to the public except as otherwise provided for in Senate Rule XXVI, paragraph 5.

2.2 TRANSCRIPTS.—A transcript shall be kept of each business meeting and hearing of the committee or any subcommittee unless a majority of the committee or the subcommittee agrees that some other form of permanent record is preferable.

2.3 REPORTS.—An appropriate opportunity shall be given the Minority to examine the proposed text of committee reports prior to their filing or publication. In the event there are supplemental, minority, or additional views, an appropriate opportunity shall be given the Majority to examine the proposed text prior to filing or publication.

2.4 ATTENDANCE.—(a) MEETINGS. Official attendance of all markups and executive sessions of the committee shall be kept by the committee clerk. Official attendance of all subcommittee markups and executive sessions shall be kept by the subcommittee clerk.

(b) HEARINGS. Official attendance of all hearings shall be kept, provided that, Senators are notified by the committee Chairman and ranking minority member, in the case of committee hearings, and by the subcommittee Chairman and ranking minority member, in the case of committee hearings, and by the subcommittee Chairman and ranking minority member, in the case of subcommittee hearings, 48 hours in advance of the hearing that attendance will be taken. Otherwise, no attendance will be taken. Attendance at all hearings is encouraged.

RULE 3—HEARING PROCEDURES

3.1 NOTICE.—Public notice shall be given of the date, place, and subject matter of any hearing to be held by the committee or any subcommittee at least 1 week in advance of such hearing unless the Chairman of the full committee or the subcommittee determines that the hearing is noncontroversial or that special circumstances require expedited procedures and a majority of the committee or the subcommittee involved concurs. In no case shall a hearing be conducted with less than 24 hours notice.

3.2 WITNESS STATEMENTS.—Each witness who is to appear before the committee or any subcommittee shall file with the committee or subcommittee, at least 24 hours in advance of the hearing, a written statement of his or her testimony and as many copies as the Chairman of the committee or subcommittee prescribes.

3.3 MINORITY WITNESSES.—In any hearing conducted by the committee, or any subcommittee thereof, the minority members of the committee or subcommittee shall be entitled, upon request to the Chairman by the ranking minority member of the committee or subcommittee to call witnesses of their selection during at least 1 day of such hearing pertaining to the matter or matters heard by the committee or subcommittee.

3.4 SWEARING IN OF WITNESSES.—Witnesses in committee or subcommittee hearings may be required to give testimony under oath whenever the Chairman or ranking minority member of the committee or subcommittee deems such to be necessary.

3.5 LIMITATION.—Each member shall be limited to 5 minutes in the questioning of any witness until such time as all members who so desire have had an opportunity to question a witness. Questions from members shall rotate from majority to minority members in order of seniority or in order of arrival at the hearing.

RULE 4—NOMINATIONS

4.1 ASSIGNMENT.—All nominations shall be considered by the full committee.

4.2 STANDARDS.—In considering a nomination, the committee shall inquire into the nominee's experience, qualifications, suitability, and integrity to serve in the position to which he or she has been nominated.

4.3 INFORMATION.—Each nominee shall submit in response to questions prepared by the committee the following information:

(1) A detailed biographical resume which contains information relating to education, employment, and achievements;

(2) Financial information, including a financial statement which lists assets and liabilities of the nominee; and

(3) Copies of other relevant documents requested by the committee. Information received pursuant to this subsection shall be available for public inspection except as specifically designated confidential by the committee.

4.4 HEARINGS.—The committee shall conduct a public hearing during which the nominee shall be called to testify under oath on all matters relating to his or her suitability for office. No hearing shall be held until at least 48 hours after the nominee has responded to a prehearing questionnaire submitted by the committee.

4.5 ACTION ON CONFIRMATION.—A business meeting to consider a nomination shall not occur on the same day that the hearing on the nominee is held. The Chairman, with the agreement of the ranking minority member, may waive this requirement.

RULE 5—QUORUMS

5.1 TESTIMONY—For the purpose of receiving evidence, the swearing of witnesses, and the taking of sworn or unsworn testimony at any duly scheduled hearing, a quorum of the committee and the subcommittee thereof shall consist of one member.

5.2 BUSINESS.—A quorum for the transaction of committee or subcommittee business, other than for reporting a measure or recommendation to the Senate or the taking of testimony, shall consist of one-third of the members of the committee or subcommittee, including at least one member from each party.

5.3 REPORTING.—A majority of the membership of the committee shall constitute a quorum for reporting bills, nominations, matters, or recommendations to the Senate. No measure or recommendation shall be ordered reported from the committee unless a majority of the committee members are physically present. The vote of the committee to report a measure or matter shall require the concurrence of a majority of those members who are physically present at the time the vote is taken.

RULE 6—VOTING

6.1 ROLLCALLS.—A roll call vote of the members shall be taken upon the request of any member.

6.2 PROXIES.—Voting by proxy as authorized by the Senate rules for specific bills or subjects shall be allowed whenever a quorum of the committee is actually present.

6.3 POLLING.—The committee may poll any matters of committee business, other than a vote on reporting to the Senate any measures, matters or recommendations or a vote on closing a meeting or hearing to the public, provided that every member is polled and every poll consists of the following two questions:

(1) Do you agree or disagree to poll the proposal; and

(2) Do you favor or oppose the proposal.

If any member requests, any matter to be polled shall be held for meeting rather than being polled. The chief clerk of the committee shall keep a record of all polls.

RULE 7—SUBCOMMITTEES

7.1 ASSIGNMENTS.—To assure the equitable assignment of members to subcommittees, no member of the committee will receive assignment to a second subcommittee until, in order of seniority, all members of the committee have chosen assignments to one subcommittee, and no member shall receive assignment to a third subcommittee until, in order of seniority, all members have chosen assignments to two subcommittees.

7.2 ATTENDANCE.—Any member of the committee may sit with any subcommittee during a hearing or meeting but shall not have the authority to vote on any matter before the subcommittee unless he or she is a member of such subcommittee.

7.3 EX OFFICIO MEMBERS.—The Chairman and ranking minority member shall serve as nonvoting ex officio members of the subcommittees on which they do not serve as voting members. The Chairman and ranking minority member may not be counted toward a quorum.

7.4 SCHEDULING.—No subcommittee may schedule a meeting or hearing at a time designated for a hearing or meeting of the full committee. No more than one subcommittee business meeting may be held at the same time.

7.5 DISCHARGE.—Should a subcommittee fail to report back to the full committee on any measure within a reasonable time, the Chairman may withdraw the measure from such subcommittee and report that fact to the full committee for further disposition. The full committee may at any time, by majority vote of those members present, discharge a subcommittee from further consideration of a specific piece of legislation.

7.6 APPLICATION OF COMMITTEE RULES TO SUBCOMMITTEES.—The proceedings of each subcommittee shall be governed by the rules of the full committee, subject to such authorizations or limitations as the committee may from time to time prescribe.

RULE 8—INVESTIGATIONS, SUBPOENAS AND DEPOSITIONS

8.1 INVESTIGATIONS.—Any investigation undertaken by the committee or a subcommittee in which depositions are taken or subpoenas issued, must be authorized by a majority of the members of the committee voting for approval to conduct such investigation at a business meeting of the committee convened in accordance with Rule 1.

8.2 SUBPOENAS.—The Chairman, with the approval of the ranking minority member of the committee, is delegated the authority to subpoena the attendance of witnesses or the production of memoranda, documents, records, or any other materials at a hearing of the committee or a subcommittee or in connection with the conduct of an investigation authorized in accordance with paragraph 8.1. The Chairman may subpoena attendance or production without the approval of the ranking minority member when the Chairman has not received notification from the ranking minority member of disapproval of the subpoena within 72 hours, excluding Saturdays and Sundays, of being notified of the subpoena. If a subpoena is disapproved by the ranking minority member as provided in this paragraph the subpoena may be authorized by vote of the members of the committee. When the committee or Chairman authorizes subpoenas, subpoenas may be issued upon the signature of the Chairman or any other member of the committee designated by the Chairman.

8.3 NOTICE FOR TAKING DEPOSITIONS.—Notices for the taking of depositions, in an investigation authorized by the committee, shall be authorized and be issued by the Chairman or by a staff officer designated by him. Such notices shall specify a time and place for examination, and the name of the Senator, staff officer or officers who will take the deposition. Unless otherwise specified, the deposition shall be in private. The committee shall not initiate procedures leading to criminal or civil enforcement proceedings for a witness' failure to appear unless the deposition notice was accompanied by a committee subpoena.

8.4 PROCEDURE FOR TAKING DEPOSITIONS.—Witnesses shall be examined upon oath administered by an individual authorized by local law to administer oaths. The Chairman will rule, by telephone or otherwise, on any objection by a witness. The transcript of a deposition shall be filed with the committee clerk.

RULE 9—AMENDING THE RULES

These rules shall become effective upon publication in the CONGRESSIONAL RECORD. These rules may be modified, amended, or repealed by the committee, provided that all members are present or provide proxies or if a notice in writing of the proposed changes has been given to each member at least 48 hours prior to the meeting at which action thereon is to be taken. The changes shall become effective immediately upon publication of the changed rule or rules in the CONGRESSIONAL RECORD, or immediately upon approval of the changes if so resolved by the committee as long as any witnesses who may be affected by the change in rules are provided with them.

SENATE COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Thad Cochran, MS, Chairman, Richard G. Lugar, IN, Mitch McConnell, KY, Pat Roberts, KS, Peter Fitzgerald, IL, Saxby Chambliss, GA, Norm Coleman, MN, Mike Crapo, ID, James M. Talent, MO, Elizabeth Dole, NC, Charles E. Grassley, IA, Tom Harkin, IA, Ranking Democratic Member, Patrick J. Leahy, VT, Kent Conrad, ND, Thomas A. Daschle, SD, Max Baucus, MT, Blanche L. Lincoln, AR, Zell Miller, GA, Debbie Stabenow, MI, E. Benjamin Nelson, NE, Mark Dayton, MN.

JURISDICTION OF THE SUBCOMMITTEES OF THE COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY (108TH)

PRODUCTION AND PRICE COMPETITIVENESS

Jurisdiction over legislation on agricultural commodities, including cotton, dairy products, feed grains, wheat, tobacco, peanuts, sugar, wool, rice, oilseeds, and soybeans; price and income support programs.

Elizabeth Dole, Chair, Mitch McConnell, Pat Roberts, Saxby Chambliss, Norm Coleman, Charles E. Grassley, Kent Conrad, Ranking Democrat, Thomas A. Daschle, Zell Miller, Max Baucus, Blanche L. Lincoln.

MARKETING, INSPECTION, AND PRODUCT PROMOTION

Jurisdiction over legislation on foreign agricultural trade; foreign market development; agriculture product promotion and domestic marketing programs; oversight of international commodity agreements and export controls on agricultural commodities; foreign assistance programs and Food for Peace; marketing orders; inspection and certification of meat, flowers, fruit, vegetables, and livestock.

James M. Talent, Chair, Pat Roberts, Peter Fitzgerald, Saxby Chambliss, Charles E. Grassley, Max Baucus, Ranking Democrat, E. Benjamin Nelson, Kent Conrad, Debbie Stabenow.

FORESTRY, CONSERVATION, AND RURAL REVITALIZATION

Jurisdiction over rural development legislation and rural electrification legislation; oversight of rural electrification, agricultural credit, the Farm Credit System, the Farm Credit Administration, and the Farmers Home Administration and its successor agencies; and crop insurance; forestry in general and forest reserves that were acquired from state, local, or private sources, soil conservation, stream channelization, watershed and flood control programs involving structures of less than 4,000 acre-feet storage capacity.

Mike Crapo, Chair, Richard G. Lugar, Norm Coleman, James M. Talent, Mitch McConnell, Pat Roberts, Blanche L. Lincoln, Ranking Democrat, Mark Dayton, Patrick J. Leahy, Thomas A. Daschle, E. Benjamin Nelson.

RESEARCH, NUTRITION, AND GENERAL LEGISLATION

Jurisdiction over legislation on agricultural education and research; animal welfare; legislation on or relating to food, nutrition and hunger; commodity donations; food stamps; national school lunch program; school breakfast program; summer food service program; special milk program for children; special supplemental nutrition program for women, infants and children; nutritional programs for the elderly; Commodity Futures Trading Commission and Federal Insecticide Fungicide and Rodenticide Act; and general legislation.

Peter Fitzgerald, Chair, Richard G. Lugar, Mitch McConnell, Mike Crapo, Elizabeth Dole, Patrick J. Leahy, Ranking Democrat, Debbie Stabenow, Zell Miller, Mark Dayton.

LOCAL LAW ENFORCEMENT ACT

Mr. SMITH. Mr. President, I rise today to speak about my friend Chad Debnam and the need for hate crimes legislation. In the last Congress Senator KENNEDY and I introduced the Local Law Enforcement Enhancement Act, a bill that would expand current hate crimes law, sending a signal that violence of any kind is unacceptable in our society.

Each day since the introduction of the Local Law Enforcement Enhancement Act, I have detailed for the RECORD a hate crime that has affected our fellow citizens. Today, I would like to describe a terrible crime that occurred very recently, on January 19, 2003, in my home State of Oregon. Four young men went on a shooting spree through Northeast Portland because, according to police, they thought the neighborhood was predominantly African American. The four fired shots into cars and homes as they drove down the street. Although no one was physically injured, the incident opened painful wounds in a community that, like so

many others, has seen hate crimes before.

For Chad Debnam, the shooting was particularly difficult. 23 years earlier, his brother, Clarence Debnam, an African American college student, was shot through the back by a white sailor. The shooting ''affected us so deeply, our family was never the same,'' Chad, now 52, said. ''And then it comes to visit me again.''

As Chad and his neighbors understand all too well, hate crimes cause harm above and beyond the effects produced by random acts of violence, because when such a wrong is perpetrated, the intended victim is not just a single person, but an entire community. And it creates within that community a sense of alienation, and the very real fear that other members may be future targets of similar violence.

This weekend, Chad Debnam and others will be marching down the streets of Northeast Portland in a united front against hate. The Federal Government should be there with them. Passing the Local Law Enforcement Enhancement Act will demonstrate to our fellow citizens that, in the words of Dr. Martin Luther King, Jr., ''Injustice anywhere is a threat to justice everywhere.'' The victims of hate, in Portland and elsewhere, need to know that their Federal Government stands with them, and will help them create a nationwide community of hope and healing, where intolerance has no place. I believe that by passing the Local Law Enforcement Enhancement Act we will not only change the law, but hearts and minds as well.

FMLA

Mr. SARBANES. Mr. President, I rise today to join with Marylanders and all Americans in celebrating the anniversary of the Family and Medical Leave Act of 1993, FMLA. The FMLA was passed 10 years ago today on February 5, 1993. It addressed one of the most pressing issues of the time: how to help parents and other family members balance the demands of work and family. Balancing these demands has always been difficult, but the last few decades have seen an increase in working mothers, single parents and working families who are caring for elderly relatives. Trying to cope with the dual burdens of work and family left many families and individuals unable to meet all the demands placed on them.

The FMLA was designed to help ease the burden on many of these families. The FMLA requires private employers with at least 50 employees, and public employers, to give unpaid leave to employees who meet the eligibility requirements for such leave. To be eligible, the FMLA requires that employees have worked for the employer for at least 12 months, and have worked a minimum of 1,250 hours. The employee, if eligible, is entitled to up to 12 weeks of unpaid, job-protected leave per 12-month period. FMLA leave can be taken to care for the ''serious health condition'' of the employee, a child of the employee or a parent of the employee, or for an employee to care for a newborn, newly adopted child or newly placed foster child. Employees are not required to take the leave in one block, and are entitled to receive health benefits during their FMLA leave.

In 2001 the Department of Labor commissioned a report to study the impact of the FMLA. The report found that almost 62 percent of public and private employees are covered by the FMLA. The benefits of the FMLA have thus been applied to the majority of American workers, a significant accomplishment. In addition, the FMLA seems to be working. A significant majority of employers report that the FMLA has no effect on their company's performance: 76.5 percent of employers say that the FMLA has no effect on productivity, 87.6 percent say that the FMLA has no effect on profitability, and 87.7 percent report that the FMLA has no effect on their company's growth. A majority of employers also report that the FMLA has little to no effect on the individual employee's performance. And most of the 23.8 million employees who used FMLA leave in 1999–2000 reported that their experience was positive.

Beyond these raw numbers, the FMLA has had a profound effect on the lives of many American workers. Working mothers and fathers are able to take time to care for their sick children, sons and daughters are able to care for aging parents, and new mothers and fathers are able to spend precious time bonding with their newborns or newly adopted babies during the first weeks of life. The FMLA does not force workers to choose between family and work. No amount of statistics can quantify the value of the days and hours family members get to spend helping one another during these crucial times.

But we should look at ways to make this very successful program available to more American workers and bring the benefits of this important legislation to more who need it. To this end, I am a cosponsor of a bill that would provide wage replacement for eligible individuals who have taken FMLA leave for the birth or adoption of a son or daughter or other family care giving needs. The bill would also amend the FMLA to extend coverage to employees at worksites of at least 25 employees, a decrease from the current 50-employee requirement. And the bill would entitle employees who must address the effects of domestic violence to take FMLA leave. I urge my colleagues to work with me to ensure the passage and enactment of this important legislation.

On the 10th anniversary of the FMLA legislation, let us remember the success of this program, and let us also focus on ways in which we can make improvements to the program so that it can benefit all American workers.

U.N. WEAPONS INSPECTORS

Mr. FEINGOLD. Mr. President, I commend Senator BYRD for introducing a very sensible resolution, S. Res. 28, expressing the sense of the Senate that the United Nations weapons inspectors should be given sufficient time for a thorough assessment of the level of compliance by the Government of Iraq with United Nations Security Council Resolution 1441 of 2002 and that the United States should seek a United Nations Security Council resolution specifically authorizing the use of force before initiating any offensive military operations against Iraq. I am pleased to join several colleagues in cosponsoring it.

I want to be clear about one point on which I may disagree with Senator BYRD. S. Res. 28 states that U.N. weapons inspectors have failed to obtain evidence that would prove that Iraq is in breach of the terms of the United Nations Security Council Resolution 1441. While there is little public information suggesting that weapons inspectors have turned up much in the way of evidence of any kind, they have made some important disclosures in their recent report, and it is clear that Iraq has failed to meet Resolution 1441's requirement that Iraq make a complete declaration of all aspects of its chemical, biological, and nuclear weapons programs, as well as information about its ballistic missiles and other delivery systems. The report that was submitted by the Government of Iraq omitted a great deal of information, and the ''unknowns'' left for the international community to consider are very serious matters. Iraq is not in compliance with Resolution 1441.

But this issue does not dissuade me from supporting Senator Byrd's admirable resolution. Fundamentally, this resolution recognizes that the threshold for starting a war through unilateral military action should be very high. It should require the presence of an imminent threat, or a solid connection to al-Qaida, in which case unambiguous U.S. action is already, and rightly, authorized. Based on the information available to me, I have determined that we have not reached that point.

I wholeheartedly agree with the resolution's assertion that the U.S. and others should work to exhaust all peaceful and diplomatic means of disarming Iraq. I also agree that the U.S. should seek authorization from the Security Council before pursuing the last resort of military action in Iraq. Should we reach a point at which the use of force appears to be the only option, we should try to increase the legitimacy of any action and decrease the potential costs pursuing this multilateral approach.

While calling for exhaustive diplomatic efforts, ongoing inspections work, and a multilateral approach, S. Res 28 also asserts that the United States should continue to actively seek to bring peace to the Israeli and Palestinian peoples, and notes that the

United States should redouble its efforts to reduce our vulnerability to terrorist attack. These are important issues to keep at the forefront of U.S. policy in the weeks and months ahead.

Overall, the resolution presents a reasonable approach to a difficult issue, and I believe that it reflects many of the concerns that I am hearing from my constituents in Wisconsin. Their voices and their questions belong at the center of our discussion about Iraq. I believe that this resolution helps to move my constituents' very serious concerns closer to that central role.

AFRICAN AMERICAN HISTORY MONTH

Mr. SARBANES. Mr. President, I am pleased to join with my Maryland constituents and millions of Americans in celebrating African-American History Month this February.

Dr. Carter Godwin Woodson founded the Association for the Study of Negro Life and History in 1915. Shortly after its creation, the Association began a campaign to establish Negro History Week to highlight the many accomplishments of African Americans. Dr. Woodson achieved this goal in 1926, and the second week of February was chosen to recognize the contributions of African Americans to American society. In 1976, this week of observance was expanded to a month and became African-American History Month. This month of observance is a time to recognize a crucial part of our diversity: the vast history and legacy that African Americans have contributed to the founding and building of our Nation. While we have much to celebrate in the achievements of many African Americans and the great strides this country has made towards true equality, there is also much work to be done.

Each year, the Association for the Study of African American Life and History, ASALH, designates a theme for the Black History Month observance, and this year it is ''The Souls of Black Folk: Centennial Reflections.'' This year's theme focuses on the past contributions of African Americans and the many significant ways in which African Americans have made our Nation better.

At the beginning of the last century, our Nation was a vastly different place than it is today. The country was divided along racial lines and racism was accepted and institutionalized. African Americans were not allowed to vote, and the opportunities available to African Americans were few. Today, thanks to the visions of a few and the sacrifices of many, that situation has changed.

Much of the last century was filled with hardship for African Americans. Despite this, African Americans made great strides in many areas and participated in every sector of our society. Throughout the past 100 years, African Americans have made remarkable contributions to our society as mathematicians, scientists, novelists, poets, politicians, and members of the armed services.

Regrettably, just this year we lost two Marylanders who contributed much to African-American and American history in the last century, Du Burns and Bea Gaddy. Du Burns was the first African-American mayor of Baltimore. He brought the city together and although he ultimately became mayor, he never forgot his humble beginnings, including a job as a locker room attendant at Dunbar High School. Bea Gaddy was an advocate for the homeless and a Baltimore City Council member who devoted her life to feeding hungry Baltimoreans and making Baltimore a better place to live. We will forever remember the sacrifices and achievements of these two remarkable people.

No discussion of the last century in the lives of African Americans could be complete without a tribute to Martin Luther King, Jr., whose birthday we recently celebrated. His teachings and the example of his life offer much for us to be hopeful about in the coming century. We must look to his words and deeds to remind ourselves of his great vision and must never forget the profound change he helped bring about in this country. His teachings transcend race, and we have much to learn from him about humanity as we confront the challenges of the new century. And the challenges are many. We must continue to work to eliminate racism and inequality, and we must work to combat intolerance, not just in our own country, but throughout the world.

Last year, the theme of African-American History Month posed the question, Is Racism Dead? Unfortunately, the answer is still no. There is much that we in Congress can do to continue to meet the challenges of inequality in our country. We can help the parents of working families by raising the minimum wage. We have already passed the Leave No Child Behind education reform bill that will provide new standards for schools and teachers and will help make quality education available to all Americans. We have passed an election reform bill to ensure that all voters are properly registered and every vote is counted. We must now fully fund these initiatives that have successfully passed Congress. And we need to make health care available and affordable for African Americans and all Americans.

Through the lessons and struggles of the last century and the trying first few years of this century, Americans have shown the world how people of all races, colors, religions and nationalities create the fabric of our Nation, a fabric that is richer because of our differences. This month, we honor the special contribution African Americans have made to that fabric. Through African-American History Month, we celebrate how far this country has come and remind ourselves of how far we have to go.

THE PRESIDENT'S HIV/AIDS INITIATIVE

Mr. FEINGOLD. Mr. President, I commend our President for the historic commitment to fighting the HIV/AIDS pandemic that he articulated in the State of the Union address.

As a 10-year member of the Senate Subcommittee on African Affairs—and over half of those years have been as either the ranking minority member or the chairman—I have seen the terrible unfolding of the pandemic. I have read and repeated the numbing statistics that grow more horrifying every year. I have met with orphans, the sick, the dying, the mourning. I have met with doctors and nurses overwhelmed by the task before them, public health officials impassioned in their pleas for more assistance, volunteers aching for the plight of the children they care for each day.

I believe that I understand the magnitude of this crisis as well as anyone can comprehend something so big and so devastating.

And I also understand that what the President promised to do is a vast leap forward, a truly visionary step toward doing what is right. It is in our interest, and in the interest of global stability. But it is also simply the right thing to do, to refuse to turn away from human suffering on a grand scale, to take action, to set meaningful goals and provide the resources and the will to achieve them. This is a noble undertaking. It is a constructive and humane act at a time when, too often, we feel surrounded by the forces of destruction. The President deserves our praise. I hope that his words will be transformed into action soon.

Congress certainly will be interested in understanding how the Administration plans to phase in additional spending, because the need is urgent and we cannot keep pushing our responsibility off into the future. It is critically important that pressing humanitarian and development priorities will not be robbed to finance this important initiative. And I hope that we take greater advantage of the Global Fund to fight AIDS, TB and malaria than we have in the past so that we can leverage our dollars for maximum impact.

But the bottom line is that this is a truly historic step, which is the only appropriate response to a historic crisis. We should celebrate this initiative. And then we should roll up our sleeves get to work on making it as effective as possible.

ADDITIONAL STATEMENTS

BURN AWARENESS WEEK

• Mr. BREAUX. Mr. President, I ask our colleagues to join me in recognizing the importance of National Burn

Awareness Week, February 2 to 8. This week provides an opportunity to educate children and families about the risks that lead to unfortunate and tragic accidents.

Unfortunately our most vulnerable, infants and young children, face greater risks from burn injuries than adults or older children. They rely on the adults around them to ensure their environment is safe and free from potential burn-causing hazards. That is why in addition to treating over 20 percent of all pediatric burns in the Nation at their four national burn centers in Boston, Galveston, Cincinnati, and Sacramento, Shriners Hospitals focus on education and prevention of burn injuries.

The Shriners Hospitals for Children is a unique charitable organization that has never sought nor received Federal, State, local, or third-party funding of any kind. Additionally, Shriners Hospitals are distinctive in that they offer full physical, psychological, and emotional care to all the children they treat.

The annual budget for the 22 orthopedic and burn hospitals totals over half a billion dollars and has an active patient roster of over 156,000 children. It is obvious how important the Shriners Hospitals are to the health of our children. The Shriners Hospitals are completely free to victims, despite the fact that they will spend $1.5 million on children every day this year.

In recognition of Burn Awareness Week, I ask my colleagues to commend such charitable organizations as the Shriners Hospitals that contribute to the care, education, and research necessary to treat and work to prevent children's burn accidents.●

CARROLL COLLEGE WINS NATIONAL FOOTBALL CHAMPIONSHIP

● Mr. BURNS. Mr. President, I rise today to pay tribute to a great bunch of college athletes from one of the best colleges in the Northwest. On December 21, the Carroll College Fighting Saints from Helena, MT, defeated the Georgetown Tigers of Georgetown, KY, to win Carroll's first NAIA national football championship.

The Fighting Saints scored 21 points in the first half, leading the Tigers 21 to 7. These 21 points were the most the Tiger defense had given up all season. Additionally, this was the first time they had trailed at halftime all season. During the second half, the Saints scored their fourth touchdown. This touchdown went unanswered by the Tigers, and the Fighting Saints won their first NAIA title by a score of 28 to 7.

The 2002 Carroll team is truly one of the best to play in the Frontier Conference, and I can personally attest to that since I had the pleasure of watching this fine team play last year. However, this is not by any means the first time this school has had an outstanding football team. Carroll College has a long tradition of outstanding coaches and student athletes. One noteworthy team was the 1931 Mount Saint Charles College football squad. It wasn't until the next year that Mount Saint Charles became Carroll College. This 1931 team went 6 and 0, beating Montana State University twice. Incidentally, these football players were unscored upon during that year. This team was the Carroll College team of the 20th century, and the 2002 Fighting Saints are truly the team of the 21st century.

The 2002 national championship team had four players named to the NAIA All American football team, a great honor for any program. While these are outstanding athletes, they are not alone. Every member of this team played an important role in winning this national championship. That is why, at this time, I would like to submit a full Fighting Saints roster to be printed in the RECORD of the Senate following my statement. I would also like to commend Coach Mike Van Diest and his coaching staff for putting together and leading such a fine team.

Carroll College has long been known for quality athletic programs, but its academic reputation is one that receives national attention year after year. In the fall of 2002, U.S. News and World Report ranked Carroll as the fourth best comprehensive college in the West. This is Carroll's ninth year in the top 10 in this category. The premed class of 2002 had a 100-percent acceptance rate at prestigious medical schools all across the country. Carroll's accounting students achieve a first-time CPA exam passage rate three times the national average. The Carroll College Talking Saints forensics team ranks among the best in the Nation year after year. In 1999, the Talking Saints won the National Parliamentary Debate Associations national championship.

Today, I congratulate the student athletes and coaches of the 2002 NAIA national championship football team, but would also like to commend the many fine accomplishments of the students and faculty of Carroll College.

The roster follows:

Bryan Chase, Mike Miller, Heath Wall, Zach Bumgarner, Matt Garreffa, Nick Garreffa, Bryce Doak, Cory Perzinski, Dustin Michaelis, John Klaboe, Mark Esponda, Travis Bradshaw, Marcus Atkinson, Jeremy Pantoja, Tom Boyle, Devin Wolf, Mike Maddox, Sheridan Jones, Kyle Baker, Buck Bower, D.J. Dearcorn, Dustin Barber, Arnie Bloomquist, Jason Ostler, Regan Mack, Matt Slingsby, Nate Chiovaro, Rhett Crites, Joey Stuart, Darold Debolt, Mike Pancich, Chris Ramstead, Casey Glenn, Shawn Wanderaas, Jarrod Wirt, A.J. Porrini, Chris Jones, Gary Cooper, Jared Petrino, Matt Thomas, Nick Porrini, Quinn Erwin, Scott Wunderlich, Tyler Emmert, Brett Bermingham, John Forba, Justin Wigen, Spencer Schmitz, Tyler Maxwell, Kevin McCutcheon, Paul Barnett, Jeff Pasha, Curtis Lineweaver, Matt Peterson, James Grimes, Tim Bowman, Luke Lagomasino, Shane Larson, Nick Hammond, Robb Latrielle, Brad Grutsch, Matt Ventresca, Jeremy Grove, Mike Ward, Pat Womac, Kyle East, Nick Colasurdo, Zack Zawacki, Gary Hiner, Casey FitzSimmons, Sam Morton, Brandon Sheahan, Josh Schmidt, Mark Gallik, Jeff Shirley, Mike Donovan, Andrew Hunter, Ben Shapiro, Jeff Michelson, Zac Titus, Mike Kuhnly, Jessie King, Phillip Wilson ●

HONORING DR. JOSETTE LINDAHL

● Mr. JOHNSON. Mr. President, I rise today to publicly commend Dr. Josette Lindahl of Vermillion, SD, for being named one of six National Institute of Mental Health Outstanding Psychiatry Residents and South Dakota's first recipient of a National Institute of Health grant.

A third-year psychiatry resident at the University of South Dakota School of Medicine, Josette will use the 3-year National Institute of Health grant, which is awarded to physicians who have the desire to perform research, to study glutamate receptor subunit function and schizophrenia. Josette hopes her research will lead to a better understanding of schizophrenia and more effective treatments. She has also received a grant from Avera McKennan Hospital to study brain receptors and their role in the etiology of schizophrenia.

In 1982, Josette received her bachelor's degree from the University of South Dakota where she was a Presidential Alumni Scholar. Three years after graduating, she opened her own business in Vermillion and performed veterinary diagnostic tests. Josette's company became the first joint venture between a State agency and a private high-tech corporation. In 1996, she received a Ph.D., from the University of South Dakota, and in 2000 earned her medical degree. Today, Josette sees patients 2 days a week at Lewis and Clark Mental Health Center in Yankton, as well as being on call at hospitals in Sioux Falls.

Josette's medical and research talents have enhanced the lives of countless South Dakotans and will lead to important developments in the future care of mental health patients. Her hard work and determination serves as a model for other talented health care professionals to emulate. I am pleased to be able to share her accomplishments with my colleagues and to be able to publicly commend her work.●

REPORT ON A LEGISLATIVE PROPOSAL TO ESTABLISH THE MILLENNIUM CHALLENGE ACCOUNT AND THE MILLENNIUM CHALLENGE CORPORATION—PM 12

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Foreign Relations:

To the Congress of the United States:

I am pleased to transmit a legislative proposal to establish the Millennium

Challenge Account and the Millennium Challenge Corporation. Also transmitted is a section-by-section analysis.

The Millennium Challenge Account (MCA) represents a new approach to providing and delivering development assistance. This new compact for development breaks with the past by tying increased assistance to performance and creating new accountability for all nations. This proposal implements my commitment to increase current levels of core development assistance by 50 percent over the next 3 years, thus providing an annual increase of $5 billion by fiscal year 2006. To be eligible for this new assistance, countries must demonstrate commitment to three standards—ruling justly, investing in their people, and encouraging economic freedom. Given this commitment, and the link between financial accountability and development success, special attention will be given to fighting corruption.

The goal of the Millennium Challenge Account initiative is to reduce poverty by significantly increasing economic growth in recipient countries through a variety of targeted investments. The MCA will be administered by a new, small Government corporation, called the Millennium Challenge Corporation, designed to support innovative strategies and to ensure accountability for measurable results. The Corporation will be supervised by a Board of Directors chaired by the Secretary of State and composed of other Cabinet-level officials. The Corporation will be led by a Chief Executive Officer appointed by the President, by and with the advice and consent of the Senate. This proposal provides the Corporation with flexible authorities to optimize program implementation, contracting, and personnel selection while pursuing innovative strategies.

The Millennium Challenge Account initiative recognizes the need for country ownership, financial oversight, and accountability for results to ensure effective assistance. We cannot accept permanent poverty in a world of progress. The MCA will provide people in developing nations the tools they need to seize the opportunities of the global economy. I urge the prompt and favorable consideration of this legislation.

GEORGE W. BUSH.

THE WHITE HOUSE, *February 5, 2003.*

REPORT OF AN AGREEMENT BETWEEN THE UNITED STATES AND THE KINGDOM OF NORWAY ON SOCIAL SECURITY, WITH RELATED ADMINISTRATIVE AGREEMENTS, INTENDED TO MODIFY CERTAIN PROVISIONS OF THE AGREEMENT THAT WAS SIGNED ON JANUARY 13, 1983—PM 13

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Finance:

To the Congress of the United States:

Pursuant to section 233(e)(1) of the Social Security Act, as amended by the Social Security Amendments of 1977 (Public Law 95–216, 42 U.S.C. 433(e)(1), I transmit herewith the Agreement Between the United States of America and the Kingdom of Norway on Social Security, with a related administrative agreement, both signed at Oslo on November 30, 2001. This revised Agreement is intended to modify certain provisions of the original United States and Norwegian Agreement, which was signed in Washington on January 13, 1983, and, upon its entry into force, will replace the 1983 Agreement.

The revised United States-Norwegian Agreement is similar in objective to the other social security agreements already in force with Austria, Belgium, Canada, Chile, Finland, France, Germany, Greece, Ireland, Italy, Korea, Luxembourg, The Netherlands, Portugal, Spain, Sweden, Switzerland, and the United Kingdom. Such bilateral agreements provide for limited coordination between the United States and foreign social security systems to eliminate dual social security coverage and taxation, and to help prevent the lost benefit protection that can occur when workers divide their careers between two countries. The revised United States-Norwegian Agreement contains all provisions mandated by section 233 and other provisions, which I deem appropriate to carry out the purposes of section 233, pursuant to section 233(c)(4).

I also transmit for the information of the Congress a report prepared by the Social Security Administration explaining the key points of the Agreement, along with a paragraph-by-paragraph explanation of the provisions of the principal agreement and the administrative agreement. Annexed to this report is the report required by section 233(e)(1) of the Social Security Act, a report on the effect of the Agreement on income and expenditures of the United States Social Security program and the number of individuals affected by the Agreement. The Department of State and the Social Security Administration have recommended the Agreement and related documents to me.

I commend the United States-Norwegian Social Security Agreement and related documents.

GEORGE W. BUSH.

THE WHITE HOUSE, *February 5, 2003.*

MESSAGES FROM THE HOUSE

At 3:54 p.m., a message from the House of Representatives, delivered by Mr. Niland, one of its reading clerks, announced that the Speaker appoints the following Members as additional conferees in the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the joint resolution (H.J. Res. 2) entitled ''Joint resolution making further continuing appropriations for the fiscal year 2003, and for other purposes''; Mr. LEWIS of California and Mr. HOYER of Maryland.

ENROLLED BILL SIGNED

At 5:39 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 16. To authorize salary adjustments for Justices and judges of the United States for fiscal year 2003.

At 7:06 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following joint resolution, in which it requests the concurrence of the Senate:

H.J. Res. 18. A joint resolution making further continuing appropriations for the fiscal year 2003, and for other purposes.

NOTICE

Incomplete record of Senate proceedings. Except for concluding business which follows, today's Senate proceedings will be continued in the next issue of the Record.

ORDERS FOR THURSDAY, FEBRUARY 6, 2003

Mr. HATCH. I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9:30 a.m. Thursday, February 6. I further ask unanimous consent that on Thursday, following the prayer and the pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and the Senate then return to executive session to resume the consideration of the nomination of Miguel Estrada to be a circuit judge for the DC Circuit.

Mr. REID. Reserving the right to object, I say for the information of all Members, the unanimous consent request that was granted a brief minute ago was the continuing resolution for another week, a week and a half.

I spoke to Senator STEVENS today and my clerk on the Energy and Water Subcommittee. We are really moving along well in the conference. I hope that matter can be completed. Senator STEVENS hoped we could get together on Monday for that.

Finally, I know I cannot get the last word, but I will try anyway; that is, the letter I submitted on behalf of the Hispanic caucus just a couple of minutes ago contains more than his lack of judicial experience.

The PRESIDING OFFICER. Is there objection to the request?

Without objection, it is so ordered.

Mr. HATCH. I can live with that. But the letter speaks for itself and shows a lack of support for a Hispanic person who is fully qualified.

PROGRAM

Mr. HATCH. For the information of Senators, tomorrow the Senate will resume debate on the nomination of Miguel Estrada. We have had a productive debate on the Estrada nomination this afternoon, but it is my hope that we will be able to proceed to a final vote on the nomination soon. As announced earlier today, there will be no rollcall votes tomorrow, and it is anticipated that the Senate will adjourn around 12 noon. Therefore, Senators who wish to speak on the Estrada nomination during tomorrow's session are encouraged to make arrangements to do so early in the day.

Mr. REID. If I could ask the acting majority leader, are we going to have votes in the morning? I don't think that is clear. The question is directed to the Chair. We have had a number of calls this afternoon. It is pretty clear from what I see here that there will be no votes tomorrow, but I want to be sure that is valid.

Mr. HATCH. That is my understanding.

Mr. REID. Pardon me?

Mr. HATCH. That is my understanding.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. HATCH. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 7:11 p.m., adjourned until Thursday, February 6, 2003, at 9:30 a.m.

EXTENSIONS OF REMARKS

IN RECOGNITION OF THE HONORABLE PATRICIA BLEVINS

HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 2003

Mr. CASTLE. Mr. Speaker, I rise today to pay tribute to the Honorable Patricia Blevins of the Delaware State Senate, this year's recipient of Special Recognition from the Delaware Small Business Development Center Network for her efforts to champion small business growth in Delaware.

As you know, small businesses have always been extremely important to the economic vitality of each State and to our national economy. Small businesses account for the majority of all new jobs being created daily, and provide opportunities for millions of people to earn a living and provide financial stability for their families. Through Senator Blevins' efforts and guidance, she has distinguished herself as a leader in the promotion of small business growth in Delaware.

Through out my years in public service I have consistently counted Delaware's small business community to be amongst the very best in the Country, and recognition of Senator Blevins by the Delaware SBDC Network, in my mind, confirms this belief.

Senator Blevins' accomplishments and innovative leadership in the small business community have place Delaware's business community in a position to rise above and meet the challenges of the future; I commend her on her receipt of this award and wish her continued success in her efforts.

HONORING ANNE TRAFICANTE

HON. PETER DEUTSCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 2003

Mr. DEUTSCH. Mr. Speaker, I rise today to honor the life of Mrs. Anne Traficante, a great Floridian, a caring wife and mother, and a noted political activist. Mrs. Traficante was no stranger to the political arena, and her contributions on behalf of the citizens of Sunrise and all of South Florida will not be forgotten.

Traficante first got involved in local advocacy in the mid-1970s when she and her husband first relocated to the South Florida region. A dedicated activist, Traficante steadfastly worked to fight for important measures that were of great concern to her and her community. In a 1992 interview, she said, ''I have to get up and chastise and criticize and fight for I what I believe is right. It's something that has to be done, and I get up to do it.''

Many of Mrs. Traficante's efforts focused on aiding her fellow senior citizens. She successfully fought for weather shelters at bus stops in Sunrise, lobbied the city to create a senior living center, and in the wake of Hurricane Andrew's destruction she went so far as to criticize city commissioners for allotting $44,806 in the budget for senior citizen parties. In addition, Mrs. Traficante volunteered her time and resources by opening a distribution center in Sunrise where hurricane victims could receive free food, baby supplies, and other items.

Mr. Speaker, it is indeed an honor to stand here today and remember the life of an exemplary citizen of South Florida, one who remained devoted to her fellow neighbors and sought a better quality of life for her community. Her legacy as an ardent and accomplished political activist will last for many years to come. Mrs. Traficante is survived by her daughter, Joyce Shepard of Queens, NY, along with 3 grandchildren and 3 great grandchildren.

TRIBUTE TO JOHN O'DOHERTY, PRESIDENT, CORONA CHAMBER OF COMMERCE

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 2003

Mr. CALVERT. Mr. Speaker, I rise today to honor and pay tribute to an individual whose dedication and contributions to the city of Corona, CA are exceptional. Corona has been fortunate to have dynamic and dedicated business and community leaders who willingly and unselfishly give time and talent to making their communities a better place to live and work. John O'Doherty is one of these individuals. On January 11, 2003, the Corona Chamber of Commerce hosted an Installation and Awards Banquet in celebration of John's year as president.

John has been an invaluable member of the Corona Chamber of Commerce, having served as Treasurer, 2nd Vice President, 1st Vice President, president Elect and currently, as President. His commitment to involvement has set a benchmark for those who follow him. During the past year, John has presided over Board, Executive and membership meetings as well as attending almost every after-hours activity. He prides himself on being involved beyond his direct duties as President. In addition to this extensive Chamber event involvement, John became a regular at the city council meetings giving a Chamber update to the mayor and council members.

As his tenure as President, John had several noteworthy accomplishments. The Chamber grew in membership from 780 members to over 900. He also encouraged and participated in the growth and expansion of Chamber events such as Good Morning Corona which grew to an average attendance in excess of 100 and quarterly Membership Meeting Luncheons, which hit the all time high this year with over 320 members in attendance. Committee growth was also a legacy of this fine leader and under his tutelage, many Committees were motivated to reach landmark performance goals. The Chamber also reintroduced the Five P.M. Christmas Holiday, expanded the scope of the Business Expo and finely tuned the Ambassadors, who assisted many businesses in grand openings, open houses and ground breaking ceremonies.

Under John's exemplary leadership, the Chamber was a visible participant in the annual Corona Beautiful program, run through the City of Corona's Economic and Redevelopment Department. He also oversaw a very successful Casino Night which raised proceeds that went to scholarships for high school students in the local area. The Chamber also hosted a very successful 13th Annual Corona Night with the Anaheim Angels.

John has set a standard for excellence and commitment that will be difficult to duplicate. John's diligent work as the President of the Corona Chamber of Commerce has contributed unmeasurably to the betterment of the city of Corona. His involvement in the community makes me proud to call him a fellow community member, American and friend. I know that all of the members of the Chamber 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.

INTRODUCING A RESOLUTION TO EXPRESS THE SENSE OF THE HOUSE OF REPRESENTATIVES IN SUPPORT OF FEDERAL AND STATE FUNDED IN-HOME CARE FOR THE ELDERLY

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 2003

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to express my support of Federal and State funded in-home care for the elderly. this legislation essentially highlights the inadequacies seniors face with electing in-home care. By increasing financial assistance for in-home care, establishing fee payment guidelines, implementing better schooling for in-home aides, and assembling a supervisory board of care givers, we can help to ensure that the quality of care elderly receive in home is as adequate as hospitalized attention.

Mr. Speaker, this is an important resolution for two crucial reasons. First, it allows the elderly to remain independent and sustain viability during the last years of their life. Supporting studies show that seniors who receive in-home care have greater life expectancies than seniors who are moved from everything that is familiar to them and placed in nursing homes. Second, this resolution would encourage increase employment opportunities in the nursing and in-home care industries. By implementing government funded in-home care to equal that of nursing home care, more seniors will elect being nursed a home, which in turn increases job opportunities. All of which we

can achieve through raising the quality of in-home care.

Mr. Speaker, I urge my colleagues to support this legislation. As members of Congress we have a great opportunity to make a positive impact on this issue, an issue that is of concern to many of our grandparents, parents, and will be of concern to us. I look forward to working with my colleagues and moving this resolution forward.

IN HONOR OF BANK ONE

HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 2003

Mr. CASTLE. Mr. Speaker, I rise today to pay tribute to Bank One, this year's recipient of the Delaware Small Business Champion Award from the Delaware Small Business Development Center Network.

As you know, small businesses have always been extremely important to the economic vitality of each State and to our national economy. Small businesses account for the majority of all new jobs being created daily, and provide opportunities for millions of people to earn a living and provide financial stability for their families. Through Bank One's teamwork and guidance, it has distinguished itself as a leader in the promotion of small business growth in Delaware by offering a valuable service and maintaining a high level of customer satisfaction.

Throughout my years in public service I have consistently counted Delaware's small business community to be amongst the very best in the Country, and recognition of Bank One by the Delaware SBDC Network, in my mind, confirms this belief.

Bank One's accomplishments and innovative leadership in the small business community have placed this institution in a position to rise above and meet the challenges of the future; I commend Bank One on its receipt of this award and wish it continued success.

HONORING ANTHONY CANNESTRO

HON. PETER DEUTSCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 2003

Mr. DEUTSCH. Mr. Speaker, I rise today to honor the life of Mr. Anthony Cannestro, an effective union leader, a loving family man, and a great citizen of Florida. Born originally in Newark, NJ, Cannestro entered the U.S. Navy and later became a machinist. In 1958, Cannestro and his wife of 49 years, Mary, relocated to South Florida.

Mr. Cannestro will long be remembered for his tireless efforts in establishing and running Teamsters Local 769. Cannestro was a key member of the original group that first organized workers, and he soon became the Local's vice president. In 1973, as a resident of the Fort Lauderdale and Cooper City area, he was asked to assume the presidency of the union by his fellow Teamsters, and he remained the union's boss until he retired in 1999.

Mr. Cannestro was often regarded as one of Florida's more powerful voices in the organized labor movement for the better part of 40 years, wielding his influence from the state capital on down to local city councils. During his time as president of Local 769, the Teamsters successfully unionized local government employees, construction and building employees, airline workers, and more employees from numerous trades. Cannestro's effective organizing tactics landed him a post on the Georgia-Florida Conference of Teamsters where he contributed to an important regional dialogue on the Teamsters and its presence in the Southeastern portion of the country.

In addition to his work with the Teamsters, Mr. Cannestro volunteered his time to many charitable groups, including serving as general chairman of the Boys Town of Italy. He also served locally for the American Red Cross and raising awareness for Cerebral Palsy.

Mr. Speaker, it is truly a special occasion to honor Mr. Cannestro. His earnest efforts in South Florida to afford his fellow union members common sense worker protections and to raise the standard of living serves as an example to us all.

Mr. Cannestro is survived by his wife Mary, of Lady Lake, and four children, Ginny of Dania Beach, Anthony Jr. of Navarre Beach, Michael of West Palm Beach, and Nicholas of Dania Beach. Mr. Cannestro also is survived by 10 grandchildren and one great-grandchild.

EDUCATION

HON. MAJOR R. OWENS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 2003

Mr. OWENS. Mr. Speaker, the White House has abruptly ended the brief era of bi-partisan cooperation on the vital issue of education. In his recent budget message the President halts the six year pattern of increases for education. Private school vouchers are returned to the federal policy agenda through the proposal of a 75 million dollar funding initiative. HeadStart is threatened with obliteration through the combination of a freeze on funding and the transfer of this successful child development program to the limited confines of the Department of Education. And finally, the administration has not continued the 1.2 billion dollars in funding for school repairs which was introduced in the last year of the Clinton administration. Only for charter schools is there a recognized need for school construction and modernization—100 million dollars is provided. Meanwhile, the overcrowding and unhealthy conditions persist in schools serving the poorest children throughout the nation. Without adequate facilities and other vital education resources, No Child Left Behind becomes a fraudulent and deceptive piece of legislation. The following rap poem sums up the spirit of this rapidly deteriorating situation.

CROWD THE CHILDREN IN

No Child Left Behind,
Crowd them in,
Construction dollars
Never win.
No Child Left Behind
The budget is unkind
An increase of billions
They promised—
A bold elephant fable,
A decrease by millions
Placed on the table.
Under funding catastrophe
Lurking in the wind,
Carefully covered sin,
Regally wrapped spin,
Cutbacks cover the table.
On the made in White House label
Read progress,
Camouflage the big mess,
Public relations success.
No Child Left Behind,
Crowd them in,
Construction dollars
Never Win.

TRIBUTE TO DAVID P. ZAPPE, CIVIL ENGINEER OF RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 2003

Mr. CALVERT. Mr. Speaker, I rise today to honor and pay tribute to an individual whose dedication and contributions to Riverside County are exceptional. Riverside County 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. David Zappe is one of these individuals. This year David will retire from the Riverside County Flood Control and Water Conservation District after providing more than 33 years of loyal, consciences and outstanding engineering and management service period.

A native born Californian, David attended public schools in Riverside and Palm Springs, California. In 1969 he graduated from California State Polytechnic College in Pomona, California with a Bachelor of Science in Civil Engineering. As a student he was a member of the Engineer Honorary Fraternity, Sigma Phi Alpha.

After his graduation David was employed by the Riverside County Flood Control and Water Conservation District as a Junior Engineer. He was quickly promoted to Associate Civil and Senior Civil Engineer position. As Senior Civil Engineer, David supervised the District's Project Planning Section. In 1983 David was promoted to the position of Flood Control Principal Engineer, with the responsibility for management of the Administrative Division, one of five divisions in the District. In 1992, he was promoted to the position of Assistant Chief Engineer and was responsible for coordination of District activities involving the District's six division and other governmental and private entities in the execution of the District's mission. In 1996 David was promoted to the position of General Manager-Chief Engineer.

The Riverside County Flood and Water Conservation District presently employees a staff of approximately 175, forty of which are graduate engineers and thirty eight are registered civil engineers in the State of California. Under David's exemplary leadership the District continues to pursue an aggressive effort to design and construct needed flood control infrastructure.

In addition to his degree in Civil Engineering, David completed the Advanced Management Program and the Executive Management Program at the University of California, Riverside. He has been a registered Civil Engineer

in the State of California since 1972. He also is a member of ASCE and APWA.

David's tireless work and unwavering loyalty will long be remembered. His commitment to the excellence of the District has contributed immeasurably to the betterment of Riverside County. His involvement in the community makes me proud to call him a fellow community member, American and friend. I know that the District and many community members are grateful for his service and salute him as he retires.

CONGRATULATING THE TAMPA BAY BUCCANEERS FOR WINNING SUPER BOWL XXXVII

SPEECH OF

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Mr. HASTINGS of Florida. Mr. Speaker, I dare not say that it is with great pride that I rise today in support of the resolution offered by my good friend from Tampa, Mr. DAVIS. After all, I am a Miami Dolphins fan. However, it is with high regard, as well as a bit of shock, that I rise today to honor the Super Bowl XXXVII champion Tampa Bay Buccaneers. As a Floridian, I share in Mr. DAVIS' excitement. For who would have ever thought that the Buccaneers would ever make it to the Super Bowl, let alone win it?

But seriously, Mr. Speaker, all of us need to tip our hats in admiration of the accomplishments made by the 2002–2003 Buccaneer team. As I said to one of my staffers on Monday morning, ''Yeah, Oakland didn't really show up to play, but could you believe the Bucs' defense?'' Not since the Steelers' Iron Curtain defense of the 1970s has the National Football League seen a defense as dominating as the Tampa Bay defenses of the late 1990s through this past season. Credit must be given to those who deserve it, and the Buccaneer defense is where credit is due. The team's defensive leaders such as Warren Sapp, Simeon Rice, Greg Spires, Ronde Barber, John Lynch, Dwight Smith, and the Super Bowl Most Valuable Player, Dexter Jackson, are to be truly credited for leading the team that everyone wanted to win, but no one thought could, to a Super Bowl championship.

No pun intended, Mr. Speaker, but the buck didn't stop at Tampa's defense. The team's offense was equally impressive. Quarterback Brad Johnson, running backs Michael Pittman, Mike Alstott, and wide receivers Keenan McCardell, Joe Jurevicius, and Keyshawn Johnson were virtually unstoppable. Who would have ever thought that a team like the Buccaneers, built for defense but capable of an offensive explosion, would ever register 48 points against a relatively good Oakland Raider defense? I certainly didn't.

Additionally, I commend Tampa head coach Jon Gruden and his entire coaching staff, especially longtime Tampa Defensive Coordinator Monte Kiffin, for a job well done. As a Miami fan, I hope that Coach Kiffin finds his way into a head-coaching job out of the state of Florida. Frankly, the Dolphins and Jacksonville Jaguars are itching to regain the title of ''Florida's Best NFL Team.'' Finally, I would be remiss if I sit down before honoring the work that had been done by Tampa's previous coach, Tony Dungy. Coach Dungy built the Tampa team that won last weekend, and he is as deserving as anyone of credit for the Super Bowl victory.

In closing, Mr. Speaker, I remind the gentleman from Tampa, Mr. DAVIS, that the greatest team in NFL history was a team that went 17–0 from a little city in South Florida that we call Miami. The 1972 Dolphins, now that team was perfect. Nonetheless, today is about the Buccaneers. Therefore, today, I congratulate the Tampa Bay Buccaneers for winning Super Bowl XXXVII. As for tomorrow, Mr. Speaker, well, go Dolphins!

IN HONOR OF DR. MARY EMILY MILLER

HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 2003

Mr. CASTLE. Mr. Speaker, I rise today to pay tribute to Dr. Mary Emily Miller of The Miller Farm, this year's recipient of the Special Family Business Longevity Award from the Delaware Small Business Development Center Network.

As you know, small businesses such as The Miller Farm, have always been extremely important to the economic vitality of each State and to our national economy. Small businesses account for the majority of all new jobs being created daily, and provide opportunities for millions of people to earn a living and provide financial stability for their families. Through Dr. Miller's guidance, The Miller Farm has distinguished itself as a leader amongst small businesses in Delaware by offering a valuable service and maintaining a high level of customer satisfaction.

Throughout my years in public service I have consistently counted Delaware's small businesses to be amongst the very best in the Country, and recognition of The Miller Farm by the Delaware SBDC Network, in my mind, confirms this belief.

Dr. Miller's accomplishments and innovative leadership in the small business community have placed The Miller Farm in a position to rise above and meet the challenges of the future; I commend her on her receipt of this award and wish her continued success.

HONORING J. ''RICK'' RICCIARDELLI

HON. PETER DEUTSCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 2003

Mr. DEUTSCH. Mr. Speaker, I rise today to honor the life of Mr. J. ''Rick'' Ricciardelli, a former North Miami councilman, civic leader, and a great Floridian. Born in 1923, Ricciardelli joined the marines where he fought in World War II as a young man. Soon after returning from Europe, he became commander of the North Miami AMVETS, the first chapter in South Florida, and later became vice commander of the national veterans organization.

Arriving in North Miami with his family in 1947, Ricciardelli became involved in local community projects and was elected to the North Miami Council in 1950. In addition to being an active council member, Ricciardelli also served as city judge and police commissioner. As a result of his dedication to his community, the bridge on Northwest 125th Street now bears his name due to his efforts in helping to build it.

In his professional life, Ricciardelli managed two very successful insurance companies, Underwriters Financial of Florida and Specialty Insurance Underwriters. In 1977, he served as chair to the Florida Insurance Fraud Committee, where he led a statewide operation to protect consumers and halt the practice of insurance fraud.

Not to be forgotten, Mr. Ricciardelli was devoted to his family and community. He was known to raise money for various charitable groups, and he was involved with the Boys Town of Italy. His exemplary work and his kind generosity afforded him the distinction of being knighted by the Italian government.

Mr. Speaker, it is indeed a special occasion to stand here and honor Mr. Ricciardelli. His commitment to the people of North Miami and to all Floridians serves as an example to us all.

Mr. Ricciardelli is survived by his wife Debbie, and daughters Peggy Appler, Nancy Corbin, Vikki McGowan, Denice Strniste, and Rikki Southworth. He is also survived by sisters Mary Webb, Gloria Fusco, and Virginia Papale.

WELCOMING HIS MAJESTY KING HAMAD BIN ISA AL-KHALIFA ON THE OCCASION OF HIS VISIT TO THE UNITED STATES

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 2003

Mr. WILSON of South Carolina. Mr. Speaker, I would like to extend a warm welcome to His Majesty Shaikh Hamad bin Isa Al-Khalifa, King of the Kingdom of Bahrain, on the occasion of his visit to the United States.

The ties between our countries have spanned more than a century, beginning with the establishment of the first American hospital in the region at the turn of the 20th century. When Bahrain became the first Gulf Cooperation Council member to discover oil, it was with the aid of American technology and expertise.

On January 1, 1949, an important alliance began between the United States and Bahrain with the establishment of the Navy's first command in the Middle East—Persian Gulf Area Command. On August 16, 1949, this command was renamed the Middle East Force. This was a vital outpost throughout the cold war and contributed to the success of democracy over communism. The Middle East Force ships were the first United States military units to take action following the August 1990 invasion of Kuwait when they began Maritime Interception Operations in support of United Nations Sanctions against Iraq.

In January 1991, with the beginning of Operation Desert Storm, the Middle East Force was absorbed into United States Naval Forces Central Command, which is responsible for all United States Military activity in the Middle

East and Eastern Africa. Today, United States Naval Forces Central Command and the United States Fifth Fleet consist of as many as 25 ships and 15,000 sailors and Marines.

I commend Bahrain for its demonstrated commitment to both regional and international peace and stability. I recently visited Bahrain with a congressional delegation led by Congressman DARRELL ISSA, and I found that this cooperative spirit is still evident in the Kingdom's support for U.S. Armed Forces serving in Bahrain.

Since King Hamad assumed the throne in 1999, he has steered Bahrain toward developing a diversified economy and transforming the country into a constitutional monarchy. The amended Constitution of Bahrain reinforces and guarantees the political equality of women and freedom of religion. Municipal elections were revived in May 2002, and a democratically elected parliament was formed in October of the same year. Significantly, women were for the first time active participants in these elections as both voters and candidates.

On the economic front, Bahrain has demonstrated a strong commitment to free trade, privatization, and a free market economy. This is reflected in its membership in the World Trade Organization. Over the past four decades, Bahrain has actively pursued an economic policy based on diversification that has led this country to prosper. Bahrain's success has earned its recognition around the world, and the country has been accorded the rank of freest economy in the Arab world by the Heritage Foundation's 2003 Index of Economic Freedom report, and 16th worldwide.

The success of these economic policies enables Bahrain to boast a variety of industries ranging from petrochemicals, refining, aluminum, and ship repair, to investment banking and international trade. Today, Bahrain is the regional base for various inter- and multinational firms and is the financial hub of the Arab world.

I commend King Hamad and the people of Bahrain for their considerable success, and for their strong support for our men and women in uniform. I look forward to continued strong relations between the United States and Bahrain.

CORPORATE ACCOUNTABILITY

HON. MAJOR R. OWENS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 2003

Mr. OWENS. Mr. Speaker, it appears that the Congressional investigating and hearing process is over for the racketeering corporations of the nation. With all three branches of the government now controlled by Republicans, the world's most costly coverup can be finalized. Enron, Worldcom, and all of the rest have proved that crime can pay huge profits. As a member of the 108th Congress I beg that we at least be allowed to discuss these serious thefts on the floor of the House. But, alas, the Republican majority through a tyranny of rules changes has cut off the opportunity for free speech on the floor. We are forced to keep the dialogue alive through ''guerrilla'' communications among ourselves. The following two poems comment on corporate morality.

CORPORATE CREDO 1

Greed is great,
Less harmful than hate,
Not the business of the state,
Each sucker deserves fat bait.
For the economy's sake
Protect our freedom to take
From any investor on the make.
Pension funds we can feed
To the belly of great greed,
Old guys never really need
Too much green evil weed;
It's a handout risk free;
Social Security we guarantee—
401K's must take a chance,
The market is the ultimate romance.
Greed is great,
Not the business of the state,
Each sucker deserves fat bait.

CORPORATE CREDO 2

The corporate board meeting fee—
A check to cash with greedy glee,
Payment for presence at a silent tea,
Reward for stuff you didn't see;
All the bored can cop a plea:
Shareholder swindling is a shame,
Good members just sign their name,
Accoutnant culprits bear all the blame,
The SEC behaves too tame.
The corporate board meeting fee—
A check to cash with greedy glee.

TRIBUTE TO TIDAL WAVES

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 2003

Mr. BERMAN. Mr. Speaker, I rise today to congratulate the AYSO, Culver City, Region 19, Boys U12 Division team, Tidal Waves. Headed by the superb leadership of Coach Steve Salazar and Assistant Coach Alfonso Espinoza, Tidal Waves finished the season undefeated. Coach Salazar and Assistant Coach Espinoza knew how to get things done. Their tireless commitment, boundless energy, no nonsense coaching and clear sense of direction are responsible in a large measure for the Tidal Waves success.

Team members Austin Mott, Gregory Salazar, Henry Best, Joe Best, Mychal Cooper, Matthew Galvan, Austin Brasher, Giovanni Espinoza and Robin Clarkson played hard, tough competitive soccer. They gave their best effort at every practice. The players displayed a passion about improving their individual skills equal only to their determination to improve as a team. With every game played, they exceeded the skill of the game before. Tidal Waves always demonstrated good sportsmanship.

The enthusiasm and zest for soccer expressed by the team was matched by the commitment and support of the parents. The parents of Tidal Waves dedicated time and energy and keep the team's spirit high.

I ask my colleagues to join me today in saluting Tidal Waves for their outstanding achievement in the 2002, AYSO Region 19, Boys U12 Division, Culver City.

THE POVERTY TRAP STUDY ACT OF 2003

HON. THOMAS E. PETRI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 2003

Mr. PETRI. Mr. Speaker, today I am introducing the Poverty Trap Study Act of 2003. Although we have moved millions of families off welfare and into work, the road to advancement and self-sufficiency remains a difficult challenge. For a long time I have been concerned by the disincentives to working hard, earning more money, and even getting married, that we have created over time through the many support programs that provide assistance to lower income families. Too often a low-income household will find that, despite a rise in earnings, the family is actually worse off than it was beforehand.

One by one over the decades we have created programs to help the poor as we have perceived needs for housing assistance, nutritional assistance, health care, etc. At some income level these programs had to be eliminated or phased out. Unfortunately, as each program was designed individually without regard for the cumulative effects, we ended up phasing out all of them over the same income range, generally just above the poverty level. Tax liability also begins around the same income level. As a result, many working families in the income range of about $12,000–$30,000 lose a dollar or close to it in taxes and lost welfare benefits for each additional dollar income they earn—a combined marginal tax rate over 100 percent! Specifically, a family with two children in this income range pays 30 percent of income as rent if they are in subsidized housing, loses 21 percent of additional income to the EITC phaseout, 24 percent to the food stamp phaseout, 15 percent to the federal income tax, 7.65 percent to the employee share of FICA and, depending on the state, around 3 percent state income tax.

It's time for Congress to look at welfare and tax policy for low income families in a coherent fashion instead of the hit or miss piecemeal approach we have been employing. My legislation would create a commission to examine the cumulative effective marginal tax rates for low income families with children in a cross section of states, measure the effects, and make recommendations to fix the problem.

HONORING FRANK A. URSOMARSO, SR. AND FRANK A. URSOMARSO, JR.

HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 2003

Mr. CASTLE. Mr. Speaker, I rise today to pay tribute to Frank A. Ursomarso, Sr. and Frank A. Ursomarso, Jr. of Union Park Automotive Group, Inc., this year's recipients of the Family Business of the Year Award from the Delaware Small Business Development Center Network.

As you know, small businesses such as Union Park Automotive Group, Inc., have always been extremely important to the economic vitality of each State and to our national

economy. Small businesses account for the majority of all new jobs being created daily, and provide opportunities for millions of people to earn a living and provide financial stability for their families. Through Frank, Sr. and Frank, Jr.'s teamwork and guidance, Union Park Automotive Group, Inc. has distinguished itself as a leader amongst small businesses in Delaware by offering a valuable service and maintaining a high level of customer satisfaction.

Through out my years in public service I have consistently counted Delaware's small businesses to be amongst the very best in the Country, and recognition of Union Park Automotive Group, Inc. by the Delaware SBDC Network, in my mind, confirms this belief.

Frank, Sr. and Frank Jr.'s accomplishments and innovative leadership in the small business community have placed Union Park Automotive Group, Inc. in a position to rise above and meet the challenges of the future; I commend them on their receipt of this award and wish them continued success.

HONORING LEON BERMAN

HON. PETER DEUTSCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 2003

Mr. DEUTSCH. Mr. Speaker, I rise today to honor the life of Mr. Leon Berman, a loving husband and father, a devoted community leader, and a great Floridian. Born in Paris in 1910 to his Jewish parents who escaped Russia, the family soon left France for the United States.

This difficult journey at so young an age marked the beginning of a remarkable life for Leon Berman, one that embodied service to the community and pride for his country. Berman will be best remembered for his unparalleled passion for life. Mr. Berman's daughter, Hollywood Mayor Mara Giulianti said, ''He never wanted to die. He loved life until the very last second.''

A Hollywood resident since the mid-1970s, Berman along with his wife Bertha helped many important causes in South Florida, and Berman is responsible for mobilizing numerous in the community to become involved in local politics. Berman founded the Hills Democratic Club, and was a key member of the Broward County Democratic Executive Committee.

As father to Mayor Mara Giulianti, Berman was her biggest supporter and most ardent campaigner, believing that his tireless work on the campaign trail could mean the difference between her election or defeat. As a highly regarded political activist in the area, Leon Berman was known to support and assist many Democratic and judicial candidates in South Florida.

Mr. Speaker, it is indeed a great honor to stand here today and honor this individual. Berman's devotion to his wife Bertha of 67 years, his commitment to family, and his involvement in the local community truly serve as an example to us all.

Mr. Berman is survived by his wife Bertha, his daughter Mara of Hollywood and daughter Arlene Berman of New York City. Mr. Berman also had two grandchildren and three great-grandchildren.

RECOGNIZING ALFRED A. EDMOND, JR.

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 2003

Mr. PALLONE. Mr. Speaker, I would like to call the attention of my colleagues to a friend of the Sixth District of New Jersey. Mr. Alfred A. Edmond, Jr. is the Senior Vice President and Editor in Chief of ''Black Enterprise'' Magazine—a premier source of business, investment, entrepreneurship, careers and financial management information for African Americans, as well as other racial and ethnic groups. I am pleased that he is the guest speaker at the Communications-Electronics Command and Fort Monmouth, New Jersey's annual Black History Month Luncheon on February 5, 2003. This year's Black History Month theme is ''The Souls of Black Folk—100th Anniversary'' in commemoration of the publication of the book by the noted author, newspaper and publications editor, historian and professor Dr. W.E.B. Dubois.

Mr. Edmond, a native of Long Branch, New Jersey, who currently resides in Brooklyn, New York, will be honored today for his accomplishments as a business and financial editor and leader. As Senior Vice President and Editor in Chief, Mr. Edmond oversees the research, planning, development and publication of information on entrepreneurship, leadership, careers, professional development and financial management to 4.1 million readers monthly. A talented and highly motivated individual, Mr. Edmond also provides motivational and self-development ''words of wisdom'' to the magazines' readers. An award-winning reporter and editor, Mr. Edmond was selected for three consecutive years (1998–2000) by TJFR Business News Reporter as one of the 100 Most Influential Financial Journalists in the country.

Mr. Edmond attended Long Branch High School where he was inducted into its Distinguished Alumni Academic Hall of Fame in 1996. He graduated in 1983 from Rutgers College at Rutgers, the State University of New Jersey in New Brunswick with a degree in studio art and a minor in economics. Mr. Edmond led a Steering Committee in establishing the Rutgers University African American Alumni Alliance in 1990. He also served as an adjunct professor in the journalism department at Rutgers University.

Ms. Nancey Jackson-Johnson, a native of Newark, New Jersey who now resides in Freehold, New Jersey will perform as guest soloist and be recognized at this luncheon for her talent and accomplishments. In 1997, Ms. Jackson-Johnson recorded her debut album entitled ''Free, Yes I'm Free.'' With the success of her debut album she released her sophomore project entitled ''Relationship'' in 1999. She was also a 1999 Stella Award Nominee for Contemporary Female Artist of the Year. Ms. Nancey Jackson-Johnson was the guest soloist at the Communications-Electronics Command and Fort Monmouth's Reverend Dr. Martin Luther King Birthday Observance in January of 2003 and received rave reviews.

On this day we celebrate and honor the distinguished Mr. Alfred A. Edmond for his extensive accomplishments as a business editor and leader. I ask my colleagues to join with me in commending him in his dedication to his magazine and its readers.

REMARKS ON INTRODUCTION OF BILL TO PROVIDE PNTR TO ARMENIA

HON. JOE KNOLLENBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 2003

Mr. KNOLLENBERG. Mr. Speaker, today I am introducing legislation to provide permanent normal trade relations to our ally Armenia. I hope colleagues will join me in passing this bill at the earliest opportunity.

Since declaring its independence from the Soviet Union in 1991, Armenia has made great strides in developing a stable democratic and open society. This includes an adherence to the fundamental principle free emigration. I am pleased that Armenia has been found to be in full compliance with the Jackson-Vanik requirements regarding free emigration under title IV of the Trade Act of 1974. The time has now come for Armenia to be graduated from this annual review.

In 2002, despite the dual blockades by Turkey and Azerbaijan, Armenia was ranked 44th on the Heritage Foundation and Wall Street Journal's Index of Economic Freedom. According to this study, Armenia remains the most economically free country in the region, including all countries of the Commonwealth of Independent States. Armenia is poised to play a pivotal role as a commercial hub and has established a positive legal, regulatory and tax climate for foreign investment, reflecting the country's commitment to open and free trade.

Armenia's strategic location at the crossroads of Europe and Asia, democratic stability, entrepreneurial spirit and western value system make Armenia an increasingly important partner for the United States in the Caucasus region. Total United States-Armenia bilateral trade for 2002 amounted to more than $134,200,000.

An indication of the progress Armenia has made is its success in pursuing membership in the World Trade Organization. On December 10, 2002, the World Trade Organization's General Assembly unanimously voted to approve Armenia's full accession to the Organization.

Armenia's accession to the WTO is a momentous event for this proud country that has worked hard to enact free-market reforms within a stable democratic framework. However, the full benefits of accession will not be realized unless Permanent Normal Trade Relations is granted to Armenia. Passing this bill will result in tangible benefits for Armenia and the United States and an even stronger relationship between our two countries.

I look forward to working with my colleagues to pass this bill into law.

IN HONOR OF GREG BUCKLEY, STEVE BUCKLEY, AND MICHELE CRANER

HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 2003

Mr. CASTLE. Mr. Speaker, I rise today to pay tribute to Greg Buckley, Steve Buckley and Michele Craner of Buckley's Auto Care, this year's recipients of the Delaware Small Business Development Center Network Diamond Award.

As you know, small businesses such as Buckley's Auto Care, have always been extremely important to the economic vitality of each State and to our national economy. Small businesses account for the majority of all new jobs being created daily, and provide opportunities for millions of people to earn a living and provide financial stability for their families. Through Greg, Steve and Michele's teamwork and guidance, Buckley's Auto Care has distinguished itself as a leader amongst small businesses in Delaware by offering a valuable service and maintaining a high level of customer satisfaction.

Through out my years in public service I have consistently counted Delaware's small businesses to be amongst the very best in the Country, and recognition of Buckley's Auto Care by the Delaware SBDC Network, in my mind, confirms this belief.

Greg, Steve and Michele's accomplishments and innovative leadership in the small business community have placed Buckley's Auto Care in a position to rise above and meet the challenges of the future; I commend them on their receipt of this award and wish them continued success.

TRIBUTE TO ST. THOMAS THE APOSTLE CHURCH

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 2003

Mr. CALVERT. Mr. Speaker, I rise today to honor and pay tribute to an organization whose dedication and contributions to Riverside County are exceptional. Riverside County has been fortunate to have dynamic and dedicated community organizations who willingly and unselfishly give time and talent to making their communities a better place to live and work. St. Thomas the apostle church is one of those organization. This January, St. Thomas the Apostle Church celebrates its 100th year anniversary.

The history of St. Thomas the Apostle Church includes service by the Jesuits, Franciscans and Diocesan priests as well as several communities of religious women. The Church has had the honor to have one of the newly named American saints work within the church community. St. Katharine Drexel and her order, the Sisters of the Blessed Sacrament, served the religious needs of the children at the Indian schools in the Southwest.

In 1903, St. Thomas the Apostle Church's path began as Father O'Brien celebrated his first Mass to a church paced with Indian students using a kitchen table as an alter. In the 1940's, the church experienced many changes as the pews began to fill with Army personnel during World War II. Father Edmund Krolicki of the Conventual Franciscans, with the help of parishioner volunteers, worked to build the first school buildings at St. Thomas the Apostle. In the late 1950's the parish faced more challenges when the church was lost to an arson fire. The commitment of service and faith would see the church through these difficult times and the community quickly united in the effort of re-building the church.

The new millennium has brought the parishioners of St. Thomas the Apostle great spiritual and structural growth under the care and guidance of Fr. Joseph Felker. Since his arrival in 2000, the parish has enjoyed a renewed sense of community as the parish joins in the collaborative effort of renovating the parish site as well as building a new ministry center. The Katharine Drexel Ministry Center is a dream being actualized as a legacy for the next generation.

St. Thomas the Apostle continues to illustrate what a church community should strive for; a community of prayer, a place for families to be blessed; a place to celebrate the sacraments; and where God's live is at work. St. Thomas the Apostle's tireless work in their community and among their members has contributed immeasurably to the betterment of Riverside county. I congratulate St. Thomas the Apostle on 100 years of service and worship.

ALLOTTING SUFFICIENT TIME FOR UNITED NATIONS WEAPONS INSPECTORS FOR A THOROUGH ASSESSMENT OF THE LEVEL OF COMPLIANCE BY THE GOVERNMENT OF IRAQ WITH U.N. RESOLUTION 1441 (2002)

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 2003

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to introduce a Resolution that mirrors the sentiments expressed by the Honorable Senator BYRD, and key members of the United Nations Security Counsel.

The United Nations weapons inspectors must be given more time to continue their work in Iraq.

Further, if the weapons inspectors are able to present evidence that the Government of Iraq has revived its nuclear weapons program, and is in material breach of U.N. Security Counsel Resolution 1441, we must seek another Security Counsel Resolution authorizing the use of force against the Government of Iraq.

Although progress is slow in Iraq, it is progress. I believe that with continued pressure from international emissaries, Saddam Hussein will soon have no choice but to relinquish power voluntarily. We must continue to work together to exhaust peaceful and diplomatic means for disarming Saddam Hussein, because we have little to gain and much to lose in a unilateral preemptive strike against Iraq.

First and foremost, the men and women of our Armed Forces are already fully engaged in a war on terrorism. This must remain our highest priority.

Second, it stands to reason that the more aggressive and belligerent our posture as a nation becomes, the more we invite another terrorist attack. Make no mistake, passing a bill to create a Department of Homeland Security did little to make our homeland more secure, and we are woefully unprepared for another terrorist attack on our soil.

Third, even though the administration has tried to play down the looming crisis in North Korea, last week, the top military commander in the Pacific requested an additional 2,000 more troops to join the 37,000 already in South Korea.

And fourth, when I rose to speak against the Iraq Resolution five months ago, I voiced concerns that the Administration did not have any post-invasion plans in place yet. There is no doubt in my mind that the United States, alone, or as part of a coalition, can prosecute a war to a successful conclusion, but the question is—and then what? We still haven't been provided with any estimates on how long our troops would be engaged in peacekeeping or peace enforcement operations in the Middle East, or what the estimated costs will be for humanitarian assistance and reconstruction.

On January 24th, I joined 129 Members of the House in signing a letter to the President urging him to make every attempt to achieve Iraq's disarmament through diplomatic means and with the full support of our allies. Toady, I urge your support in sending the same message to the President with this Resolution.

TRIBUTE TO THE BEREAN INSTITUTE

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 2003

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise to acknowledge the contributions of Philadelphia's own Berean Institute. Celebrating their 104th year, their unwavering commitment has served countless aspiring youth by preparing students for the world of work or continued education.

Berean Institute is a nonprofit, state-aided and nonsectarian post-secondary institution providing affordable, high-quality educational, vocational and technological training. It is ''a place to be somebody, where you learn to earn.''

Founded in 1899 by Reverend Dr. Matthew Anderson and his wife Dr. Caroline Still Anderson, Berean continues to provide a solid foundation that assures its students the opportunity to choose a great career and acquire the marketable skills to meet and compete in the ever-changing demands to today's workforce.

Mr. Speaker, the Berean Institute remains a beacon of hope to the lives of many brilliant, young minds whose opportunities may not have been paralleled to their potential. I hope that all of my distinguished colleagues will join me in recognizing their contributions to the citizens of Philadelphia, to Pennsylvania and to our great nation.

WASHINGTON POST EDITORIAL ON IRAQ

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 2003

Mr. WILSON of South Carolina. Mr. Speaker, I would like to call attention to an excellent editorial in today's Washington Post, written by the newspaper's editorial staff. They have presented a definitive summary of why we must act to disarm Iraq in preserving the safety of Americans.

THE CASE FOR ACTION

Even before Secretary of State Colin L. Powell's presentation to the United Nations Security Council today, it is clear that Iraq has not complied with Resolution 1441, which offered it a ''final opportunity'' to voluntarily disarm. Neither the U.N. weapons inspectors nor any permanent member of the council contends that Iraq has ''fully'' cooperated, as the resolution requires. Barring a dramatic change of behavior by Saddam Hussein in the coming weeks, that means a military intervention to disarm Iraq would be justified, even if the council passed no further resolutions. Still, there is a larger question that the United States and its allies must answer, and that underlies the debate that will begin: Even if it is lawful, is war the right course? The threshold for deciding on military action must be high, and there are legitimate questions to answer: Is Iraq genuinely a threat to U.S. security, and must it be dealt with now? Given the suffering that every war brings, the potential economic and political costs, and the likelihood of unforeseen consequences, would it be better to settle for a strategy of containing Saddam Hussein through continued U.N. sanctions and inspections? This would involve abandoning the tougher course the Security Council approved by a unanimous vote just 12 weeks ago; but if the Bush administration endorsed it, much of the country—and the world—would approve.

Yet we believe that it would be a mistake for the United States and its allies, confronted with continued intransigence, to shrink again from decisive action in Iraq. Unless unexpected change takes place in Baghdad, the United States should lead a force to remove Saddam Hussein's dictatorship and locate and destroy its chemical and biological weapons and its nuclear program. The Iraqi regime poses a threat not just to the United States but to global order. The removal of Saddam Hussein would advance the task of containing the spread of weapons of mass destruction to rogue states. It also would free millions of Iraqis from deprivation and oppression and make possible a broader movement to reshape the Arab Middle East, where political and economic backwardness have done much to spawn extremists such as al Qaeda. In contrast, a continued failure to act would send dictators and terrorists a devastating message about the impotence of the United States and the United Nations. It would encourage extremists in their rush for nuclear, chemical and biological weapons.

That Iraq has the capacity to threaten vital U.S. interests has been clear at least since 1990, when Saddam Hussein's army invaded Kuwait, seized its oil fields and stood ready to move on to Saudi Arabia. Had Saddam Hussein waited the few months that his scientists then needed to complete a nuclear weapon, the United States might not have reversed the invasion; should he acquire them and again seek domination of the Middle East, the West would face a challenge like that now posed by North Korea, with far higher stakes. The 1991 Persian Gulf War did not eliminate the Iraqi threat, because Saddam Hussein and most of his army and arsenal survived; so the first Bush administration and the Security Council adopted a strategy of containment. This involved ordering Iraq to give up chemical, biological and nuclear weapons, dispatching inspectors to verify that process, and indefinitely extending sanctions that crippled Iraq's economy.

Those who advocate containment through inspections ignore that strategy's costly failure during the 1990s. Inspectors traipsed through Iraq for seven years as Baghdad defied or ignored one Security Council resolution after the next. The most dangerous chemical and biological weapons were not discovered for four years, and then only with the help of a defector. After that, Iraq stepped up its concealment operation, leaving thousands of tons of chemical and biological materiel and dozens of missiles missing; as inspector Hans Blix reported last week, they are still unaccounted for. Meanwhile, the Iraqi people suffered terribly, even as Saddam Hussein built new palaces. There were widespread reports of deaths through malnutrition and lack of medicine, and many Arab extremists, including Osama bin Laden, reaped political capital by blaming the United States. Eventually, the Security Council's will to maintain the containment regime collapsed, and in 1998 Saddam Hussein was able to drive out the inspectors.

At the time, there was broad consensus about the lessons and consequences of what had happened. Congress passed, and President Clinton endorsed, a resolution shifting U.S. policy in Iraq from containment to regime change. ''In this century, we learned through harsh experience that the only answer to aggression and illegal behavior is firmness,'' Mr. Clinton said while he still occupied the White House. ''If we fall to respond today, Saddam, and all those who would follow in his footsteps, will be emboldened tomorrow by the knowledge that they can act with impunity, even in the face of a clear message from the United Nations Security Council.''

Yet Mr. Clinton did fall to respond. Saddam Hussein had four years to strengthen his arsenal, even as the sanctions effectively collapsed. According to Mr. Blix and Western intelligence agencies, he illegally imported hundreds of new missile engines and rebuilt production facilities. He created drones and mobile biological laboratories and sought nuclear material from several nations. Mr. Powell probably will add more to that indictment today. The Bush administration promised a tougher response, but only after Sept. 11, 2001, was it able to summon the will. President Bush, along with most of Congress and the American public, was driven to accept the point made by President Clinton: that the United States, and the world, cannot allow rogue regimes to build deadly weapons in open defiance of international law and the United Nations. The fresh documentation of al Qaeda's hunt for weapons of mass destruction, and the danger that it has or might acquire such weapons from Saddam Hussein, have only sharpened that point.

The people of Iraq and its region would benefit from an end to the tyranny of Saddam Hussein, who is guilty of some of the most terrible war crimes and human rights violations of the past 50 years. He has tortured, gassed and slaughtered his people and has invaded two neighboring nations. The liberation of Iraq's people would present the United States and its allies with a difficult and prolonged challenge of nation-building. If poorly handled—and reports of the administration's planning so far do not inspire confidence—the postwar era could inject serious new problems into a troubled region. But if the goal of preserving a unified Iraq under the administration of a democratic regime were achieved, it could give decisive impetus to nascent movements for reform that exist throughout the Middle East.

In the end, though, a war in Iraq would not be primarily a humanitarian exercise but an operation essential to American security. President Bush's move toward action on Iraq has not been a bolt from the blue or a departure from past U.S. policy, though the administration's clumsy handling of its arguments and allies has sometimes made it look that way. Nor must it be seen as an exercise in Mr. Bush's new doctrine of preemption, though ideologues on both sides would portray it as such. Rather, it is the completion of a vital mission of international security repeatedly confirmed by the U.N. Security Council, by a Democratic president and by bipartisan majorities of Congress. War is never to be welcomed. But a decade of failed diplomacy and containment has brought the nation and its allies to a point where war may soon be the only credible option for ending the threat of Saddam Hussein.

TRIBUTE TO MICHAEL DEAN, POSTMASTER OF HUNTINGTOWN POST OFFICE IN MARYLAND

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 2003

Mr. HOYER. Mr. Speaker, a few weeks ago, the Huntingtown community in my district experienced a tragic and untimely loss, a loss to the U.S. Postal Service, a loss to the 5th District of Maryland, a loss to a community, and a loss to many close family and friends. I wish to take a moment today to pay tribute to the memory of Michael Dean, Postmaster of the Huntingtown Post Office in Huntingtown, MD.

Mike Dean tragically died following a motorcycle accident on January 9, 2003. He was a highly respected Postmaster who had been recognized on numerous occasions for his outstanding work with the Postal Service. On many occasions, he was given the opportunity to advance his career by accepting a well-deserved promotion. He always refused, preferring to stay and serve the community of his beloved ''Downtown Huntingtown.''

His accomplishments within the Postal Service, within his community, and within his church are so numerous that it is impossible to list them all. For the Postal Service, Mike will be remembered as a loyal and trusted coworker. He was a teacher and mentor to newly appointed Postmasters. He was a person his manager or a fellow Postmaster could call upon when help was needed anywhere, at any time. He was active for many years in the National Association of Postmasters of the United States. To his employees at the Huntingtown Post Office, he was much more than just ''the boss.'' He was a friend, advisor, teacher, and a leader by example.

Mike was appointed Postmaster of Huntingtown 24 years ago, and he grew along with the town. Until his death, the bond between Mike Dean and his community seemed unbreakable. He served people in every way imaginable with grace, humor, and always with a sense of selflessness. Mike served on the

board of directors of the United Way of Calvert County, and was a long-time volunteer with the Meals on Wheels program. He was active with local schools, serving on the PTA and establishing a ''Wee Deliver'' program to promote reading and writing skills. When a neighbor was ill, Mike was there to cut his grass. When a local farmer needed help, Mike was there to help strip tobacco.

As a member of St. John Vianney Catholic Church in Prince Frederick, he served enthusiastically as president of the Men's Club, raising funds for the parish for numerous projects. When the parish grew so large that it became necessary to create a new parish, he took a leadership role in the formation and development of Jesus the Divine Word Catholic Church. He leaves behind family, many friends, neighbors, and coworkers who mourn his loss deeply.

Michael Dean's own life was not without sorrow and loss, but he had the ability to work his way through the pain and difficulty, and to emerge from difficult times still strong in his faith, and ready to serve his fellow man. In this way, I would like to take a moment to honor the memory of a colleague, a dear friend, and beloved family member to so many.

AUTHORIZING EXPANSION OF KALOKO-HONKŌHAU NATIONAL HISTORICAL PARK, KONA, HAWAI'I

HON. ED CASE

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 2003

Mr. CASE. Mr. Speaker, I rise today to introduce a bill to authorize expansion of the Kaloko-Honokōhau National Historical Park, located on the Kona Coast of the Island of Hawai'i.

This bill would authorize expansion of the park boundaries to allow the National Park Service to purchase a 2.14-acre parcel with an existing building to serve as a park headquarters. The park has been without a permanent headquarters since its establishment in 1978, and is now renting space some distance from the park.

Kaloko-Honokōhau National Historical Park was created for the national preservation, protection and interpretation of traditional native Hawaiian activities and culture. This 1,160-acre park is remarkable not only for its cultural and historical attributes, but as an incredibly beautiful, unspoiled natural treasure. The park is the site of an ancient Hawaiian settlement, which encompasses portions of four different ahupua'a, or traditional sea-to-mountain land divisions. Its resources include ancient fishponds, kahua (house site platforms), ki'i pohaku (petroglyphs), a holua (stone slide), and heiau (religious sites). The park is of tremendous significance to the people of Hawai'i, and especially to indigenous Native Hawaiians.

The National Park Service is currently renting space for its headquarters at a cost of $150,000 a year. The current headquarters only has parking for three to four visitors at a time, which is woefully inadequate to accommodate the growing number of visitors to the park. Visitors increased from 54,000 in 2001 to 70,000 in 2002. The proposed acquisition has plenty of parking for visitors and park vehicles. And the existing building has more than adequate space for the park's administrative needs and interpretive mission. The already-developed parcel has the additional benefit of being right next to the park; therefore, the fragile resources within the current park boundaries will not be adversely affected.

I urge my colleagues to support this legislation and to come to my birthplace, the Big Island of Hawai'i, to visit this magnificent national treasure. Aloha!

CENTRAL NEW JERSEY HONORS HARRY WOSKE FOR HIS YEARS OF PUBLIC SERVICE

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 2003

Mr. HOLT. Mr. Speaker, I rise today to recognize the career of Harry Woske, MD, of Hunterdon County NJ. Dr. Woske is one of the county's leading physicians and has been serving our community for more than four decades.

Along with his commitment to his patients he has been a teacher and mentor to his fellow doctors. He has received numerous honors recognizing his work, including the Hunterdon Medical Center's ''Teacher of the Year'' award in 1978 and New Jersey Magazine's ''Top Doc'' award in 1998. Dr. Woske served as the Chief of Internal Medicine at Hunterdon Medical Center from 1960 to 1969 and the Chief of Medical Services at Raritan Valley Hospital from 1973 to 1976.

Dr. Woske returned to Hunterdon Medical Center, where he has been the Chief of Cardiology since 1977. He is a member of the New Jersey Department of Health and Senior Services' Cardiovascular Health Advisory Panel. Throughout his career, he has been a member of more than twenty professional and scientific societies, including the American Medical Association, the American College of Physicians, and the New Jersey State Society of Medicine.

As an inspiration to physicians throughout the county of Hunterdon and the state of New Jersey, and as an active member of the Rotary Club, Dr. Woske has contributed significantly to the life of his community. He has earned our heartfelt appreciation for his efforts.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest designated by the Rules committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, February 6, 2003 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

FEBRUARY 11

9:30 a.m.

Commerce, Science, and Transportation
To hold hearings to examine Federal Aviation Administration reauthorization.
SR–253

Foreign Relations
To hold hearings to examine a post Saddam Iraq.
SD–419

10 a.m.

Banking, Housing, and Urban Affairs
To hold oversight hearings to examine the Semi-Annual Monetary Policy Report of the Federal Reserve.
SH–216

Budget
To hold hearings to examine the President's International Affairs Budget.
SD–608

Energy and Natural Resources
To hold hearings to examine the President's proposed budget request for fiscal year 2004 for the Department of the Interior.
SD–366

2:30 p.m.

Energy and Natural Resources
To hold hearings to examine the nomination of Joseph Timothy Kelliher, of the District of Columbia, to be a Member of the Federal Energy Regulatory Commission.
SH–216

Health, Education, Labor, and Pensions
Judiciary
To hold joint hearings to examine patient access crisis, focusing on the role of medical litigation.
SD–106

FEBRUARY 12

9:30 a.m.

Armed Services
To hold hearings to examine the current and future worldwide threats to the national security of the United States; to be followed by a closed meeting to be held in SH-219.
SH–216

Commerce, Science, and Transportation
To hold hearings to examine the Columbia Space Shuttle.
Room to be announced

Commerce, Science, and Transportation
To hold joint hearings with the House Science Subcommittee on Space and Aeronautics to examine the recent space shuttle Columbia accident.
Room to be announced

Foreign Relations
To hold hearings to examine a post conflict Iraq.
SD–419

Judiciary
To hold hearings to examine judicial nominations.
SD–226

10 a.m.

Health, Education, Labor, and Pensions
Business meeting to consider committee's rules of procedure for the 108th Congress, subcommittee assignments, S. 239, to amend the Public Health Services Act to add requirements regarding trauma care, proposed legislation entitled ''Keeping Children and Families Safe Act of 2003'', proposed legislation concerning NIH Foundation, proposed legislation concerning birth defects, and proposed legislation entitled ''Animal Drug User Fee Act''.
SD–430

Indian Affairs
To hold hearings to examine the nomination Ross O. Swimmer, to be Special Trustee—American Indians, Department of the Interior.
SR–485

FEBRUARY 13

9:30 a.m.

Armed Services
To hold hearings on proposed legislation authorizing funds for fiscal year 2004 for the Department of Defense, and the Future Years Defense Program.
SH–216

Armed Services
To resume hearings on proposed legislation authorizing funds for fiscal year 2004 for the Department of Defense, and the Future Years Defense Program.
SH–216

10 a.m.

Energy and Natural Resources
To hold hearings to examine the President's proposed budget request for fiscal year 2004 for the Forest Service of the Department of Agriculture.
SD–366

2:30 p.m.

Energy and Natural Resources
To hold hearings to examine oil, gas, Hydrogen, and conservation, focusing on oil supply and prices.
SD–366

FEBRUARY 25

9:30 a.m.

Foreign Relations
To hold hearings to examine world food aid.
SH–216

10 a.m.

Energy and Natural Resources
To hold hearings to examine the President's proposed budget request for fiscal year 2004 for the Department of Energy.
SD–366

Health, Education, Labor, and Pensions
To hold hearings to examine terrorism, focusing on state and local response.
SD–430

2 p.m.

Veterans' Affairs
To hold joint hearings with the House Committee on Veterans' Affairs to examine a legislative presentation of the Disabled American Veterans.
SH–216

2:30 p.m.

Energy and Natural Resources
To hold hearings to examine oil, gas, Hydrogen, and conservation, focusing on gas supply and prices.
SD–366

FEBRUARY 26

10 a.m.

Health, Education, Labor, and Pensions
Business meeting to consider pending calendar business.
SD–430

FEBRUARY 27

9:30 a.m.

Foreign Relations
To hold hearings to examine proposed legislation authorizing funds for the Department of State.
SD–419

10 a.m.

Energy and Natural Resources
To hold hearings to examine oil, gas, hydrogen, and conservation, focusing on energy production on federal lands.
SD–366

Health, Education, Labor, and Pensions
To hold hearings to examine the Workforce Investment Act.
SD–340

MARCH 4

10 a.m.

Energy and Natural Resources
To hold hearings to examine oil, gas, Hydrogen, and conservation, focusing on financial conditions of the electricity market.
SD–366

MARCH 6

10 a.m.

Energy and Natural Resources
To hold hearings to examine oil, gas, Hydrogen, and conservation, focusing on energy use in the transportation sector.
SD–366

Veterans' Affairs
To hold joint hearings with the House Committee on Veterans' Affairs to examine legislative presentations of the Military Order of the Purple Heart, the Paralyzed Veterans of America, Jewish War Veterans, the Blinded Veterans Association, and the Non-Commissioned Officers Association.
345 Cannon Building

MARCH 11

10 a.m.

Energy and Natural Resources
To hold hearings to examine oil, gas, Hydrogen, and conservation, focusing on federal programs for energy efficiency and conservation.
SD–366

MARCH 12

10 a.m.

Veterans' Affairs
To hold joint hearings with the House Committee on Veterans' Affairs to examine a legislative presentation of the Veterans of Foreign Wars.
345 Cannon Building

MARCH 13

10 a.m.

Veterans' Affairs

To hold joint hearings with the House Committee on Veterans' Affairs to examine legislative presentations of the Retired Enlisted Association, Gold Star Wives of America, the Fleet Reseve Association, and the Air Force Sargents Association.

345 Cannon Building

MARCH 20

10 a.m.

Veterans' Affairs

To hold joint hearings with the House Committee on Veterans' Affairs to examine legislative presentations of AMVETS, American Ex-Prisoners of War, the Vietnam Veterans of America, the Military Officers Association of America, and the National Association of State Directors of Veterans' Affairs.

345 Cannon Building

Daily Digest

HIGHLIGHTS

Senate agreed to S. Res. 45, Commemorating the *Columbia* Astronauts.

Senate passed H.J. Res. 18, Continuing Appropriations.

The House agreed to H. Res. 51, Expressing Condolences to the Families of the Crew of the Space Shuttle *Columbia.*

The House passed H.J. Res. 18, making further continuing appropriations through February 20, 2003.

Senate

Chamber Action

Routine Proceedings, pages S1913–S1970

Measures Introduced: Twenty-three bills and five resolutions were introduced, as follows: S. 301–323, and S. Res. 45–49. **(See next issue.)**

Measures Reported:

S. Res. 47, authorizing expenditures by the Committee on Agriculture, Nutrition, and Forestry. **(See next issue.)**

Measures Passed:

Commemorating* Columbia *Astronauts: By a unanimous vote of 95 yeas (Vote No. 30), Senate agreed to S. Res. 45, commemorating the *Columbia* Astronauts. **Pages S1914–28**

Continuing Appropriations: Senate passed H.J. Res. 18, making further continuing appropriations for the fiscal year 2003. **(See next issue.)**

Nomination Considered: Senate began consideration of the nomination of Miguel A. Estrada, of Virginia, to be United States Circuit Judge for the District of Columbia Circuit. **Pages S1928–58**

A unanimous-consent agreement was reached providing for further consideration of the nomination at 9:30 a.m., on Thursday, February 6, 2003. **Pages S1969–70**

Messages From the President: Senate received the following messages from the President of the United States:

Transmitting, pursuant to law, a report on a legislative proposal to establish the Millennium Challenge Account and the Millennium Challenge Corporation; to the Committee on Foreign Relations. (PM–12) **Pages S1968–69**

Transmitting, pursuant to law, the report of an agreement between the United States and the Kingdom of Norway on Social Security, with a related administrative agreement, intended to modify certain provisions of the agreement that was signed on January 13, 1983; to the Committee on Finance. (PM–13) **Page S1969**

Messages From the House: **Page S1969**

Executive Communications: **(See next issue.)**

Petitions and Memorials: **(See next issue.)**

Executive Reports of Committees: **(See next issue.)**

Additional Cosponsors: **Pages S1967–68**

Statements on Introduced Bills/Resolutions: **(See next issue.)**

Additional Statements: **(See next issue.)**

Authority for Committees to Meet: **(See next issue.)**

Privilege of the Floor: **(See next issue.)**

Text of S. Res. 41, Honoring the Mission of the Space Shuttle *Columbia,* as Previously Agreed To, on Monday, February 3, 2003: **(See next issue.)**

Record Votes: One record vote was taken today. (Total—30) **Page S1928**

Adjournment: Senate met at 9:30 a.m, and adjourned at 7:11 p.m., until 9:30 a.m., on Thursday, February 6, 2003. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S1970.)

Committee Meetings

(Committees not listed did not meet)

BUSINESS MEETING

Committee on Agriculture, Nutrition, and Forestry: Committee adopted its rules of procedure for the 108th Congress, and ordered favorably reported an original resolution (S. Res. 47) authorizing expenditures by the Committee.

Also, Committee announced the following subcommittee assignments:

Subcommittee on Production and Price Competitiveness: Senators Dole (Chair), McConnell, Roberts, Chambliss, Coleman, Grassley, Conrad, Daschle, Miller, Baucus, and Lincoln.

Subcommittee on Marketing, Inspection, and Product Promotion: Senators Talent (Chair), Roberts, Fitzgerald, Chambliss, Grassley, Baucus, Nelson (NE), Conrad, and Stabenow.

Subcommittee on Forestry, Conservation, and Rural Revitalization: Senators Crapo (Chair), Lugar, Coleman, Talent, McConnell, Roberts, Lincoln, Dayton, Leahy, Daschle, and Nelson (NE).

Subcommittee on Research, Nutrition, and General Legislation: Senator Fitzgerald (Chair), Lugar, McConnell, Crapo, Dole, Leahy, Stabenow, Miller, and Dayton.

NOMINATION

Committee on Banking, Housing, and Urban Affairs: Committee concluded hearings on the nomination of William H. Donaldson, of New York, to be Member of the Securities and Exchange Commission, after the nominee, who was introduced by Senators Schumer and Clinton, testified and answered questions in his own behalf.

PRESIDENT'S BUDGET

Committee on the Budget: Committee concluded hearings to examine the President's fiscal year 2004 budget, after receiving testimony from Mitchell E. Daniels, Jr., Director, Office of Management and Budget.

PROFESSIONAL BOXING REFORM

Committee on Commerce, Science, and Transportation: Committee concluded hearings to reform the professional boxing industry, after receiving testimony from Patrick S. Pannella, Maryland State Athletic Commission, Baltimore; Ross Greenberg, HBO Sports, and Thomas Hauser, both of New York, New York; Bernard Hopkins, Philadelphia, Pennsylvania; and Bert R. Sugar, Chappaqua, New York.

AVIATION SECURITY

Committee on Commerce, Science, and Transportation: Committee concluded hearings to examine aviation security and impacts associated with the regulatory and statutory requirements of the Aviation and Transportation Security Act, after receiving testimony from Admiral James M. Loy, Under Secretary of Transportation for Security, Transportation Security Administration; Kenneth M. Mead, Inspector General Department of Transportation; Edward M. Bolen, General Aviation Manufacturers Association, and James C. May, Air Transport Association of America, Inc., both of Washington, D.C.; and Charles Barclay, American Association of Airport Executives, Alexandria, Virginia.

BUSINESS MEETING

Committee on Energy and Natural Resources: Committee ordered favorably reported the following business items:

S. 111, to direct the Secretary of the Interior to conduct a special resource study to determine the national significance of the Miami Circle site in the State of Florida as well as the suitability and feasibility of its inclusion in the National Park System as part of Biscayne National Park, with an amendment in the nature of a substitute;

S. 117, to authorize the Secretary of Agriculture to sell or exchange certain land in the State of Florida;

S. 144, to require the Secretary of the Interior to establish a program to provide assistance through States to eligible weed management entities to control or eradicate harmful, nonnative weeds on public and private land, with an amendment in the nature of a substitute;

S. 210, to provide for the protection of archaeological sites in the Galisteo Basin in New Mexico;

S. 214, to designate Fort Bayard Historic District in the State of New Mexico as a National Historic Landmark, with an amendment in the nature of a substitute;

S. 233, to direct the Secretary of the Interior to conduct a study of Coltsville in the State of Connecticut for potential inclusion in the National Park System; and

S. 254, to revise the boundary of the Kaloko-Honokohau National Historical Park in the State of Hawaii.

BUSINESS MEETING

Committee on Finance: Committee ordered favorably reported the following measures:

An original bill entitled, "Armed Forces Tax Fairness Act of 2003"; and

An original bill entitled, "CARE Act of 2003".

BUDGET 2004: REVENUE PROPOSALS

Committee on Finance: Committee held hearings to examine the President's proposed budget estimates for fiscal years 2004, focusing on revenue proposals, economic growth plan, and the United States economy, receiving testimony from John W. Snow, Secretary of the Treasury.

Hearings recessed subject to call.

BUSINESS MEETING

Committee on Foreign Relations: Committee ordered favorably the following business items:

An original resolution (S. Res. ***) authorizing expenditures by the Committee;

The Treaty Between the United States of America and the Russian Federation on Strategic Offensive Reductions, Signed at Moscow on May 24, 2002 (Treaty Doc. 107–8), with 2 conditions and 6 declarations; and

Foreign Service Officer Promotion lists received by the Senate on January 15, 2003.

Also, Committee announced the following subcommittee assignments:

Subcommittee on African Affairs: Senators Alexander (Chair), Brownback, Coleman, Sununu, Feingold, Dodd, and Nelson (FL).

Subcommittee on East Asian and Pacific Affairs: Senators Brownback (Chair), Alexander, Hagel, Allen, Voinovich, Kerry, Rockefeller, Feingold, and Corzine.

Subcommittee on European Affairs: Senators Allen (Chair), Voinovich, Hagel, Sununu, Chafee, Biden, Sarbanes, Dodd, and Kerry.

Subcommittee on International Economic Policy, Export and Trade Promotion: Senators Hagel (Chair), Chafee, Enzi, Alexander, Coleman, Sarbanes, Rockefeller, Corzine, and Dodd.

Subcommittee on International Operations and Terrorism: Senators Sununu (Chair), Enzi, Allen, Voinovich, Brownback, Nelson (FL), Biden, Feingold, and Boxer.

Subcommittee on Near Eastern and South Asian Affairs: Senators Chafee (Chair), Hagel, Brownback, Voinovich, Coleman, Boxer, Corzine, Rockefeller, and Sarbanes.

Subcommittee on Western Hemisphere, Peace Corps, and Narcotics Affairs: Senators Coleman (Chair), Chafee, Allen, Enzi, Sununu, Dodd, Boxer, Nelson (FL), Biden, and Kerry.

BUSINESS MEETING

Committee on Governmental Affairs: Committee adopted its rules of procedure for the 108th Congress, and announced the following subcommittee assignments:

Subcommittee on Financial Management, the Budget, and International Security: Senators Fitzgerald (Chairman), Stevens, Voinovich, Specter, Bennett, Sununu, Shelby, Akaka, Levin, Carper, Dayton, Lautenberg, and Pryor.

Permanent Subcommittee on Investigations: Senators Coleman (Chairman), Stevens, Voinovich, Specter, Bennett, Fitzgerald, Sununu, Shelby, Levin, Akaka, Durbin, Carper, Dayton, Lautenberg, and Pryor.

Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia: Senators Voinovich (Chairman), Stevens, Coleman, Bennett, Fitzgerald, Sununu, Durbin, Akaka, Carper, Lautenberg, and Pryor.

Senators Collins and Lieberman are Ex Officio Members of all the Subcommittees.

NOMINATIONS

Committee on the Judiciary: Committee concluded hearings on the nominations of Jay S. Bybee, of Nevada, to be United States Circuit Judge for the Ninth Circuit, who was introduced by Senators Reid and Ensign; Ralph R. Erickson, to be United States District Judge for the District of North Dakota, who was introduced by Senator Dorgan and Representative Pomeroy; William D. Quarles, Jr., to be United States District Judge for the District of Maryland, who was introduced by Senators Sarbanes and Mikulski; and Gregory L. Frost, to be United States District Judge for the Southern District of Ohio, who was introduced by Senator DeWine, after each nominee testified and answered questions in their own behalf.

SMALL BUSINESS HEALTH CARE

Committee on Small Business and Entrepreneurship: Committee concluded hearings on possible solutions to the small business health care crisis, focusing on dwindling choices in affordable health care for small business and double digit premium increases passed on to employers now providing insurance, after receiving testimony from Elaine L. Chao, Secretary of Labor; Hector V. Barreto, Administrator, U.S. Small Business Administration; Kathie M. Leonard, Auburn Manufacturing, Inc., Mechanic Falls, Maine; Anne Valentine, SmartCatalog, Portland, Maine; Jack Faris, National Federation of Independent Business, Harry Alford, National Black Chamber of Commerce, Judith L. Lichtman, National Partnership for Women and Families, and Len Nichols, Center for Studying Health System Change, all of Washington, D.C.; Terry Neese, Women Impacting Public Policy, Oklahoma City, Oklahoma; Cliff Shannon, Pittsburgh, Pennsylvania, on behalf of the National Small Business United and SMC Business Councils; and Sandy Praeger, State of Kansas Commissioner of Insurance, Topeka, on behalf of the National Association of Insurance Commissioners.

House of Representatives

Chamber Action

Measures Introduced: 118 public bills, H.R. 5, 531–648; 1 private bill, H.R. 649; and 13 resolutions, H.J. Res. 20–21; H. Con. Res. 30–31, and H. Res. 51–59, were introduced. **Pages H317–23**

Additional Cosponsors: **Pages H323–24**

Reports Filed: No reports were filed today.

Guest Chaplain: The prayer was offered by the guest chaplain, Rev. Sara A. Gausmann, St. Paul Lutheran Church of York, Pennsylvania. **Page H277**

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of today. **Page H277**

Expressing Condolences to the Families of the Crew of the Space Shuttle *Columbia:* The House agreed to H. Res. 51, expressing the condolences of the House of Representatives to the families of the crew of the space shuttle *Columbia* by a yea-and-nay vote of 404 yeas with none voting ''nay'', Roll No. 19. Earlier agreed to consider the resolution by unanimous consent. **Pages H279–H307, S312–13**

Presidential Message: Read the following messages from the President:

Millennium Challenge Account and Millennium Challenge Corporation: Message wherein he transmitted his legislative proposal to establish the Millennium Challenge Account and the Millennium Challenge Corporation—referred to the Committees on International Relations, Ways and Means, Judiciary, Resources, and Government Reform and ordered printed (H. Doc. 108–37); and **Pages H307–08**

Social Security Agreement between the United States and Norway: Message wherein he transmitted the agreement between the United States and Norway on social security, with a related administrative agreement, both signed at Oslo on November 30, 2001 and a report prepared by the Social Security Administration explaining the key points of the agreement—referred to the Committee on Ways and Means and ordered printed (H. Doc. 108–38). **Page H308**

Recess: The House recessed at 5:35 p.m. and reconvened at 6:03 p.m. **Page H308**

Making Further Continuing Appropriations Through February 20: The House passed H.J. Res. 18, making further continuing appropriations for the fiscal year 2003 by voice vote. **Pages H308–12**

Rejected the Obey motion to recommit the joint resolution to the Committee on Appropriations with instructions to report it back promptly with an amendment further amending Section 101 of Public Law 107–229 to maintain Medicare payment rates for physician services at FY 2002 levels and to set the base amount for computing Medicare payments to hospitals in small urban areas and rural areas equal to the higher base amount applicable to hospitals in large urban areas by a yea-and-nay vote of 195 yeas to 215 nays, Roll No. 18. **Pages H310–12**

The joint resolution was considered pursuant to an earlier unanimous consent agreement. **Page H308**

Director of the Congressional Budget Office: The Speaker of the House and the President pro tempore of the Senate appointed Mr. Douglas Holtz-Eakin as Director of the Congressional Budget Office for the term of office expiring on January 3, 2007. **Page H313**

Committee Resignations: Without objection, the Chair accepted the various resignations from the following members from certain standing committees of the House: Representative Hefley from the Committee on Resources, Representative George Miller of California from the Committee on Resources, Representative Baird from the Committee on Science, Representative Boswell from the Committee on Agriculture, Representative Larsen of Washington from the Committee on Agriculture, Representative Smith of Washington from the Committee on Resources, Representative Davis of Tennessee from the Committee on Financial Services, Representative Israel from the Committee on Science, and Representative Jim Turner of Texas from the Committee on Government Reform. **Pages H313–14**

Committee Election—Minority Members: The House agreed to H. Res. 52, electing the following members and delegates to certain standing committees of the House of Representatives:

Committee on Agriculture: Representatives Alexander, Ballance, Cardoza, Scott of Georgia, Marshall, and Case; **Page H314**

Committee on Armed Services: Representatives Israel, Larsen of Washington, Cooper, Marshall, Mr. Meek of Florida, Bordallo, and Alexander; **Page H314**

Committee on the Budget: Representative Majette; **Page H314**

Committee on Education and the Workforce: Representatives Case, Grijalva, Majette, Ryan of Ohio, and Van Hollen; **Page H314**

Committee on Financial Services: Representative Emanuel (to rank immediately after Miller of North Carolina) and Davis of Alabama; **Page H314**

Committee on Government Reform: Representatives Van Hollen, Linda T. Sánchez, and Ruppersberger; **Page H314**

Committee on House Administration: Representatives Larson of Connecticut, Millender-McDonald, and Brady of Pennsylvania.; **Page H314**

Committee on International Relations: Representatives Smith of Washington, McCollum, and Bell; **Page H314**

Committee on Resources: Representatives Grijalva, Cardoza, and Bordallo; **Page H314**

Committee on Science: Representatives Bell, Bishop, Miller of North Carolina, and Davis of Tennessee; **Page H314**

Committee on Small Business: Representatives Ballance and Ryan of Ohio; **Page H314**

Committee on Standards of Official Conduct: Representative Mollohan; and **Page H314**

Committee on Veterans' Affairs: Representative Michaud. **Page H314**

Legislative Program: The Majority Leader announced the legislative program for the week of Feb. 10, 2003. **Pages H314–15**

Meeting Hour—Friday, February 7: Agreed that when the House adjourns today it adjourn to meet at 10 a.m. on Friday, February 7. **Page H315**

Meeting Hour—Tuesday, February 11: Agreed that when the House adjourns on Friday, February 7, it adjourn to meet at 12:30 p.m. on Tuesday, February 11, for morning hour debate. **Page H315**

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of February 12. **Page H315**

Quorum Calls—Votes: Two yea-and-nay votes developed during the proceedings of the House today and appear on pages H311–12 and H312. There were no quorum calls.

Adjournment: The House met at 3 p.m. and adjourned at 7:16 p.m, as a further mark of respect to the memory of the valiant crew members of the *Columbia* shuttle mission.

Committee Meetings

DEFENSE BUDGET FISCAL YEAR 2004; COMMITTEE ORGANIZATION; OVERSIGHT PLAN

Committee on Armed Services: Held a hearing on the Fiscal Year 2004 Defense Budget. Testimony was heard from the following officials of the Department of Defense: Donald H. Rumsfeld, Secretary; Gen. Richard Myers, USAF, Chairman, Joint Chiefs of Staff; and Dov Zakheim, Under Secretary (Comptroller).

Prior to the hearing, the Committee met for organizational purposes and approved an Oversight Plan for the 108th Congress.

DEPARTMENT OF TREASURY—BUDGET PRIORITIES FISCAL YEAR 2002

Committee on the Budget: Held a hearing on the Department of the Treasury Budget Priorities Fiscal Year 2004. Testimony was heard from John W. Snow, Secretary of the Treasury.

COMMITTEE ORGANIZATION; OVERSIGHT PLAN

Committee on Education and the Workforce: Met for organizational purposes.

The Committee approved an Oversight Plan for the 108th Congress.

TELECOMMUNICATIONS SECTOR HEALTH

Committee on Energy and Commerce: Subcommittee on Telecommunications and the Internet held a hearing entitled ''Health of the Telecommunications Sector: A Perspective from Investors and Economists.'' Testimony was heard from public witnesses.

COMMITTEE ORGANIZATION; OVERSIGHT REPORT

Committee on Financial Services: Met for organizational purposes.

The Committee approved an Oversight Plan for the 108th Congress.

COMMITTEE ORGANIZATION; OVERSIGHT PLAN; HOUSE PERIMETER SECURITY PLAN

Committee on House Administration: Met for organizational purposes.

The Committee approved the following: an Oversight Plan for the 108th Congress; and the House Perimeter Security Plan.

VETERANS' EMPLOYMENT

Committee on Veterans' Affairs: Held a hearing on the State of Veterans' Employment. Testimony was heard from Angela B. Styles, Administrator, Office of Federal Procurement Policy, OMB; CMSgt. Elizabeth S. Schouten, (USAF), Deputy Director, Operations, U.S. Air Force Band; Linda G. Williams, Associate Administrator, Government Contracting, SBA; Kevin Boshears, Director, Office of Small Business Development, Department of the Treasury; the following officials of the Veterans Employment and Training Service, Department of Labor, Frederico Juarbe, Jr., Assistant Secretary; and Ron Bachman, Regional Administrator Chicago/Denver; and representatives of veterans' organizations.

FISCAL YEAR 2004 BUDGET

Committee on Ways and Means: Continued hearings on the President's Fiscal Year 2004 Budget proposals. Testimony was heard from Mitchell E. Daniels, Jr., Director, OMB.

Hearings continue tomorrow.

COMMITTEE ORGANIZATION

Committee on Ways and Means: Subcommittee on Human Resources met for organizational purposes.

COMMITTEE ORGANIZATION

Permanent Select Committee on Intelligence: Met in executive session for organizational purposes.

COMMITTEE MEETINGS FOR THURSDAY, FEBRUARY 6, 2003

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Foreign Relations: to hold hearings to examine foreign affairs budget, 9:30 a.m., SR–325.

Committee on the Judiciary: business meeting to consider the nomination of John G. Roberts, Jr., of Maryland, to be United States Circuit Judge for the District of Columbia Circuit, the nomination of Deborah L. Cook, of Ohio, to be United States Circuit Judge for the Sixth Circuit, the nomination of Jeffrey S. Sutton, of Ohio, to be United States Circuit Judge for the Sixth Circuit, the nomination of John R. Adams, to be United States District Judge for the Northern District of Ohio, the nomination of Robert A. Junell, to be United States District Judge for the Western District of Texas, the nomination of S. James Otero, to be United States District Judge for the Central District of California, S. 253, to amend title 18, United States Code, to exempt qualified current and former law enforcement officers from State laws prohibiting the carrying of concealed handguns, and S. 113, to exclude United States persons from the definition of ''foreign power'' under the Foreign Intelligence Surveillance Act of 1978 relating to international terrorism, and S. Res. 49, designating February 11, 2003, as ''National Inventors' Day'', 11:30 a.m., SD–226.

House

Committee on Ways and Means, to continue hearings on the President's Fiscal Year 2004 Budget proposals, 9:30 a.m., 1100 Longworth.

Next Meeting of the SENATE

9:30 a.m., Thursday, February 6

Senate Chamber

Program for Thursday: Senate will continue consideration of the nomination of Miguel A. Estrada, of Virginia, to be United States Circuit Judge for the District of Columbia Circuit.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Friday, February 7

House Chamber

Program for Friday: Pro forma session.

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