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of America

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PROCEEDINGS AND DEBATES OF THE 108<sup>th</sup> CONGRESS, FIRST SESSION

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No. 56

## House of Representatives

The House met at 10:30 a.m. and was called to order by the Speaker pro tempore (Mr. SIMMONS).

### DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,  
April 8, 2003.

I hereby appoint the Honorable ROB SIMMONS to act as Speaker pro tempore on this day.

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

### MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed without amendment bills of the House of the following titles:

H.R. 397. An act to reinstate and extend the deadline for commencement of construction of a hydroelectric project in the State of Illinois.

H.R. 672. An act to rename the Guam South Elementary/Middle School of the Department of Defense Domestic Dependents Elementary and Secondary Schools System in honor of Navy Commander William "Willie" McCool, who was the pilot of the Space Shuttle Columbia when it was tragically lost on February 1, 2003.

The message also announced that the Senate has passed bills of the following titles in which the concurrence of the House is requested:

S. 164. An act to authorize the Secretary of the Interior to conduct a special resource study of sites associated with the life of César Estrada Chávez and the farm labor movement.

S. 212. An act to authorize the Secretary of the Interior to cooperate with the High Plains Aquifer States in conducting a Hydrogeologic Characterization, Mapping, and Modeling Program for the High Plains Aquifer, and for other purposes.

S. 220. An act to reinstate and extend the deadline for commencement of construction

of a hydroelectric project in the State of Illinois.

S. 278. An act to make certain adjustments to the boundaries of the Mount Naomi Wilderness Area, and for other purposes.

S. 328. An act to designate Catoctin Mountain Park in the State of Maryland as the "Catoctin Mountain National Recreational Area", and for other purposes.

S. 347. An act to direct the Secretary of the Interior and the Secretary of Agriculture to conduct a joint resource study to evaluate the suitability and feasibility of establishing the Rim of the Valley Corridor as a unit of the Santa Monica Mountains National Recreation Area, and for other purposes.

The message also announced that pursuant to Public Law 101-509, the Chair announces, on behalf of the Secretary of Senate, the appointment of Paul Gherman, of Tennessee, to the Advisory Committee on the Records of Congress.

### MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 7, 2003, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 30 minutes, and each Member, except the majority leader, the minority leader, or the minority whip, limited to not to exceed 5 minutes.

The Chair recognizes the gentleman from Texas (Mr. DELAY) for 5 minutes.

### HOUSE ACHIEVEMENTS SPEAK FOR THEMSELVES

Mr. DELAY. Mr. Speaker, the Members of the 108th House of Representatives have served the American people well during the longest legislative stretch we will have this year. We have passed, or will pass, legislation that has upheld American values, protected American families, affirmed fiscal dis-

cipline, and provided tax relief for millions. The record is clear.

We passed a permanent ban on human cloning.

We passed a resolution affirming Americans' identity as "one Nation, under God, indivisible" in the Pledge of Allegiance.

We passed the Social Security Protection Act to crack down on waste, fraud and abuse against the program's most vulnerable intended beneficiaries.

We passed a budget that sets the United States on a path to balance and provides tax relief necessary to stimulate an economy that can meet all our needs.

We passed a compassionate and effective welfare reform package.

We passed sweeping reforms to the Nation's bankruptcy system.

We passed medical liability reform.

We passed legislation providing \$835 million in tax relief for America's military servicemen and their families.

We passed legislation to create a national AMBER Alert system.

We passed tougher penalties against criminals who prey on children and funding to assist battered-women shelters and victims of family violence.

Not a bad start. Yet before we recess, the House will also complete a final budget resolution with the Senate to provide tax relief and fiscal accountability. We will pass a comprehensive energy package to better secure the United States by reducing our dependence on foreign oil. We will pass the supplemental appropriation to fund the liberation of Iraq, the ongoing war on terror, and meet emerging homeland security needs. The House of Representatives has acted on behalf of our troops on the other side of the world and we have acted to secure their proud and grateful countrymen here at home.

Mr. Speaker, our actions speak for themselves, so I will stop interrupting.

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

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



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H2865

OREGON CITIZEN MIKE HAWASH  
ADVERSELY AFFECTED BY MA-  
TERIAL WITNESS LAW

The SPEAKER pro tempore. Pursuant to the order of the House of January 7, 2003, the gentleman from Oregon (Mr. BLUMENAUER) is recognized during morning hour debates for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, I am reflecting on the words of the majority leader, actions speak for themselves, and I think we are going to have a series of discussions here on the floor of this Chamber dealing with the actions of the Republican majority and the mismatch between what the American public wants and needs. The notion that we are going to cut veterans benefits when we are sending our veterans-to-be into battle in the Middle East, the fact that we are providing even the tax treatment for the veterans that he referenced was achieved only after the Republican majority was embarrassed with their original proposal. They had to withdraw it because it confused assistance for our veterans with aid for people who gamble from overseas and manufacture tackle boxes. Mr. Speaker, I would like instead today to reflect on a moment of what times of stress especially in war serve as a mirror for who we are. There have been times in our history like World War II where it has reflected in a very positive sense on our character, it has brought out the best in the American public, but also during that same period of time, there was also reflected some of the things that we are least proud of. For example, our treatment of legal Japanese residents and Japanese citizens in this country, herding them up and putting them in concentration camps.

One of the problems I have with the current situation is that it is fraught with danger, and if we are not careful, we will have a risk of losing track of who we are. I was struck last fall when I read an article in the Washington Post that talks about how the material witness law in this country casts dozens of citizens, of Americans, into limbo, where there were 44 people who were jailed as material witnesses and kept in maximum security conditions for a few days, in some cases for several months or longer. Seven of them were American citizens. I was troubled when I read that account, Mr. Speaker, but I must say that I was shaken when I saw it occur in my community, where 3 weeks ago Maher Hawash, Mike to his friends, a 38-year-old software engineer, although born in the West Bank and who grew up in Kuwait, has been an American citizen for over a dozen years, he lives with his wife Lisa, raising three children here in our community of Portland, Oregon, was arrested in the Intel parking lot at 6:30 in the morning. At the same time almost a dozen armed agents swept into his home. I heard from his former boss, Steve McGeady, a friend of mine, in Portland, who was stunned by the accusation but more by the treatment of

this American citizen, kept in solitary confinement for 3 weeks under this material witness warrant, attorney and family subject to a gag order. This is a person with strong ties to the community and does not appear to represent any risk of flight.

Citizens who know Mike have organized their own Web site, freemikehawash.org, that says it all. Mr. Speaker, he had a hearing yesterday but he is bound over again under these conditions. We do not know what is going on. He is going to be kept in detention, it looks like, for at least another 2 to 3 weeks. Mr. Speaker, this is deeply troubling treatment for an American citizen. Put him before the grand jury now. If they think he has committed some sort of crime, charge him. If not, for heaven's sake, release him. We should not have a shroud of secrecy. We should not have indefinite detention in solitary confinement for American citizens. We should not be punishing them, their family and friends.

As I said, Mr. Speaker, at times difficult situations provide a mirror. I would hope that the mirror that we hold up to ourselves at this time should show America at its best, not at its worst.

#### IRAQI LIBERATION

The SPEAKER pro tempore. Pursuant to the order of the House of January 7, 2003, the gentleman from Florida (Mr. STEARNS) is recognized during morning hour debates for 5 minutes.

Mr. STEARNS. Mr. Speaker, today I rise to support the actions of the world's greatest fighting force, the United States Armed Forces, which is currently about 360,000 men and women deployed overseas defending our freedom. Though the terrains may differ greatly, their overall objectives remain the same, Mr. Speaker. From the sweltering jungles of Colombia and South Korea to the barren moonscapes of Iraq and Afghanistan, U.S. forces put life and limb in harm's way to maintain the security of our great country. War is a concept not easily understood, never black and white, its ramifications always permanent and, of course, severe. The fighting men and women of the United States know the consequences of war, yet continue to place upon their shoulders this great mantle of responsibility. Though victory in war always comes at a price, our efforts in the Iraqi theater have yielded great success. Our Armed Forces have liberated thousands of Iraqis and have begun the delivery of much needed humanitarian support. Saddam's regime seems to be on its knees, ready to collapse. In what has been a historic campaign, U.S. Marines, a sea-based service, have marched inland to Baghdad in what has been the deepest land penetration ever by its air-ground team of planes, helicopters, troops and tanks. American troops have Baghdad surrounded. We have demonstrated an

ability to insert troops deep into the city and the 1st Brigade of the United States Army recently renamed Saddam International Airport to Baghdad International. The evil and torturous regime of Saddam Hussein and his Baath party cronies seems to be at its end, all due to the valiant efforts of coalition forces. Though support for this operation has been great and widespread, we as a body have been forced to face the politics of war. We have been faced with a task of funding this war and making sure that our troops are supplied with the best equipment in the world. This week we must pass the wartime supplemental conference report as soon as possible in order to keep our military machine safe and, of course, efficient. We must also continue to show the world that what we are doing is right and for the benefit of our global safety. We must uproot Saddam and show the world the atrocities that he has committed. So far, the terrorist links have been established, Mr. Speaker. Al Qaeda terrorists fought against coalition troops in southern Iraq. Foreign nationals—Egyptians, Jordanians, Saudis, Syrians, Yemenis—were captured Sunday and led U.S. soldiers to their training grounds at Salman Pak. And, most convincing, raids of the Ansar al-Islam camps in northern Iraq revealed extensive al Qaeda ties for this group believed to have extensive, high-ranking connections with the Iraqi regime. As initial reports concerning chemical weapons become more clear, we will learn the truth behind Saddam Hussein's lies. All we can do is pray that the maniacal leader will think of the people, the 4.5 million Iraqi citizens, before he considers unleashing all this chemical arsenal.

Mr. Speaker, after Baghdad is secured and the Republican Guard is completely destroyed, we will be faced with the task of reconstructing Iraq. But as eyes turn toward the U.N., many will turn to the rich oil fields of Iraq and the many ways in which their countries think they can profit from our military's work. Countries that denounced our actions will look for ways to get their hands on some of this Iraqi oil. France and its allies claim the United Nations is the only body with the international legitimacy to administer Iraq. But, Mr. Speaker, is it? The United Nations failed miserably in its supervision of Kosovo, Bosnia and Somalia. Until Bush stepped in last year, it had completely dropped any attempt to get Iraq to disarm. The United Nations has never successfully fostered a democracy. This is not surprising since many if not most of its members are nondemocratic countries and a police state like Libya heads the U.N. human rights commission.

There is at least one group of people among whom the United Nations has no legitimacy. That is the 24 million Iraqis who have suffered under more than two decades of Saddam Hussein's rule. Iraqis have seen U.N. inspectors

come and go. They have seen U.N. officials rush to Baghdad to confer with Saddam with no easing of repression as a result. They have watched as U.N. resolutions, including those obligating Saddam to respect human rights, go not just unenforced but are not even cited in passing by the United Nations.

Again my congratulations to our Armed Forces and to our President. God bless them both.

#### NOTHING TO WORRY ABOUT?

The SPEAKER pro tempore. Pursuant to the order of the House of January 7, 2003, the gentleman from Hawaii (Mr. CASE) is recognized during morning hour debates for 5 minutes.

Mr. CASE. Mr. Speaker, I want to thank my colleague from Texas, our respected majority leader, for his remarks this morning. I think I and all of us owe him a happy birthday whenever he may be and we wish him a happy birthday on, I believe it is his 56th birthday. Unfortunately, there my commendations have to end for the morning because as the war in Iraq comes to its inevitable close and our focus turns back to our domestic issues, our domestic challenges and as they turn back to the number one challenge that we face domestically, which is our Federal budget and fixing our economy, which is an area that the majority leader did not cover, I must say to my colleagues and my constituents back home and my fellow citizens that when it comes to the Federal budget that has been proposed by our President and embraced by our Republican colleagues and as it comes to that budget that we will see later on the floor this week, I must say I am tempted to feel relieved, and I am tempted to feel relieved, because for too long I have been worrying about the little things like our economy and jobs and money and debt and education and health care.

At my State legislature like many of us in the State legislatures, I just spent a decade worrying about whether we had enough jobs, whether our taxes were fair, whether we were borrowing too much or whether we were spending too much, whether our kids were getting a good head start, whether our seniors had the basics, what my Hawaii would be like not next year but in 10, 20 years and what I could do to hand it off well. And at home, of course, because government is no different than a household in principle, my wife and I, we have long worried about our jobs and whether we could keep up with expenses, whether our debts were too high, whether our kids would grow up healthy, whether we could get a good, affordable education, whether our parents could live with decency. I am tempted to feel relieved because after all those years of worry both in my State legislature and at home, my Republican colleagues in the White House and here in the Congress have given me and are about to again give me a bud-

et to vote on that says basically, do not worry, your fears are for naught. You can have your cake and eat it, too. You can do whatever you want. It will all work out. Do not worry, be happy.

For example, let us take debt. My wife and I, we have been worrying about how much we owe. We do not like debt and when we have to incur debt we do not like it to get too high. We worry about retiring in debt. We worry about whether our kids are going to have to bail us out. We do not think that that is good for us and it is certainly not good for them. In the State legislature back in Hawaii, I worried for a long time about how much my State was borrowing, about whether our hard-earned dollars were going just to pay off debt, whether we were handing off Hawaii in better shape to our children than the Hawaii that we had been responsible for administering. But now I am tempted to feel relieved, because I am told my Federal Government is somehow different, I am told debt is good, do not worry about it, that the largest debt run-up since President Reagan's era is no problem. And Alan Greenspan, somebody that says debt is not bad, chronic debt is bad. Chronic debt does not work. It leads to a worsening economy. It leads to interest rate increases. I am told about Mr. Greenspan, he is all wet, do not worry about him.

Let us take taxes. In my State House, I embraced some tax relief in the 1990s, but I worried about whether that tax relief was going to those most in need, whether that tax relief was going to result in economic revitalization. I worried about the connection between lower taxes and an increased economy. Would cuts fix our economy? But here I am told, do not worry. We cannot give you any evidence of a connection between the tax cuts that we recommend and economic revitalization. And we do not have to worry about the Congressional Budget Office saying there is no connection. Do not worry, it will all work out.

Let us take expenses, especially unknown or uncertain expenses. My wife and I worry about expenses that we know about and those that we do not yet know about. We worry about college. We worry about setting money aside. We worry about a little bit of a rainy day fund to worry about things that do not come along. But now I am told from this budget, do not worry, we do not need a little rainy day fund. We already have one. It is called Social Security. We can bail it out if we need to and we do not even have to include known expenses, expenses that we may not know how much they will be exactly but we sure know that they are coming.

We all know, for example, that \$75 billion is just the first installment of our obligations overseas for the war with Iraq. Yet that is not factored into this budget. Why not? I do not know. I guess I am being told, do not worry about it, it will come later. And do not

worry about that. Do not worry about the long-term. We can get through the next couple of years. We can get through the things that are coming at us down the road. Do not worry about the projections of an increasing deficit, a deficit projected to increase by some estimates from 300 to \$400 billion up to close to a trillion dollars, given the full impact of this tax cut. Do not worry about that.

So I am a happy camper today. I do not have to worry. And if I were not so worried, I would be awfully scared.

#### MEDICAL SAVINGS ACCOUNTS

The SPEAKER pro tempore. Pursuant to the order of the House of January 7, 2003, the gentleman from Minnesota (Mr. GUTKNECHT) is recognized during morning hour debates for 5 minutes.

Mr. GUTKNECHT. Mr. Speaker, today I rise to talk about an issue that everyone should be aware of and I think more and more Americans are becoming concerned about and that is the rising cost of health care here in the United States. Some of the estimates this year, and we are talking to small businesspeople in my district, they are looking at increases in the cost of their health care of anywhere from 10 percent to 40 percent and some even more than that. One of the ideas that has been around for a number of years in terms of controlling the costs of health care in the United States is the concept of medical savings accounts. This is a plan that really goes back a long ways. As a matter of fact, in my district where we have an awful lot of farm families, they in effect have had medical savings accounts for a very long time. What they do is they essentially use their checking account as the medical savings account, but the principle is relatively simple and that is where people can put money away, either through their employer or individually, into a medical savings account to pay those ongoing medical bills. At the same time, they buy a catastrophic insurance policy that will pay those catastrophic expenses if they should come down with cancer, if they should need a major surgery, something like that. Catastrophic insurance is relatively inexpensive. And so in the last several years we have allowed more and more of the employers to do these medical savings accounts, to set up these programs on a pretax basis so that they get the advantages of the Tax Code. But there was one major, glaring error and omission from the legislation we passed in the past here in the Congress and that is that public employees could not participate in these. And so I have been talking to my public employees back in Minnesota. They would very much like to participate in medical savings accounts for a whole variety of reasons, one of which is it is a way that they can begin to save money for long-term care, because we are now beginning to

realize we are all getting older. I happen to be 52 years old. I was born in 1951. There were more babies born in 1951 than any other year, we are the peak of the baby boomers, and we are looking at this thing and saying, are there ways we can begin to put money away for long-term care. One of the ways you can do that is with medical savings accounts. But it is a glaring omission and it is terribly unfair to say that private employees in the private markets can go ahead and have access to these medical savings accounts but public employees cannot.

And so today I am introducing along with my colleagues the gentleman from Minnesota (Mr. SABO), the gentleman from Minnesota (Mr. PETERSON), the gentleman from Minnesota (Mr. RAMSTAD), the gentleman from Minnesota (Mr. KENNEDY), the gentleman from Minnesota (Ms. MCCOLLUM) and the gentleman from Minnesota (Mr. KLINE) the Minnesota MSA Empowerment Act of 2003. Essentially what this bill will do is allow public employees on a pilot program basis to have access to the same kind of programs that private employees have access to. It is a very good bill. It is a way for us to actually find out just how well these MSAs will work, especially with public employees. I am confident that they will work if they are given a chance. This is a pilot program just for Minnesota to demonstrate that MSAs will work for the consumer, they will work to help reduce the cost of health care and ultimately make it possible so people can begin to set aside dollars long-term for long-term care.

This is a good piece of legislation. I hope the people of the appropriate policy committees will give it a fairing hearing and if they will I am confident that ultimately this will become law. Mr. Speaker, I hope my colleagues will join me in support of this important legislation.

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#### CONCERNING THE CONFERENCE REPORT ON THE BUDGET RESOLUTION

The SPEAKER pro tempore. Pursuant to the order of the House of January 7, 2003, the gentleman from New Jersey (Mr. PALLONE) is recognized during morning hour debates for 5 minutes.

Mr. PALLONE. Mr. Speaker, I rise on the floor to call attention to the fiscal year 2004 budget resolution conference report and to express my opposition to the inclusion of any Medicaid or Medicare cuts as part of the final budget resolution.

Mr. Speaker, although the House-passed budget reconciliation contains an instruction to cut the Medicaid program by \$93 billion over 10 years, neither the Senate budget resolution nor the administration budget includes such devastating cuts to the Medicaid program. As Members know, the Medicaid program provides essential health coverage to 47 million low-income chil-

dren, working families, seniors and people with disabilities. Moreover, this critical safety net program under Medicare also contributes significantly to State economies by stimulating employment and business activity which we cannot afford to undermine.

States, Mr. Speaker, are currently facing the most severe budget crisis since World War II and nearly every State has proposed or enacted cuts in its Medicaid program. Any reduction in Federal Medicaid funding would place millions of vulnerable Americans now receiving Medicaid in jeopardy of losing their health insurance. Federal funding reductions would force States to implement even deeper cuts by restricting eligibility, eliminating or reducing critical health benefits and severely cutting or freezing provider reimbursement rates. As a result, Medicaid funding cuts would add millions more to the ranks of the 41 million Americans that are already uninsured.

In addition, Mr. Speaker, I oppose inclusion in the budget of sweeping mandatory cuts of potentially \$75 billion over 10 years to the Medicare program. Although the Republican budget on the surface level appears to take a softer line on Medicare cuts as compared to Medicaid, in fact the budget requires billions of dollars of mandatory program cuts to the Medicare program. I will show my colleagues how. The budget provides \$400 billion in a reserve fund for Medicare reform. However, the budget also instructs the Committee on Energy and Commerce to come up with \$107 billion that have to be in cuts to either Medicare, Medicaid or SCHIP, the kids' health insurance program, over 10 years and also requires the Committee on Ways and Means to require \$62 billion in cuts, some or all of which could fall on Medicare. So although there is not an absolute requirement that it comes from Medicare, because those two committees will not have many choices, we are going to see Medicare cuts as well, as well as the mandatory Medicaid cuts.

Mr. Speaker, while the budget resolution does not direct Medicare cuts, I am very concerned because it does not preclude them and these committees will be allowed to cut Medicare if that is what is required to fulfill the reconciliation instructions. As a member of the Committee on Energy and Commerce, I would do my best to prevent such cuts from taking place because the effects would be devastating to the structure and function of the Medicare program and, more importantly, to the health of our seniors and disabled.

Again, Mr. Speaker, I have to express my strong opposition to the inclusion of any Medicaid or Medicare cuts in the final budget resolution. They will only mean that more people will be uninsured, less health care services will be provided to a whole range of individuals, and all this is being done basically so that the Republicans can make more cuts for wealthy people, more tax cuts for the wealthy, more tax cuts for

corporate interests. It should not be done at the expense of Medicare or Medicaid.

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#### IN MEMORY OF SERGEANT DONALD WALTERS, OREGON SERVICEMAN WHO MADE THE ULTIMATE SACRIFICE

The SPEAKER pro tempore. Pursuant to the order of the House of January 7, 2003, the gentlewoman from Oregon (Ms. HOOLEY) is recognized during morning hour debates for 5 minutes.

Ms. HOOLEY of Oregon. Mr. Speaker, today I rise to pay my respect to a fallen soldier, a hero from my district who made the ultimate sacrifice for our country.

Sergeant Donald Walters grew up in Colorado, Springs, Colorado. His family moved to Salem, Oregon, when he was in middle school. As a teenager, Donald worked at a Salem grocery store. He liked to fish, camp and had a long-standing interest in the military. He wanted to make a difference. A year after graduating from North Salem High School, he joined the Army.

Donald was an aspiring writer of children's books. Donald served in the first Persian Gulf war, then left the military about 2 years ago. As a testament to his undying love of our country, he reenlisted in the Army after September 11. For the weeks that Sergeant Walters was missing in action, his community in Oregon showed their support. Nearly every house on the block was adorned with an American flag, a yellow ribbon, or both. Sergeant Walters leaves behind his wife Stacie, three loving daughters, his parents Arlene and Norman, and his sister Kimberly. To all those who he left behind, my heart and prayers are with you as well as the hearts and prayers of a grateful Nation. We will not forget you, Sergeant Donald Walters.

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#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 11 a.m.), the House stood in recess until noon.

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□ 1200

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mrs. BIGGERT) at noon.

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#### PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer: Lord God, because Your prophet Jeremiah is so highly personal, agonizing for his people and constantly interacting with the members of his community, he becomes a model for the Members of the 108th Congress.

His hopes and visions, doubts and hesitations, anger and resentments, as

well as arguments and pleading and bonding with others, all these emotions and the troublesome times tear apart Jeremiah's fragile temperament and fling themselves upon the pages of his prophecy.

Jeremiah is realistic and bold as he declares sin inevitably brings its own sorrow. People who go after empty idols become empty themselves. We are all transformed for good or bad by that which we desire.

Lord, because this prophet will not evade the honest emotional reaction of what is going on around him, You make him a guide for Your people now caught up in war. Although Jeremiah is never far removed from the agony of people, hope for him is always stirring just beneath the surface of the barren Earth.

The word of the Lord endures forever. Amen.

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#### THE JOURNAL

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

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

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#### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from Florida (Ms. ROS-LEHTINEN) come forward and lead the House in the Pledge of Allegiance.

Ms. ROS-LEHTINEN 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.

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#### APPOINTMENT OF MEMBERS TO UNITED STATES CAPITOL PRESERVATION COMMISSION

The SPEAKER pro tempore. Pursuant to 40 U.S.C. 188a, and the order of the House of January 8, 2003, the Chair announces the Speaker's appointment of the following Members of the House to the United States Capitol Preservation Commission:

Mr. YOUNG, Florida.

Mr. LATOURETTE, Ohio.

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#### CONGRATULATING OUR LADY OF LOURDES ACADEMY

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

Ms. ROS-LEHTINEN. Madam Speaker, I would like to take this opportunity to congratulate Our Lady of Lourdes Academy in my congressional district for winning first place at the "Florida We the People: The Citizen and the Constitution" competition. This civics competition ensures that students understand the history and the philosophy of our U.S. Constitution

and our Bill of Rights. It is an important program that aids students in understanding their rights and responsibilities as American citizens.

Lourdes Academy, the reigning national champions, will be coming to Washington this month to compete for the national title. Please join me in congratulating the students of Lourdes Academy and especially their teacher, Rosie Heffernan, on their outstanding achievement and wishing them much success in the national competition.

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#### SUPPLEMENTAL LEAVES CRITICAL AREAS UNDERFUNDED

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

Ms. LORETTA SANCHEZ of California. Madam Speaker, I rise today to speak against the supplemental bill proposed by the Bush administration.

While Democrats strongly support the immediate passing of whatever is necessary to support our troops, the administration's war supplemental appears to leave critical areas severely underfunded.

Under the bill, there would be no money, no money, to provide communication equipment for first responders, leaving many local police, firefighters, and emergency workers unable to communicate with each other during an emergency.

There would be no money, no money, for homeland security grants, despite the Coast Guard's latest report that they are short almost \$1 billion to meet port security needs in this year alone.

This bill also leaves nuclear security needs amounts unmet, providing only 7 percent of the \$380 million which his own Secretary of Energy identified as an urgent homeland security requirement.

This bill is bad for the economy, and it is bad for our Nation's first responders. Underfunding critical programs and operations puts our homeland at risk.

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#### AMERICAN DREAM DOWN PAYMENT ACT

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

Ms. HARRIS. Madam Speaker, this afternoon the Subcommittee on Housing and Community Opportunity of the Committee on Financial Services will begin hearings on President Bush's visionary plan to extend the dream of homeownership to tens of thousands of low-income families and individuals across our Nation.

As I have consulted with housing advocates throughout my district, I have repeatedly heard that a great number of low-income Americans could meet a monthly mortgage payment were it not for that initial obstacle of the closing costs and down payment associated with the traditional residential loan.

H.R. 1276, the American Dream Down Payment Act, removes that barrier for an estimated 40,000 low-income families and individuals every year.

Madam Speaker, the extension of affordable quality housing opportunities to every American is a moral imperative for a decent, compassionate society. H.R. 1276 represents a powerful step toward this goal, providing thousands of men, women and children across our Nation with the dignity, stability and economic empowerment of homeownership.

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#### REPUBLICAN BUDGET SHORTCHANGES AMERICA

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

Ms. WATSON. Madam Speaker, the budget shortchanges the security of cities and towns across America. The next terrorist we catch might be caught by the FBI, but it is more likely that they will be found by local law enforcement, like the routine traffic stop in April of 2001, where a police officer pulled over none other than the 9-11 ring leader Mohammed Atta.

It is not clear that the 9-11 attacks could have been prevented by a traffic stop, but what should be clear is that even if our government has information on would-be terrorists, local law enforcement is still out of the loop.

The President and the Republican leaders in Congress both ignore this issue in their budgets. While we spend billions to tear down and rebuild Iraq, the Republican budget shortchanges the local police officers, firefighters, and other first responders who are America's first defense against terror.

In my own district, the community of Culver City, California, is right next to the Los Angeles International Airport. They need our support with first responders.

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#### KEEP NETHERCUTT-KENNEDY AMENDMENT ON SUPPLEMENTAL

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

Mr. KINGSTON. Madam Speaker, this week we will be voting on our supplemental appropriations bill to help partially fund the war in Iraq. An important amendment, which was unanimously agreed to by the House that is on that bill, was called the Nethercutt-Kennedy amendment, and it has to do with the fact that the Congress has voted not to allow Germany, France, Syria and Russia to share in American taxpayer-funded reconstruction efforts in Iraq.

The idea behind this is that Russia, France, Syria and Germany have not been on our side and, in many ways, helped accelerate the war in Iraq by seeming to side with Saddam Hussein. We believe that if the U.N. Security Council and these members were unified against the weapons of mass destruction and the regime of Saddam

Hussein, perhaps we would be at peace today in trying to find diplomatic solutions; but now, it seems these very countries who are against U.S. action, who have made a 4-month national pastime of bashing the U.S., now they want to get U.S. tax dollars and help rebuild Iraq.

The Nethercutt amendment speaks to this, and I hope that the conference committee will keep that in the legislation.

#### OFFICE OF PEACE

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

Mr. KUCINICH. Madam Speaker, in a moment I will introduce legislation with 46 cosponsors to create a Department-level office of peace and the Department of Peace is introduced at this moment when it seems that war is inevitable, when our troops are in the streets of Baghdad, when members of the administration talk about the possibility of invasion of Iran and the possibility of invasion of Syria.

This is the moment when we need to ask whether the war is inevitable or not. This is the moment when a Department of Peace can take steps to making nonviolence an organizing principle in our society and when we can create a structure in our government where we can strive to make war itself archaic.

Forty-seven Members of Congress have put their names on this legislation because we are at a moment in the history of our Nation and in the world where we need to be asking questions. Is war inevitable? Forty-seven Members of Congress say no. Is peace inevitable? The answer must be yes.

#### HOUSING ACTION RESOURCE TRUST

(Mr. GARY G. MILLER of California asked and was given permission to address the House for 1 minute.)

Mr. GARY G. MILLER of California. Madam Speaker, one of the main barriers of homeownership today is the down payment requirement from individuals that do not have the money. Do down payment assistance programs work? They do.

One example is in Rancho Cucamonga, California. The Housing Action Resource Trust, called HART, was formed in 1995; and in 1998, they started giving homeowners down payment assistance, and it is all private funds. Not a dollar of it is government funds.

What they have done is help 40,000 families actually achieve homeownership, and it is significant. Like I said, not a dime of it is government funds.

The HART gift funds can be used for down payment, closing costs, prepaid payments that can be used to remit buy-downs; and the main obstacle we have for moving people from apart-

ments and rental units to housing is basically they do not have the money.

There are programs that do work. The government needs to look at participating in this.

#### EXTENDED UNEMPLOYMENT RELIEF

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

Mr. DEFAZIO. Madam Speaker, 18 months ago, the Republican leadership during the debate on the first \$15 billion bailout for the airline industry promised that soon, promptly, we would consider employee relief, including financial assistance, health insurance and training for new careers. It is 18 months later, and those 150,000 airline employees are still waiting, 18 months of waiting.

The airlines project they will lay off another 70,000 because of the war with Iraq. Boeing has cut 30,000 workers. They are all still waiting for that financial assistance and extended unemployment package.

Finally, today, here on the United States House of Representatives floor for the first time, 18 months too late, we are going to take a vote on that issue; and we will see where people really stand, whether they are with the workers or they just want to bail out the corporations.

#### REGULATORY TURMOIL

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

Mr. BACHUS. We should be particularly concerned about the negative effects which needless regulatory uncertainty and policy turmoil are having on this country's telecommunications industry.

□ 1215

The United States' economy is very dependent on an efficient and effective telecommunication industry and the links they provide. Maintaining these important systems and building new advanced networks we are going to need requires a climate of regulatory stability. No one is going to invest heavily if they do not know what the fundamental rules of the game are.

The 1996 Telecommunications Act envisions the FCC coming up with a workable, judicially sustainable, competitive framework in short order. Seven years have passed since the act was signed into law, and according to most authorities, the FCC's latest decision is almost certain to be reversed and remanded once more.

In closing, Congress has a responsibility to the shareholders of these companies, to the hundreds of thousands of employees, and, most of all, to millions of consumers to end this turmoil. It is not good for anyone.

#### NATIONAL ASSOCIATION OF LETTER CARRIERS FOOD DRIVE

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

Mr. INSLEE. Madam Speaker, I rise today to mention a very important charitable project by our National Association of Letter Carriers, who have been engaged in this for several years. On the second Saturday in May, which will be May 10 this year, letter carriers in over 10,000 cities and towns will be delivering much more than mail on their routes. They will be collecting food donations left for them by their caring patrons on the 11th annual letter carriers national food drive.

I want to take this opportunity to commend the letter carriers for this incredible charitable endeavor. This effort by the letter carriers is the largest 1-day food drive in the Nation, and it has resulted in the last 10 years in over half a billion pounds of food donations to our local communities. I hope everyone listening will participate on May 10 by leaving a box of nonperishable food next to their mailbox before their mail arrives. It will help the estimated 30 million people who go hungry every day in America, including 12 million children.

Congratulations to our letter carriers for a job well done.

#### GENERAL LEAVE

Mr. YOUNG of Florida. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the motion to go to conference on H.R. 1559, making emergency wartime supplemental appropriations for the fiscal year ending September 30, 2003, and for other purposes, and that I may include tabular and extraneous material.

The SPEAKER pro tempore (Mrs. BIGGERT). Is there objection to the request of the gentleman from Florida?

There was no objection.

#### APPOINTMENT OF CONFEREES ON H.R. 1559, EMERGENCY WARTIME SUPPLEMENTAL APPROPRIATIONS ACT, 2003

Mr. YOUNG of Florida. Madam Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 1559) making emergency wartime supplemental appropriations for the fiscal year ending September 30, 2003, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

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

There was no objection.

MOTION TO INSTRUCT OFFERED BY MR. OBEY

Mr. OBEY. Madam Speaker, I offer a motion to instruct.

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

The Clerk read as follows:

Mr. OBEY moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill, H.R. 1559, recede to the Senate on section 409 of the Senate amendment, providing 26 weeks of additional temporary extended unemployment compensation for displaced airline related workers.

The SPEAKER pro tempore. The gentleman from Wisconsin (Mr. OBEY) will be recognized for 30 minutes, and the gentleman from Florida (Mr. YOUNG) will be recognized for 30 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Madam Speaker, I yield myself 8 minutes.

Madam Speaker, American citizens often hear Members of Congress talk in terms that they do not understand. They hear us talking about Blue Dogs, Blue Dog Democrats, they hear us talking about Yellow Dog Democrats. Sometimes they see us acting like lap dogs, and today I am afraid that the House may wind up genuflecting to Top Dogs, because that has been the general pattern on the issue that I am raising this afternoon.

After 9/11, the Congress passed a \$15 billion airline assistance package, \$5 billion in direct cash payments and \$10 billion in direct loans and loan guarantees. The Congress was asked at the same time, and a number of us have tried to get it done, but Congress had asked at the same time that we were bailing out the airline industry to also recognize workers within that same industry who were also losing their jobs and should have some help from the government. The Congress responded by saying, no, thank you.

Now, the bill that the House passed last week contained \$3.2 billion in cash payments for the airline industry on this go-round and the Senate bill contained a figure of slightly over \$2 billion. We are here today again to ask that if we are going to be bailing out the airline industry that we also provide some \$275 million in assistance to the workers in that same industry by providing an additional 26 weeks of temporary extended unemployment benefits for displaced airline-related workers.

Now, the administration has let it be known what their position is, and essentially they are opposed to this proposal. And what they are telling Congress is that, instead, we should work with the administration to make sure that any aid package is appropriately scaled and "appropriately based on free market principles." Well, I guess I am kind of new around here and naive around here, and I am not quite sure what those "free market" principles are when it comes to the airline industry.

To me, I think that the airline industry is a let's pretend industry, run by let's pretend capitalists who are on the public dole, and I do not mean Bob.

They are out here once again asking the taxpayers to help finance their survival. Now, we have had some of those airlines go bankrupt not once, not twice, but three times. I asked on the House floor last week how many times Continental Airlines had to go bankrupt before they were bankrupt. I still have not received an answer.

Now, I will fully grant that given the serious nature of the war, given the impact of 9/11, and given the fact that the airlines are a crucial part of our economy and our transportation system, I would fully grant that some kind of cooperative relationship between us and the airlines will be necessary in order to keep this economy healthy. But it seems to me that we ought to have some systematic way to assure that when we are bailing out the airline industry and its executives, that at least some of those taxpayers' dollars wind up trickling down to the workers who keep those airlines moving in the first place.

So that is the purpose of this amendment.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind all persons in the gallery that they are here as guests of the House, and that any manifestation of approval or disapproval of proceedings or other audible conversation is in violation of the rules of the House.

Mr. OBEY. I assume that does not come out of my time, Madam Speaker.

The SPEAKER pro tempore. It does not.

Mr. OBEY. So, as I was saying, lest anyone think that it is not needed, the airline industry itself estimates that we have had a 15 percent increase in unemployment in that industry since 9/11, and since January 1, we have seen another 15,000 layoffs.

So I would ask the Members of this House today to, for a change, let us not institutionally genuflect to the top dogs in this society. Let us keep in mind the needs of the underdogs and provide at least some modicum of assistance to the workers I am talking about.

Let me also explain that there will be a rollcall on this vote. I know that it may be possible that this motion could be adopted on a voice vote. But frankly, if we were to simply have a voice vote, it would not mean anything to anybody. It would be very easy to jettison this language in conference.

So I think to assure that this vote is a meaningful vote, let the chips fall where they may in terms of passage. To assure that it is a meaningful vote and not just a sleight of hand so Members can say, "Well, do not worry, airline worker, I voted with you. Of course, it was not a rollcall vote, and of course the leadership made us turn around in conference so that there would not be any." But I would urge Members to vote for the motion.

Madam Speaker, I yield such time as he may consume to the gentleman from Maryland (Mr. HOYER).

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

Mr. HOYER. Madam Speaker, I rise in support of the motion to instruct.

Madam Speaker, I urge all of my colleagues to support this Democratic motion to instruct House conferees on the supplemental appropriations bill.

It's just. It's fair. And it enjoys bipartisan support in both the House and the Senate, even if the Bush administration has labeled it "objectionable."

In short, this motion would instruct House conferees to recede to the Senate provision providing an additional 26 weeks of unemployment compensation to workers in the air transportation industry.

This industry and its workers have borne the brunt of the continuing war on terrorism and have been wracked by our sluggish economy.

In fact, the industry is expected to lose \$6.7 billion this year.

Approximately 200,000 airline workers have lost their jobs since September 11, 2001, and another 70,000 workers are expected to be laid off.

Last week, the world's largest carrier, AMR Corporation's American Airlines, averted Chapter 11 bankruptcy by negotiating \$1.8 billion in labor concessions.

And U.S. Airways only recently emerged from bankruptcy after winning approval for \$900 million federal loan guarantee.

Last week, I also had the opportunity to meet with representatives of the industry and airline workers.

And they know that their fate is inextricably linked; that one cannot survive without the other.

Today, through this motion, we recognize that and say: What's fair for the industry is fair for workers.

In fact, members on both sides of the aisle want to help.

This motion would instruct conferees to agree to a provision that is very similar to bipartisan legislation introduced last week by our colleagues, Mr. ENGLISH of Pennsylvania and Mr. OBERSTAR of Minnesota [H.R. 1553, the "Air Transportation Employees Assistance Act"].

The Senate has already passed a plan to extend unemployment insurance benefits in its version of this legislation.

The Members of this body should do the same thing to aid this struggling industry, and its workers and their families.

That's precisely what this motion to instruct seeks.

I urge my colleagues to support it.

Mr. OBEY. Madam Speaker, I yield 5 minutes to the gentlewoman from California (Ms. PELOSI), the distinguished minority leader.

The SPEAKER pro tempore. If we may go first to the gentleman from Florida (Mr. YOUNG).

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

I am sorry. Did the gentlewoman wish to go? I will always yield to the gentlewoman from California.

Ms. PELOSI. I am pleased to yield to the gentleman from Florida.

Mr. OBEY. Madam Speaker, if the gentlewoman would yield to me briefly, let me explain that I thought we

had an understanding that I would explain the motion, that the gentleman would make her comments, and then the gentleman would close and we could yield back the balance of our time.

Mr. YOUNG of Florida. Madam Speaker, I apologize to the gentleman. I guess I did not understand exactly. But that is fine with me. No problem whatsoever.

Mr. OBEY. Fine. Madam Speaker, I yield 5 minutes to the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Madam Speaker, I thank the gentleman from Wisconsin (Mr. OBEY) for yielding me this time, and if that is not pleasing to the distinguished chairman of the committee, I am pleased to yield to him first. If it is okay, then I will proceed.

Madam Speaker, once again I wish to thank the gentleman from Wisconsin (Mr. OBEY) for his leadership on this important issue, important to America's workers. Today, we have an opportunity to do the right thing for America's aviation workers.

Both the House and Senate versions of the supplemental appropriations bill include financial assistance for the airlines, as they should. Aviation is an essential cornerstone of the U.S. economy. Both the House and Senate bills focus primarily on mitigating for the cost of security provisions required by the Federal Government, as those bills should have that funding. But we cannot ignore the workers who form the backbone of the aviation industry.

Madam Speaker, at least 150,000 workers in the aviation industry have lost their jobs since 9/11, including those who work for the airlines and related industries. Many of these workers have exhausted their unemployment benefits, and that was months ago. But with the industry still contracting, new jobs are impossible to find. Thousands more airline workers have lost their jobs since the Iraq war began and layoffs in the industry could reach 70,000 more. Concern about the exposure to the deadly SARS disease in Asia is now reducing air travel from the U.S. to Asia even further.

The Senate has included \$225 million for extended unemployment compensation for aviation workers. The House should recede to the Senate position.

□ 1230

Madam Speaker, it is the least that we can do. I urge Members to vote for relief for aviation workers. To support the Obey motion to instruct conferees, vote for the motion to instruct.

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

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

Madam Speaker, I am not really opposed to what the gentleman is suggesting here. The Committee on Appropriations did add \$3.2 billion to the wartime supplemental to deal with airline issues and to be helpful to the air-

line industry. So there is plenty of money to handle this issue, but I am going to vote against it because of the problems it could cause as we go to conference.

We have a tight schedule. The committees on both sides of the aisle have worked extremely well. Just a few days after receiving the President's request, the Committee on Appropriations reported the bill to the House. As Members know, last Thursday we passed this bill with an overwhelming vote in the House.

However, there are some significant differences between our bill and the bill presented by the other body. I just have the feeling this is going to be a fairly difficult conference because, while the House kept the bill very clean and close to what the President requested, to fight the war and provide for homeland security and to support those of our coalition who are helping us in this war effort, the other body, frankly, added quite a few things that were extraneous to the wartime issue; and that is going to make the conference a little difficult.

I want to get this conference completed. Leadership has advised me, as well as most of the Members, that we are not going to take our Easter district work period recess until this bill has left the Congress and has gone to the President since it is important to what the President is doing in Iraq. I will vote against this motion. I want to again emphasize we need to move this bill quickly. If the conference gets tied up for more than 2 days, we will not get this bill to the floor in time for the House to take its usual Easter recess. In addition, I am opposed to motions to instruct in general. I have no objection to what the gentleman wants to do, but it is just procedural for me. I think it could complicate the conference on this very important wartime supplemental.

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

The SPEAKER pro tempore (Mrs. BIGGERT). Without objection, the previous question is ordered.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Wisconsin (Mr. OBEY).

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

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

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair

announces that she will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Any record votes on postponed questions will be taken later today.

#### NUTRIA ERADICATION AND CONTROL ACT OF 2003

Mr. GILCHREST. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 273) to provide for the eradication and control of nutria in Maryland and Louisiana.

The Clerk read as follows:

H.R. 273

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Nutria Eradication and Control Act of 2003".

#### SEC. 2. FINDINGS AND PURPOSES.

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

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

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

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

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

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

#### SEC. 3. NUTRIA ERADICATION PROGRAM.

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

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

(1) eradicate nutria in Maryland;

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

(3) restore marshland damaged by nutria.

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

(d) COST SHARING.—

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

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

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

(f) AUTHORIZATION OF APPROPRIATIONS.—For financial assistance under this section, there is authorized to be appropriated to the Secretary \$4,000,000 for the State of Maryland program and \$2,000,000 for the State of Louisiana program for each of fiscal years 2004, 2005, 2006, 2007, and 2008.

#### SEC. 4. REPORT.

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

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

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

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

The Chair recognizes the gentleman from Maryland (Mr. GILCHREST).

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

Madam Speaker, I am pleased to offer this measure along with the gentleman from Louisiana (Mr. TAUZIN). The fundamental goal of this legislation is to effectively address the growing problem of nutria that are destroying thousands of acres of essential wetland habitat. It also reauthorizes a 1998 law that created a pilot nutria program in Maryland at Blackwater National Wildlife Refuge, Fishing Bay Wildlife Management Area, and Tudor farms.

Since that time, Federal, State and local partners have worked together in Maryland to develop a nutria eradication strategy and to test restoration methods on the damaged marsh. Louisiana is working on a nutria control strategy and monitoring marsh recovery. These are both carefully crafted proposals which will systematically address nutria population control and marsh damage. They represent the culmination of scientific understanding about nutria population, dynamics and marsh impacts.

Because of the nutria's incredible ability to proliferate, partnerships in both States must act aggressively to avoid population increases that could nullify previous effort and investment of public and private resources. Both Maryland and Louisiana are serious about nutria control and have contributed several million in non-Federal funds, and both are committed to providing models for the control of nutria in the 14 other States in which they are found. Full commitment from both

Federal and State partners is needed to complete these models over the next 5 years.

This semi-aquatic, nonnative rodent has no natural predators in Maryland, and they have consumed nearly half of the marsh lands on Blackwater National Wildlife Refuge. These marshes are vital to the survival of millions of migratory waterfowl, bold and golden eagles, and neotropical songbirds. The remaining acreage of Blackwater is in serious peril. Unless nutria are stopped, they will continue to destroy wetlands in Blackwater and other refuges on the Delmarva peninsula, and marshlands along the Atlantic coast and the Gulf of Mexico.

H.R. 273 will authorize Public Law 105-322, and it will implement the next step in the process, which is the eradication of nutria in Maryland as well as the restoration of damaged wetlands. In their testimony, the U.S. Fish and Wildlife Service stated: "We recognize the need to continue cooperative efforts to eradicate nutria in the Chesapeake Bay region and will continue as a key Federal member of the nutria eradication partnership."

In addition, H.R. 273 authorizes money to alleviate the tremendous problems that nutria have caused in Louisiana. According to the Louisiana Department of Wildlife and Fisheries, these pesky rodents have damaged or destroyed over 100,000 acres of wetlands in their State.

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

Madam Speaker, H.R. 273 will help to solve serious problems facing Maryland's Eastern Shore and Louisiana's marshlands. It will serve as a model for other States that may face the prospect of fighting against an invading population of nutria. I urge Members to vote for H.R. 273.

Madam Speaker, I reserve the balance of my time.

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

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

Mrs. CHRISTENSEN. Madam Speaker, as stated by the gentleman from Maryland (Mr. GILCHREST), the overall purpose of this legislation is to better coordinate and provide financial assistance to the States of Maryland and Louisiana in their efforts to eradicate and/or control nutria, a large member of the rodent family that has decimated wetland areas in both States.

Madam Speaker, no one denies the fact that nutria have become far too abundant in some regions of both States. In addition, it is the consensus of wildlife biologists that greater effort should be undertaken now to control this invasive pest before it ruins more

valuable fish and wildlife habitat. This legislation is noncontroversial and should also help conserve coastal wetlands, something which is very important to my district. I support H.R. 273 and urge Members to do likewise.

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

Mr. GILCHREST. Madam Speaker, I yield myself such time as I may consume to close.

Madam Speaker, I thank the leadership on the other side of the aisle for moving this legislation. We appreciate the cooperation we have had from the Democrats, as well as staff on both sides. I urge Members to vote for this very important piece of legislation.

Mr. TAUZIN. Madam Speaker, Nutria is a rodent native to South America. They weigh approximately 18 pounds and resemble a beaver. In the 1930's, they were introduced into Louisiana. Studies indicate that female nutria are capable of producing up to 15 young per year. By 1943, they were well established in our state. The population of nutria in Louisiana reached levels of 20 million—many times higher than any other state in the country.

The preferred habitat of this rodent is wetland areas. They often dig intricate tunnel and burrow systems in their home range. Nutria have been known to eat rice, sugarcane, fruit and nut trees and seedlings of bald cypress, but prefer wetlands plants. Studies suggest that they waste 90 percent of plant material while feeding on the base and root system. This root system "holds" our fragile wetlands areas together. When the root systems are destroyed, so are the wetlands.

Researchers in Louisiana have fenced off areas of wetland plants in known nutria breeding areas. The protected area have had wetlands plants exceed six feet in height, while the unprotected areas have literally turned into mud, and eventually, open water. Between 2000 and 2001, the area of marsh converted to open water increased by over 4500 acres as a results of nutria damage. These rodents have damaged or destroyed over 100,000 acres in Louisiana.

The State of Louisiana has spent millions of dollars responding to this crisis. Nutria have been used as a source of fur, their meat has been placed on numerous restaurant menus and marketed by Louisiana's top chefs, they have been used as a food source for alligators in farming operations and the Audubon Zoo in New Orleans used them in their animal feed. In 2001 dollars, pelts sold at levels as high as \$31 each in 1931, \$23 each in 1977, and today, \$2.18 per pelt. In the late 1970's, trappers removed up to 1.9 million nutria per year. More recently, despite the best efforts of the state, only 987 trapping licenses were sold and less than 30,000 nutria were taken.

The American alligator is the most significant natural predator of nutria. In Louisiana, where alligator are most abundant, nutria comprise up to 60 percent of alligator diet. However, efforts to control the growing nutria population with alligator have proven insufficient. In fact, efforts to increase the alligator population to control nutria only resulted in a decrease of nutria in the alligator's diet and an increase in nutria trappers in alligator's diets.

I am happy to join my friend from Maryland, Congressman GILCHREST, in this effort to protect our fragile wetland areas from future destruction by passage of H.R. 273. As you

know, more endangered species depend upon the habitat provided by wetlands than any other environment for survival. In coastal areas, each mile of vegetated wetland also reduces storm surge by one foot—protecting these areas will save FEMA money in future natural disasters.

This bill recognizes the wetland destruction caused by nutria in Louisiana and authorizes the Department of Interior to become a partner in our state's ongoing efforts to prevent further damage to inland and coastal wetland areas as a result of nutria.

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

□ 1245

The SPEAKER pro tempore (Mrs. BIGGERT). The question is on the motion offered by the gentleman from Maryland (Mr. GILCHREST) that the House suspend the rules and pass the bill, H.R. 273.

The question was taken.

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

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

The yeas and nays were ordered.

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

REQUIRING SECRETARY OF AGRICULTURE TO PAY COSTS OF ENVIRONMENTAL REVIEWS WITH RESPECT TO CONVEYANCES UNDER EDUCATION LAND GRANT ACT

Mr. HAYWORTH. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 108) to amend the Education Land Grant Act to require the Secretary of Agriculture to pay the costs of environmental reviews with respect to conveyances under that Act.

The Clerk read as follows:

H.R. 108

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

**SECTION 1. COSTS OF REVIEWS FOR CONVEYANCES UNDER EDUCATION LAND GRANT ACT.**

Section 202 of the Education Land Grant Act (16 U.S.C. 479a) is amended by adding at the end the following:

“(f) COSTS OF REVIEW.—The Secretary shall pay the costs of all action required under section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)) with respect to any conveyance under this section.”.

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

The Chair recognizes the gentleman from Arizona (Mr. HAYWORTH).

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

Madam Speaker, H.R. 108, which amends the Education Land Grant Act to require the Secretary of Agriculture to pay the costs of environmental reviews, is an important piece of legislation for many schools, many school districts, but most of all for many students across the United States of America.

Currently the new Education Land Grant Act enacted in the 106th Congress allows the Forest Service to convey up to 80 acres of its land to school districts to renovate, expand, or construct school facilities. The act requires that land conveyed is identified for disposal in the particular forest's plan and that the conveyance cost of the survey is borne by the applicant. The Forest Service has determined this cost to be \$10 per acre.

However, both conveyance of land under this act and the forest plan amendment require an environmental analysis under the National Environmental Policy Act known as NEPA. Presently the Education Land Grant Act and the interim Forest Service manual fail to indicate who bears the cost of the environmental analysis.

Madam Speaker, this is the crucial point today. In implementing this law, the Forest Service staff has administratively determined that schools that apply for a conveyance under this act would need to pay for various administrative costs, analyses, and environmental compliance assessment. In fact, Madam Speaker, the interim directive that has now finally been distributed states various costs to be borne by school districts, and, I quote now, “Nominal costs includes the nominal fee of \$10 per acre conveyed, plus all costs directly associated with the project that the Forest Service may incur to evaluate and process a school district's request to acquire National Forest Service lands under ELGA, such as, costs associated with National Environmental Policy Act compliance, document preparation, surveys, posting of property monuments, markers, or posts, and recordation.”

In fact, another memo mentioned that even staff time, that even staff time used to process requests will need to be paid by school districts.

Madam Speaker, my colleagues, what we have here is a disconnection. In the 106th Congress this body passed the new Education Land Grant Act unanimously. The other body did likewise. It was signed into law by President Clinton in his final days of office. Here we have a textbook example of elected officials, constitutional officers, doing their job. As the author of the new Education Land Grant Act, it was never my intent for a governmental bureaucracy to determine administratively that they were going to charge the rural school districts of America for their staff time. Indeed, Madam Speaker, if I am not mistaken, anyone in the employment of the United States Government serves the people, and here we have an administrative di-

rective saying we are going to charge school district X staff time for Federal workers to work on this. This is a disconnection between the intent of Congress, the assent of the executive branch, and the execution by a bureaucracy.

Madam Speaker, the costs associated with the conveyance under ELGA are truly minimal to the Forest Service, a drop in the bucket for that agency. Here is the problem: Those same costs can prove absolutely prohibitive to school districts seeking to expand their facility. Indeed, Madam Speaker, the intent of the legislation was to offer this land at minimal costs to school districts, and our studies have borne out that in 44 of our 50 States this will have a positive impact primarily for rural districts, but the entire intent of the legislation was to allow those rural districts to focus their financial resources where they are best used, helping teachers teach and helping children learn, not to be caught up in a bureaucratic morass that would prove to be prohibitive to those districts.

So this particular piece of legislation, Madam Speaker, H.R. 108, will require the Forest Service to accept the full cost of the environmental analysis required by NEPA for these small land conveyances. This would free local school districts from burdensome administrative costs, allow them to spend funds again on what is most important, what goes on in the classroom for their students.

The Education Land Grant Act was initially passed by this Congress for the purpose of aiding local school districts. This legislation will simply direct the Forest Service to pay for any environmental analysis costs, allowing the Act to achieve its original intent of improving communities and benefiting school children across the United States.

Madam Speaker, I would ask my colleagues to join me in support of this legislation.

Madam Speaker, I reserve the balance of my time.

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

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

Mrs. CHRISTENSEN. Madam Speaker, H.R. 108 would require the Secretary of Agriculture to pay the costs of environmental reviews conducted pursuant to the Educational Land Grant Act. The majority and my colleague have already clearly and very passionately explained the bill, and we have no objection. So we support H.R. 108.

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

Mr. HAYWORTH. Madam Speaker, I thank the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) for her favorable comments.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. HAYWORTH) that the House suspend the rules and pass the bill, H.R. 108.

The question was taken.

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

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

The yeas and nays were ordered.

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

#### McLOUGHLIN HOUSE NATIONAL HISTORIC SITE ACT

Mr. GILCREST. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 733) to authorize the Secretary of the Interior to acquire the McLoughlin House National Historic Site in Oregon City, Oregon, and to administer the site as a unit of the National Park System, and for other purposes.

The Clerk read as follows:

H.R. 733

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

#### SECTION 1. SHORT TITLE; DEFINITIONS.

(a) SHORT TITLE.—This Act may be cited as the "McLoughlin House National Historic Site Act".

(b) DEFINITIONS.—For the purposes of this Act, the following definitions apply:

(1) ASSOCIATION.—The term "Association" means the McLoughlin Memorial Association, an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code.

(2) CITY.—The term "City" means Oregon City, Oregon.

(3) HISTORIC SITE.—The term "Historic Site" means the McLoughlin House National Historic Site which is described in the Acting Assistant Secretary of the Interior's Order of June 27, 1941, and generally depicted on the map entitled "McLoughlin House National Historic Site", numbered 007/80,000, and dated 12/01/01, and includes the McLoughlin House, the Barclay House, and other associated real property, improvements, and personal property.

(4) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

#### SEC. 2. FINDINGS.

Congress finds the following:

(1) On June 27, 1941, Acting Assistant Secretary of the Interior W.C. Mendenhall, by means of the authority granted the Secretary under section 2 of the Historic Sites Act of August 21, 1935, established the McLoughlin Home National Historic Site, located in the City.

(2) Since January 16, 1945, the site has been known as McLoughlin House National Historic Site.

(3) The Historic Site includes the McLoughlin House and Barclay House, which are owned and managed by the Association.

(4) The Historic Site is located in a Charter Park on Oregon City Block 40, which is owned by the City.

(5) A cooperative agreement was made in 1941 among the Association, the City, and

the United States, providing for the preservation and use of the McLoughlin House as a national historic site.

(6) The Association has had an exemplary and longstanding role in the stewardship of the Historic Site but is unable to continue that role.

(7) The Historic Site has been an affiliated area of the National Park System and is worthy of recognition as part of the National Park System.

#### SEC. 3. McLOUGHLIN HOUSE NATIONAL HISTORIC SITE.

(a) ACQUISITION.—The Secretary is authorized to acquire the Historic Site, from willing sellers only, by donation, purchase with donated or appropriated funds, or exchange, except that lands or interests in lands owned by the City may be acquired by donation only.

(b) BOUNDARIES; ADMINISTRATION.—Upon acquisition of the Historic Site, the acquired property shall be included within the boundaries of, and be administered as part of, the Fort Vancouver National Historic Site in accordance with all applicable laws and regulations of the National Park System.

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

The Chair recognizes the gentleman from Maryland (Mr. GILCREST).

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

Madam Speaker, H.R. 733, introduced by the gentlewoman from Oregon (Ms. HOOLEY) authorizes the Secretary of the Interior to acquire the McLoughlin House National Historic Site in Oregon City, Oregon, and to administer it as part of the existing Fort Vancouver National Historic Site, which has already been established as a unit of the National Park System.

I would like to say after reading some of the information before us here this morning that I want to thank the gentlewoman from Oregon (Ms. HOOLEY) for bringing this to the floor's attention and that the "father of Oregon," as it is stated here, Dr. John McLoughlin from the Hudson Bay Company, provided many weary travelers with the goods and the resources and the comfort that they needed as they traversed this great continent.

H.R. 733, introduced by Congresswoman DARLENE HOOLEY, authorizes the Secretary of the Interior to acquire the McLoughlin House National Historic Site in Oregon City, Oregon, and to administer it as part of the existing Fort Vancouver National Historic Site, which has already been established as a Unit of the National Park System. The McLoughlin House, an Affiliated Area of the National Park System, has long been the beneficiary of a close working relationship between the managing entity, the McLoughlin Memorial Association, and its partner, the National Park Service. The McLoughlin Memorial Association is no longer in a position to be able to support and manage the National Historic Site. Consequently, this bill will enable the National Park Service to essentially exchange roles with the association to preserve this important historical treasure, while continuing to use the association as a resource. At the same time, the bill does not

create a new park unit, but rather allows the House to be administered as part of an existing unit.

The McLoughlin House National Historic Site is named for Dr. John McLoughlin, the "Father of Oregon" who established the famous British Hudson Bay Company in Vancouver, Washington in 1825. Dr. McLoughlin supplied American pioneers with the goods they needed to settle and survive at their new home in Oregon.

The House passed the same language in this bill during the 107th Congress as part of a larger package. The bill still enjoys the same broad support that it did last Congress and I urge my colleagues to support it.

Madam Speaker, I reserve the balance of my time.

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

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

Mrs. CHRISTENSEN. Madam Speaker, the McLoughlin House National Historic Site in Oregon honors the achievements of John McLoughlin, commonly referred to as the "Father of Oregon." The site has been preserved and managed by the McLoughlin Memorial Association since its designation as a national historic site in 1941. Unfortunately, the association is no longer in a position to be the primary management entity for this nationally very significant site and is therefore seeking Federal acquisition of the site. Once acquired, the site will be managed as part of the nearby Fort Vancouver National Historic Site.

The gentlewoman from Oregon (Ms. HOOLEY) has worked tirelessly on behalf of this legislation and is to be commended for her diligence and perseverance. The McLoughlin House site might have well begun to suffer serious deterioration had she not stepped in to preserve this important historic resource.

Madam Speaker, I yield such time as she may consume to the gentlewoman from Oregon (Ms. HOOLEY).

Ms. HOOLEY of Oregon. Madam Speaker, I thank my colleague for yielding me this time.

I thank my colleague from Maryland for his kind words.

I rise today in appreciation of my colleagues who made bringing this bill to the floor possible.

Standing 6 foot 4 inches tall, Dr. John McLoughlin cast a giant of a shadow on the early development of the Oregon frontier. For 21 years his powerful voice was the only influence of law and order over an empire 2½ times the size of Texas. He had absolute control, and he maintained it peacefully and profitably with a balance of justice. With an overwhelming sense of compassion and generosity beyond reproach, it is little wonder that he was regarded by native Americans as a "Great White Eagle." John McLoughlin did indeed walk tall and cast the greatest shadow that ever fell so humbly on the changing face of Oregon.

Born in 1784 near Quebec, Canada, McLoughlin began his medical apprenticeship at age 14. In 1803 at the ripe old age of 19, he was granted his license to practice surgery and pharmacy. Soon after, Dr. McLoughlin was appointed medical officer for the North West Company, fierce competitor of Hudson's Bay Company in the fur trade. He continued there until 1821, until his acquisition by Hudson, for whom he continued working.

In 1824 Dr. McLoughlin was sent to Fort George, now Astoria, Oregon, near the mouth of the Columbia River. Charged with establishing administrative headquarters and supply depot for the expanding fur company, he was also tasked with creating a mercantile arm of the British Government with the goal of monopolizing the fur trade and maintaining peace among the numerous Indian tribes.

Upon arrival, he found the existing facility to be run down, the farmland to be poor, and the location that was in general unsuitable for his responsibilities. To remedy these deficiencies, he moved the site northwest and built a new settlement in Belle Vue Point, in what is now Washington State, and named it Fort Vancouver. The new fort was an imposing presence. It contained all the necessities for settlement with a school library, pharmacy, chapel, warehouses, smithy, and the largest manufacturing facility west of the Rockies. To the rear of the fort were fields of grain, vegetables, and an orchard for fresh fruits.

Dr. McLoughlin maintained friendly relationship with the local Indians, and in 1829 when a visiting ship brought a terrible fever that spread like wildfire, he spent countless hours tending the ill, trying to ease their suffering as much as he could. Despite his best efforts, the fever devastated the tribes and killed more than 30,000 people over the next 4 years.

Meanwhile, though, Fort Vancouver flourished under the guidance of Dr. McLoughlin. Even though he had no military forces, he was able to maintain peace and order through his personality and hard work. He was a figure larger than life.

□ 1300

His good relationship with the local Indians kept the peace on that front, and it was not until his departure that any unrest developed from that quarter.

As a reward for his enlightened stewardship, he was knighted by Buckingham Palace by Queen Victoria in 1841. During the 1840s, the British came to the realization that preventing American settlers from homesteading in Oregon was all but impossible, but they tried their best to discourage settlers from beginning the trip. Tall tales of fierce Indians, unproductive land, and terrible weather conditions were spread far and wide.

Though it violated Hudson's Bay company policy, McLoughlin sym-

pathized with the overwhelmed and often unprepared settlers. He extended credit so they could purchase supplies, clothing and seed for planting, offered food to those who were hungry, cared for those who took ill. This personal decision by Dr. McLoughlin and the compassion he showed to these settlers proved critical to establishing American settlers and solidified U.S. claims to the territory.

By 1845, Dr. McLoughlin's disgust for Hudson's policy toward American settlers was so great he was unable to stay with the company. After his resignation, he purchased the company's land claim at Willamette Falls in Oregon City and built a residence for his family, the McLoughlin House, and took up residence in 1846.

McLoughlin remained a public figure through his retirement and became a U.S. citizen in 1849. He donated land for the jail, for a female seminary, and in 1851 was elected mayor of Oregon City. He died in his home 6 years later.

In 1941, the McLoughlin House was designated a national historic site, the first one in the West; and in 1957 Dr. John McLoughlin was named Father of Oregon by the State legislature.

Clearly, Fort Vancouver and the McLoughlin House have a long and storied history together. The intent of my legislation is to see that this history is continued by expanding the boundaries of Fort Vancouver National Historic Site to include the McLoughlin House National Historic Site.

Currently, the McLoughlin House is maintained and managed by a non-profit group. For nearly 100 years, the association has done admirable work to preserve and maintain this historic treasure. However, over the past several years, the association has been unable to raise the funds required to provide the needed maintenance and upkeep of the property that is now in jeopardy of falling into disrepair.

The McLoughlin House National Historic Act would do what should have been done 60 years ago, include these properties as part of the National Park System, rather than creating a new unit of the National Park System. This legislation simply adds this historic treasure to the existing Fort Vancouver National Historic Site, which is already administered by the park system.

I believe this addition will preserve in perpetuity the cultural, educational, and historical benefits of this historic site for future generations. I am proud of the wide-ranging support for this legislation, from the city, county, the citizens, the congressional delegation. The citizens in Oregon City approved a ballot measure by 80 percent to allow this to go into the National Park System.

Again, I would like to thank everyone who has contributed to making this legislation possible, and I feel certain this legislation will move swiftly through the Senate and to President Bush's desk.

Again, I thank all my colleagues for their time and effort.

Mrs. CHRISTENSEN. Madam Speaker, I yield such time as he may consume to the gentleman from Washington (Mr. BAIRD).

Mr. BAIRD. Madam Speaker, I thank the distinguished ranking member for yielding me time, and my dear friend, the gentlewoman from Oregon (Ms. HOOLEY).

As the proud Representative of America's Vancouver, as our Mayor Royce Pollard likes to describe it, I am privileged to represent Fort Vancouver itself.

As the gentlewoman from Oregon (Ms. HOOLEY) explained, the chief factor of Fort Vancouver in its early years was none other than John McLoughlin. He distinguished himself in innumerable ways. His help to the American settlers of this region was invaluable, and many, many people described his hospitality.

Narcissa Whitman, the wife of frontier evangelist Marcus Whitman, whose statue resides in this very building, described Vancouver at the time as the "New York of the Pacific Ocean." Now, mind you, it was a pretty small New York. It was a stockade-type fort. But for those who had traveled that long journey across the Oregon Trail, it was a beacon of friendship, of health care, of food and of protection. Without John McLoughlin, that would not have been possible.

I am proud to represent Vancouver, I am proud to represent Fort Vancouver, as we call it, "Vancouver, not B.C.; Washington, not D.C."

Madam Speaker, I commend the gentlewoman from Oregon (Ms. HOOLEY) for her initiative, and our ranking member and the Chair of the committee for their initiative in preserving this valued historical site. I urge its passage, and I urge people to come visit the birthplace of American history in the Pacific Northwest, Fort Vancouver, Washington.

Mrs. CHRISTENSEN. Madam Speaker, I yield back the balance of my time.

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

Madam Speaker, I urge my colleagues to vote for H.R. 733. I thank my friend, the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN), on the other side and the staff on both sides of the aisle, and certainly the two Members that spoke here this morning.

I urge passage of this important piece of legislation.

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

The SPEAKER pro tempore (Mrs. BIGGERT). The question is on the motion offered by the gentleman from Maryland (Mr. GILCHREST) that the House suspend the rules and pass the bill, H.R. 733.

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

A motion to reconsider was laid on the table.

**ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE**

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, and the Chair's prior announcement, the Chair will now put each question on which further proceedings were postponed earlier today in the following order:

Motion to instruct conferees on H.R. 1559, de novo;

Motions to suspend the rules and pass:

H.R. 273, by the yeas and nays; and

H.R. 108, by the yeas and nays.

The Chair will reduce to 5 minutes the time for any electronic vote after the first such vote in this series.

**MOTION TO INSTRUCT CONFEREES ON H.R. 1559, EMERGENCY WAR-TIME SUPPLEMENTAL ACT, 2003**

The SPEAKER pro tempore. The pending business is the question de novo on the motion to instruct conferees on H.R. 1559 offered by the gentleman from Wisconsin (Mr. OBEY).

The Clerk read the title of the bill.

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

The Clerk designated the motion.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Wisconsin (Mr. OBEY).

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

Mrs. CHRISTENSEN. Madam Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 265, nays 150, not voting 19, as follows:

[Roll No. 112]

YEAS—265

Abercrombie	Brown (OH)	Delahunt
Ackerman	Burgess	DeLauro
Aderholt	Burr	Deutsch
Akin	Capito	Diaz-Balart, L.
Alexander	Capps	Diaz-Balart, M.
Allen	Capuano	Dicks
Andrews	Cardin	Dingell
Baca	Cardoza	Doggett
Baird	Carson (IN)	Dooley (CA)
Baldwin	Carson (OK)	Doyle
Ballance	Case	Dunn
Bartlett (MD)	Clay	Edwards
Barton (TX)	Clyburn	Emanuel
Becerra	Conyers	Emerson
Bell	Cooper	Engel
Berkley	Costello	English
Berman	Cramer	Eshoo
Berry	Crowley	Etheridge
Bishop (GA)	Cummings	Evans
Bishop (NY)	Cunningham	Everett
Blumenauer	Davis (AL)	Farr
Boehlert	Davis (CA)	Fattah
Boswell	Davis (FL)	Ferguson
Boucher	Davis (IL)	Filner
Boyd	DeFazio	Fletcher
Brady (PA)	DeGette	Foley

Ford	Lowey	Ruppersberger
Fossella	Lucas (KY)	Rush
Frank (MA)	Lynch	Ryan (OH)
Frelinghuysen	Majette	Ryan (WI)
Frost	Matsui	Sabo
Gillmor	Maloney	Sanchez, Linda
Gonzalez	Manzullo	T.
Gordon	Markey	Sanchez, Loretta
Granger	Marshall	Sanders
Green (TX)	Matheson	Sandlin
Green (WI)	McHugh	Saxton
Grijalva	McCarthy (NY)	Schakowsky
Gutierrez	McCollum	Schiff
Hall	McDermott	Scott (GA)
Harman	McGovern	Scott (VA)
Hart	McIntyre	Serrano
Hastings (FL)	McNulty	Shaw
Hayworth	Meehan	Shays
Hill	Meek (FL)	Sherman
Hinchee	Meeks (NY)	Shimkus
Hinojosa	Menendez	Shuster
Hoeft	Michaud	Ginny
Holden	Millender-	Skelton
Holt	McDonald	Slaughter
Honda	Miller (NC)	Smith (NJ)
Hooley (OR)	Miller, George	Smith (WA)
Hoyer	Mollohan	Snyder
Hunter	Moore	Solis
Inslee	Moran (KS)	Spratt
Israel	Murphy	Stark
Jackson (IL)	Murtha	Stenholm
Jackson-Lee	Napolitano	Strickland
(TX)	Neal (MA)	Sweeney
Janklow	Nethercutt	Tanner
Jefferson	Oberstar	Tauscher
John	Obey	Tauzin
Johnson (IL)	Olver	Taylor (MS)
Johnson, E. B.	Ortiz	Thompson (CA)
Jones (OH)	Ose	Thompson (MS)
Kanjorski	Owens	Tiahrt
Kaptur	Pallone	Tierney
Kelly	Pascrell	Towns
Kennedy (RI)	Pastor	Turner (TX)
Kildee	Pelosi	Udall (CO)
Kilpatrick	Peterson (MN)	Udall (NM)
Kind	Peterson (PA)	Upton
King (NY)	Platts	Van Hollen
Klecicka	Pomeroy	Velazquez
Kucinich	Porter	Visclosky
LaHood	Portman	Walden (OR)
Lampson	Price (NC)	Walsh
Langevin	Quinn	Waters
Lantos	Rahall	Watson
Larsen (WA)	Ramstad	Watt
Larson (CT)	Rangel	Waxman
LaTourette	Regula	Weiner
Leach	Renzi	Weldon (PA)
Lee	Reyes	Wexler
Levin	Rodriguez	Whitfield
Lewis (GA)	Ros-Lehtinen	Wolf
Lewis (KY)	Ross	Woolsey
Lipinski	Rothman	Wu
LoBiondo	Roybal-Allard	Wynn
Lofgren	Royce	

NAYS—150

Bachus	Collins	Hensarling
Baker	Cox	Heger
Ballenger	Crane	Hobson
Barrett (SC)	Crenshaw	Hoekstra
Bass	Cubin	Hostettler
Beauprez	Culberson	Houghton
Bereuter	Davis, Jo Ann	Isakson
Biggert	Deal (GA)	Issa
Bilirakis	DeLay	Istook
Bishop (UT)	DeMint	Johnson (CT)
Blackburn	Doolittle	Johnson, Sam
Blunt	Dreier	Jones (NC)
Boehner	Duncan	Keller
Bonilla	Ehlers	Kennedy (MN)
Bonner	Feeney	King (IA)
Bono	Flake	Kingston
Boozman	Forbes	Kirk
Bradley (NH)	Franks (AZ)	Kline
Brady (TX)	Gallegly	Knollenberg
Brown (SC)	Garrett (NJ)	Kolbe
Burns	Gibbons	Latham
Burton (IN)	Gilchrest	Linder
Buyer	Gingrey	McCotter
Calvert	Goode	McCrery
Camp	Goodlatte	McInnis
Cannon	Goss	McKeon
Cantor	Graves	Mica
Carter	Greenwood	Miller (FL)
Castle	Gutknecht	Miller (MI)
Chabot	Harris	Miller, Gary
Chocola	Hastings (WA)	Musgrave
Coble	Hayes	Myrick
Cole	Hefley	Ney

Northup	Rehberg	Sullivan
Norwood	Reynolds	Tancred
Nunes	Rogers (AL)	Terry
Nussle	Rogers (KY)	Thomas
Osborne	Rogers (MI)	Thornberry
Otter	Rohrabacher	Tiberi
Oxley	Ryun (KS)	Toomey
Paul	Schrock	Turner (OH)
Pearce	Sensenbrenner	Vitter
Pence	Sessions	Wamp
Petri	Shadegg	Weldon (FL)
Pickering	Sherwood	Weller
Pitts	Simmons	Wicker
Pombo	Simpson	Wilson (NM)
Pryce (OH)	Smith (MI)	Wilson (SC)
Putnam	Souder	Young (AK)
Radanovich	Stearns	Young (FL)

NOT VOTING—19

Brown, Corrine	Gerlach	Moran (VA)
Brown-Waite,	Hulshof	Nadler
Ginny	Hyde	Payne
Combest	Jenkins	Smith (TX)
Davis (TN)	Lewis (CA)	Stupak
Davis, Tom	Lucas (OK)	Taylor (NC)
Gephardt	McCarthy (MO)	

**ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE**

The SPEAKER pro tempore (Mrs. BIGGERT) (during the vote.) Members are reminded there are 2 minutes remaining in this vote.

□ 1332

Messrs. SAM JOHNSON of Texas, POMBO, GALLEGLY, SIMPSON and BRADLEY of New Hampshire changed their vote from "yea" to "nay."

Messrs. GREEN of Wisconsin, WALSH, LaTOURETTE, WHITFIELD, SWEENEY, FOLEY, FRELINGHUYSEN, GUTIERREZ, RENZI, FOSSELLA, LEWIS of Kentucky, WALDEN of Oregon, AKIN, LINCOLN DIAZ-BALART of Florida, MARIO DIAZ-BALART of Florida, PETERSON of Pennsylvania, BARTLETT of Maryland, EVERETT, Mrs. EMERSON, and Ms. ROS-LEHTINEN changed their vote from "nay" to "yea."

So the motion to instruct conferees was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. DAVIS of Tennessee. Madam Speaker, on rollcall No. 112, had I been present, I would have voted "yea."

Stated against:

Mr. PORTMAN. Mr. Speaker, on rollcall No. 112 I inadvertently pressed the "yea" button. I meant to vote "nay."

**APPOINTMENT OF CONFEREES**

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees: Messrs. YOUNG of Florida, REGULA, LEWIS of California, ROGERS of Kentucky, WOLF, KOLBE, WALSH, TAYLOR of North Carolina, HOBSON, ISTOOK, BONILLA, KNOLLENBERG, KINGSTON, FRELINGHUYSEN, OBEY, MURTHA, DICKS, SABO, MOLLOHAN, Ms. KAPTUR, Mr. VISCLOSKY, Mrs. LOWEY, and Messrs. SERRANO, MORAN of Virginia, and EDWARDS.

There was no objection.

**ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE**

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the remainder of votes in this series will be conducted as 5-minute votes.

NUTRIA ERADICATION AND CONTROL ACT OF 2003

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 273.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Maryland (Mr. GILCHREST) that the House suspend the rules and pass the bill, H.R. 273, on which the yeas and nays are ordered.

This will be a 5-minute-vote.

The vote was taken by electronic device, and there were—yeas 385, nays 30, not voting 19, as follows:

[Roll No. 113]  
YEAS—385

Abercrombie	Crenshaw	Herger
Ackerman	Crowley	Hill
Aderholt	Cubin	Hinchev
Akin	Cummings	Hinojosa
Alexander	Cunningham	Hobson
Allen	Davis (AL)	Hoefel
Andrews	Davis (CA)	Hoekstra
Baca	Davis (FL)	Holden
Bachus	Davis (IL)	Holt
Baird	Davis, Jo Ann	Honda
Baker	DeFazio	Hooley (OR)
Baldwin	DeGette	Houghton
Ballance	Delahunt	Hoyer
Ballenger	DeLauro	Hunter
Bartlett (MD)	DeLay	Inslee
Barton (TX)	DeMint	Isakson
Bass	Deutsch	Israel
Beauprez	Diaz-Balart, L.	Issa
Becerra	Diaz-Balart, M.	Istook
Bell	Dicks	Jackson (IL)
Bereuter	Dingell	Jackson-Lee
Berkley	Doggett	(TX)
Berman	Dooley (CA)	Janklow
Berry	Doolittle	Jefferson
Biggert	Doyle	John
Billrakis	Dreier	Johnson (CT)
Bishop (GA)	Dunn	Johnson (IL)
Bishop (NY)	Edwards	Johnson, E. B.
Bishop (UT)	Ehlers	Johnson, Sam
Blackburn	Emanuel	Jones (NC)
Blumenauer	Emerson	Jones (OH)
Blunt	Engel	Kanjorski
Boehlert	English	Kaptur
Boehner	Eshoo	Keller
Bonilla	Etheridge	Kelly
Bonner	Evans	Kennedy (MN)
Bono	Farr	Kennedy (RI)
Boozman	Fattah	Kildee
Boswell	Ferguson	Kilpatrick
Boucher	Filner	Kind
Boyd	Fletcher	King (NY)
Bradley (NH)	Foley	Kingston
Brady (PA)	Forbes	Kirk
Brady (TX)	Ford	Klecza
Brown (OH)	Fossella	Kline
Brown (SC)	Frank (MA)	Knollenberg
Burns	Frelinghuysen	Kolbe
Burr	Frost	Kucinich
Buyer	Gallegly	LaHood
Calvert	Garrett (NJ)	Lampson
Camp	Gibbons	Langevin
Cannon	Gilchrest	Lantos
Cantor	Gillmor	Larsen (WA)
Capito	Gingrey	Larson (CT)
Capps	Gonzalez	Latham
Capuano	Goodlatte	LaTourette
Cardin	Gordon	Leach
Cardoza	Goss	Lee
Carson (IN)	Granger	Levin
Carson (OK)	Green (TX)	Lewis (GA)
Carter	Green (WI)	Lewis (KY)
Case	Greenwood	Linder
Castle	Grijalva	Lipinski
Chabot	Gutierrez	LoBiondo
Chocola	Gutknecht	Lofgren
Clay	Hall	Lowe
Clyburn	Harman	Lucas (KY)
Cole	Harris	Lynch
Conyers	Hart	Majette
Cooper	Hastings (FL)	Maloney
Costello	Hastings (WA)	Manzullo
Cox	Hayes	Markey
Cramer	Hayworth	Marshall
Crane	Hefley	Matheson

Matsui	Pombo	Smith (TX)
McCarthy (NY)	Pomeroy	Smith (WA)
McCollum	Porter	Snyder
McCotter	Portman	Solis
McCreery	Price (NC)	Souder
McDermott	Pryce (OH)	Spratt
McGovern	Putnam	Stark
McHugh	Quinn	Stenholm
McInnis	Radanovich	Strickland
McIntyre	Rahall	Sullivan
McKeon	Ramstad	Sweeney
McNulty	Rangel	Tancredo
Meehan	Regula	Tanner
Meek (FL)	Rehberg	Tauscher
Meeks (NY)	Renzi	Tauzin
Menendez	Reyes	Taylor (MS)
Mica	Reynolds	Terry
Michaud	Rodriguez	Thomas
Millender-McDonald	Rogers (AL)	Thompson (CA)
Miller (MI)	Rogers (KY)	Thompson (MS)
Miller (NC)	Rogers (MI)	Thornberry
Miller, Gary	Ros-Lehtinen	Tiahrt
Miller, George	Ross	Tiberi
Mollohan	Rothman	Tierney
Moore	Roybal-Allard	Towns
Moran (KS)	Royce	Turner (OH)
Murphy	Ruppersberger	Turner (TX)
Murtha	Rush	Udall (CO)
Musgrave	Ryan (OH)	Udall (NM)
Myrick	Ryan (WI)	Upton
Napolitano	Ryun (KS)	Van Hollen
Neal (MA)	Sabo	Velazquez
Nethercatt	Sanchez, Linda	Visclosky
Ney	T.	Vitter
Northup	Sanchez, Loretta	Walden (OR)
Nunes	Sanders	Walsh
Nussle	Sandlin	Walters
Oberstar	Saxton	Watson
Obey	Schakowsky	Watt
Olver	Schiff	Waxman
Ortiz	Schrock	Weiner
Osborne	Scott (GA)	Weldon (FL)
Ose	Scott (VA)	Weller
Owens	Serrano	Wexler
Oxley	Sessions	Whitfield
Pallone	Shaw	Wickert
Pascarell	Shays	Wilson (NM)
Pastor	Sherman	Wilson (SC)
Pelosi	Sherwood	Wolf
Peterson (MN)	Shimkus	Wooley
Peterson (PA)	Shuster	Wu
Petri	Simmons	Wynn
Pickering	Simpson	Young (AK)
Pitts	Skeleton	Young (FL)
Platts	Slaughter	
	Smith (NJ)	

NAYS—30

Barrett (SC)	Flake	Paul
Burgess	Franks (AZ)	Pearce
Burton (IN)	Goode	Pence
Coble	Graves	Rohrabacher
Collins	Hensarling	Sensenbrenner
Culberson	Hostettler	Shadegg
Deal (GA)	King (IA)	Smith (MI)
Duncan	Miller (FL)	Stearns
Everett	Norwood	Toomey
Feeney	Otter	Wamp
Brown, Corrine	Gerlach	Moran (VA)
Brown-Waite,	Hulshof	Nadler
Ginny	Hyde	Payne
Combest	Jenkins	Stupak
Davis (TN)	Lewis (CA)	Taylor (NC)
Davis, Tom	Lucas (OK)	Weldon (PA)
Gephardt	McCarthy (MO)	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). The Chair will remind Members that less than 1 minute remains in this vote.

□ 1340

Mr. NORWOOD changed his vote from “yea” to “nay.”

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. DAVIS of Tennessee. Madam Speaker, on rollcall No. 113, had I been present, I would have voted “yea.”

REQUIRING SECRETARY OF AGRICULTURE TO PAY COSTS OF ENVIRONMENTAL REVIEWS WITH RESPECT TO CONVEYANCES UNDER THE EDUCATION LAND GRANT ACT

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 108.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. HAYWORTH) that the House suspend the rules and pass the bill, H.R. 108, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 406, nays 8, not voting 114, as follows:

[Roll No. 114]  
YEAS—406

Abercrombie	Carson (OK)	Filner
Ackerman	Carter	Fletcher
Aderholt	Case	Foley
Akin	Castle	Forbes
Alexander	Chabot	Ford
Allen	Chocola	Fossella
Andrews	Clay	Frank (MA)
Baca	Clyburn	Frelinghuysen
Bachus	Coble	Frost
Baird	Cole	Gallegly
Baker	Collins	Garrett (NJ)
Baldwin	Conyers	Gibbons
Ballance	Cooper	Gilchrest
Ballenger	Costello	Gillmor
Barrett (SC)	Cox	Gingrey
Bartlett (MD)	Cramer	Gonzalez
Barton (TX)	Crane	Goode
Bass	Crenshaw	Goodlatte
Beauprez	Crowley	Gordon
Becerra	Cubin	Goss
Bell	Culberson	Granger
Bereuter	Cummings	Graves
Berkley	Cunningham	Green (TX)
Berman	Davis (AL)	Green (WI)
Berry	Davis (CA)	Greenwood
Biggert	Davis (FL)	Grijalva
Billrakis	Davis (IL)	Gutierrez
Bishop (GA)	Davis (TN)	Gutknecht
Bishop (NY)	Davis, Jo Ann	Hall
Bishop (UT)	Deal (GA)	Harman
Blackburn	DeFazio	Harris
Blumenauer	DeGette	Hart
Blunt	Delahunt	Hastings (FL)
Boehlert	DeLauro	Hastings (WA)
Boehner	DeLay	Hayes
Bonilla	DeMint	Hayworth
Bonner	Deutsch	Hefley
Bono	Diaz-Balart, L.	Hensarling
Boozman	Diaz-Balart, M.	Herger
Boswell	Dicks	Hill
Boucher	Dingell	Hinchev
Boyd	Doggett	Hinojosa
Bradley (NH)	Dooley (CA)	Hobson
Brady (PA)	Doolittle	Hoefel
Brady (TX)	Doyle	Hoekstra
Brown (OH)	Dreier	Holden
Brown (SC)	Duncan	Holt
Burgess	Dunn	Hooley (OR)
Burns	Edwards	Hostettler
Burr	Ehlers	Houghton
Burton (IN)	Emanuel	Hoyer
Buyer	Emerson	Hunter
Calvert	Engel	Inslee
Camp	English	Isakson
Cannon	Eshoo	Israel
Cantor	Etheridge	Issa
Capito	Evans	Istook
Capps	Everett	Jackson (IL)
Capuano	Farr	Jackson-Lee
Cardin	Fattah	(TX)
Cardoza	Feeney	Janklow
Carson (IN)	Ferguson	Jefferson

John	Mollohan	Shakowsky
Johnson (CT)	Moore	Schiff
Johnson (IL)	Moran (KS)	Schrock
Johnson, E. B.	Murphy	Scott (GA)
Johnson, Sam	Murtha	Scott (VA)
Jones (NC)	Musgrave	Serrano
Jones (OH)	Myrick	Shaw
Kanjorski	Napolitano	Shays
Kaptur	Neal (MA)	Sherman
Keller	Nethercutt	Sherwood
Kelly	Ney	Shimkus
Kennedy (MN)	Northup	Shuster
Kennedy (RI)	Norwood	Simmons
Kildee	Nunes	Simpson
Kilpatrick	Nussle	Skelton
Kind	Oberstar	Slaughter
King (IA)	Obey	Smith (NJ)
King (NY)	Olver	Smith (TX)
Kingston	Ortiz	Smith (WA)
Kirk	Osborne	Snyder
Klecзка	Ose	Solis
Kline	Otter	Souder
Knollenberg	Owens	Spratt
Kolbe	Oxley	Stark
Kucinich	Pallone	Stenholm
LaHood	Pascrell	Strickland
Lampson	Pastor	Sullivan
Langevin	Paul	Sweeney
Lantos	Pearce	Tancredo
Larsen (WA)	Pelosi	Tanner
Larson (CT)	Pence	Tauscher
Latham	Peterson (MN)	Tauzin
LaTourette	Peterson (PA)	Taylor (MS)
Leach	Petri	Terry
Lee	Pickering	Thomas
Levin	Pitts	Thompson (CA)
Lewis (GA)	Platts	Thompson (MS)
Lewis (KY)	Pombo	Thornberry
Linder	Pomeroy	Tiaht
Lipinski	Porter	Tiberi
LoBiondo	Portman	Tierney
Lofgren	Price (NC)	Toomey
Lowey	Pryce (OH)	Towns
Lucas (KY)	Putnam	Turner (OH)
Lynch	Quinn	Turner (TX)
Majette	Radanovich	Rahall
Maloney	Rahall	Udall (CO)
Manzullo	Ramstad	Udall (NM)
Markey	Rangel	Upton
Marshall	Regula	Van Hollen
Matheson	Rehberg	Velazquez
McCarthy (NY)	Renzi	Visclosky
McCollum	Reyes	Vitter
McCotter	Reynolds	Walden (OR)
McCrery	Rodriguez	Walsh
McDermott	Rogers (AL)	Wamp
McGovern	Rogers (KY)	Waters
McHugh	Rogers (MI)	Watson
McInnis	Ros-Lehtinen	Watt
McIntyre	Ross	Waxman
McKeon	Rothman	Weiner
McNulty	Roybal-Allard	Weldon (FL)
Meehan	Royce	Weller
Meek (FL)	Ruppersberger	Wexler
Meeks (NY)	Rush	Whitfield
Menendez	Ryan (OH)	Wicker
Mica	Ryan (WI)	Wilson (NM)
Michaud	Ryun (KS)	Wilson (SC)
Millender-	Sabo	Wolf
McDonald	Sanchez, Linda	Woolsey
Miller (FL)	T.	Wu
Miller (MI)	Sanchez, Loretta	Wynn
Miller (NC)	Sanders	Young (AK)
Miller, Gary	Sandlin	Young (FL)
Miller, George	Saxton	

NAYS—8

Flake	Sensenbrenner	Smith (MI)
Franks (AZ)	Sessions	Stearns
Rohrabacher	Shadegg	

NOT VOTING—20

Brown, Corrine	Honda	McCarthy (MO)
Brown-Waite,	Hulshof	Moran (VA)
Ginny	Hyde	Nadler
Combest	Jenkins	Payne
Davis, Tom	Lewis (CA)	Stupak
Gephardt	Lucas (OK)	Taylor (NC)
Gerlach	Matsui	Weldon (PA)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mrs. BIGGERT) (during the vote). Members are reminded that there are less than 2 minutes remaining in this vote.

□ 1347

Mr. MILLER of Florida changed his vote from “nay” to “yea.”

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1119

Mr. SIMMONS. Madam Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 1119.

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

There was no objection.

NATIONAL SMALL BUSINESS REGULATORY ASSISTANCE ACT OF 2003

Mr. MANZULLO. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 205) to amend the Small Business Act to direct the Administrator of the Small Business Administration to establish a program to provide regulatory compliance assistance to small business concerns, and for other purposes

The Clerk read as follows:

H.R. 205

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “National Small Business Regulatory Assistance Act of 2003”.

SEC. 2. PURPOSE.

The purpose of this Act is to establish a program to—

- (1) provide confidential assistance to small business concerns;
- (2) provide small business concerns with the information necessary to improve their rate of compliance with Federal and State regulations;
- (3) create a partnership among Federal agencies to increase outreach efforts to small business concerns with respect to regulatory compliance;
- (4) provide a mechanism for unbiased feedback to Federal agencies on the regulatory environment for small business concerns; and
- (5) utilize the service delivery network of Small Business Development Centers to improve access of small business concerns to programs to assist them with regulatory compliance.

SEC. 3. DEFINITIONS.

In this Act, the definitions set forth in section 36(a) of the Small Business Act (as added by section 4 of this Act) shall apply.

SEC. 4. SMALL BUSINESS REGULATORY ASSISTANCE PROGRAM.

The Small Business Act (15 U.S.C. 637 et seq.) is amended—

- (1) by redesignating section 36 as section 37; and
- (2) by inserting after section 35 the following new section:

“SEC. 36. SMALL BUSINESS REGULATORY ASSISTANCE PROGRAM.

“(a) DEFINITIONS.—In this section, the following definitions apply:

“(1) ADMINISTRATOR.—The term ‘Administrator’ means the Administrator of the Small Business Administration, acting through the Associate Administrator for Small Business Development Centers.

“(2) ASSOCIATION.—The term ‘Association’ means the association recognized by the Administrator of the Small Business Administration under section 21(a)(3)(A).

“(3) PARTICIPATING SMALL BUSINESS DEVELOPMENT CENTER.—The term ‘participating Small Business Development Center’ means a Small Business Development Center participating in the program.

“(4) PROGRAM.—The term ‘program’ means the regulatory assistance program established under this section.

“(5) REGULATORY COMPLIANCE ASSISTANCE.—The term ‘regulatory compliance assistance’ means assistance provided by a Small Business Development Center to a small business concern to enable the concern to comply with Federal regulatory requirements.

“(6) SMALL BUSINESS DEVELOPMENT CENTER.—The term ‘Small Business Development Center’ means a Small Business Development Center described in section 21.

“(7) STATE.—The term ‘State’ means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, and Guam.

“(b) AUTHORITY.—In accordance with this section, the Administrator shall establish a program to provide regulatory compliance assistance to small business concerns through participating Small Business Development Centers, the Association, and Federal compliance partnership programs.

“(c) SMALL BUSINESS DEVELOPMENT CENTERS.—

“(1) IN GENERAL.—In carrying out the program, the Administrator shall enter into arrangements with participating Small Business Development Centers under which such centers will provide—

“(A) access to information and resources, including current Federal and State non-punitive compliance and technical assistance programs similar to those established under section 507 of the Clean Air Act Amendments of 1990;

“(B) training and educational activities;

“(C) confidential, free-of-charge, one-on-one, in-depth counseling to the owners and operators of small business concerns regarding compliance with Federal and State regulations, provided that such counseling is not considered to be the practice of law in a State in which a Small Business Development Center is located or in which such counseling is conducted;

“(D) technical assistance; and

“(E) referrals to experts and other providers of compliance assistance who meet such standards for educational, technical, and professional competency as are established by the Administrator.

“(2) REPORTS.—

“(A) IN GENERAL.—Each participating Small Business Development Center shall transmit to the Administrator a quarterly report that includes—

“(i) a summary of the regulatory compliance assistance provided by the center under the program; and

“(ii) any data and information obtained by the center from a Federal agency regarding regulatory compliance that the agency intends to be disseminated to small business concerns.

“(B) ELECTRONIC FORM.—Each report referred to in subparagraph (A) shall be transmitted in electronic form.

“(C) INTERIM REPORTS.—A participating Small Business Development Center may transmit to the Administrator such interim reports as the center considers appropriate.

“(D) LIMITATION ON DISCLOSURE REQUIREMENTS.—The Administrator may not require a Small Business Development Center to disclose the name or address of any small business concern that received or is receiving assistance under the program, except that the Administrator shall require such a disclosure if ordered to do so by a court in any civil or criminal action.

“(d) DATA REPOSITORY AND CLEARINGHOUSE.—

“(1) IN GENERAL.—In carrying out the program, the Administrator shall—

“(A) act as the repository of and clearinghouse for data and information submitted by Small Business Development Centers; and

“(B) transmit to the President, the Committee on Small Business and Entrepreneurship of the Senate, and the Committee on Small Business of the House of Representatives an annual report that includes—

“(i) a description of the types of assistance provided by participating Small Business Development Centers under the program;

“(ii) data regarding the number of small business concerns that contacted participating Small Business Development Centers regarding assistance under the program;

“(iii) data regarding the number of small business concerns assisted by participating Small Business Development Centers under the program;

“(iv) data and information regarding outreach activities conducted by participating Small Business Development Centers under the program, including any activities conducted in partnership with Federal agencies;

“(v) data and information regarding each case known to the Administrator in which one or more Small Business Development Centers offered conflicting advice or information regarding compliance with a Federal or State regulation to one or more small business concerns;

“(vi) any recommendations for improvements in the regulation of small business concerns; and

“(vii) a list of regulations identified by the Administrator, after consultation with the Small Business and Agriculture Regulatory Enforcement Ombudsman, as being most burdensome to small business concerns, and recommendations to reduce or eliminate the burdens of such regulations.

“(e) ELIGIBILITY.—

“(1) IN GENERAL.—A Small Business Development Center shall be eligible to receive assistance under the program only if the center is certified under section 21(k)(2).

“(2) WAIVER.—With respect to a Small Business Development Center seeking assistance under the program, the administrator may waive the certification requirement set forth in paragraph (1) if the Administrator determines that the center is making a good faith effort to obtain such certification.

“(3) EFFECTIVE DATE.—The restriction described in paragraph (1) shall not apply to any Small Business Development Center before October 1, 2003.

“(f) SELECTION OF PARTICIPATING STATE PROGRAMS.—

“(1) ESTABLISHMENT OF PROGRAM.—In consultation with the Association and giving substantial weight to the Association's recommendations, the Administrator shall select the Small Business Development Center programs of 2 States from each of the following groups of States to participate in the program:

“(A) Group 1: Maine, Massachusetts, New Hampshire, Connecticut, Vermont, and Rhode Island.

“(B) Group 2: New York, New Jersey, Puerto Rico, and the Virgin Islands.

“(C) Group 3: Pennsylvania, Maryland, West Virginia, Virginia, the District of Columbia, and Delaware.

“(D) Group 4: Georgia, Alabama, North Carolina, South Carolina, Mississippi, Florida, Kentucky, and Tennessee.

“(E) Group 5: Illinois, Ohio, Michigan, Indiana, Wisconsin, and Minnesota.

“(F) Group 6: Texas, New Mexico, Arkansas, Oklahoma, and Louisiana.

“(G) Group 7: Missouri, Iowa, Nebraska, and Kansas.

“(H) Group 8: Colorado, Wyoming, North Dakota, South Dakota, Montana, and Utah.

“(I) Group 9: California, Guam, Hawaii, Nevada, and Arizona.

“(J) Group 10: Washington, Alaska, Idaho, and Oregon.

“(2) DEADLINE FOR INITIAL SELECTIONS.—The Administrator shall make selections under paragraph (1) not later than 60 days after promulgation of regulations under section 5 of the National Small Business Regulatory Assistance Act of 2003.

“(3) ADDITIONAL SELECTIONS.—Not earlier than the date 3 years after the date of the enactment of this paragraph, the Administrator may select Small Business Development Center programs of States in addition to those selected under paragraph (1). The Administrator shall consider the effect on the programs selected under paragraph (1) before selecting additional programs under this paragraph.

“(4) COORDINATION TO AVOID DUPLICATION WITH OTHER PROGRAMS.—In selecting programs under this subsection, the Administrator shall give a preference to Small Business Development Center programs that have a plan for consulting with Federal and State agencies to ensure that any assistance provided under this section is not duplicated by an existing Federal or State program.

“(g) MATCHING NOT REQUIRED.—Subparagraphs (A) and (B) of section 21(a)(4) shall not apply to assistance made available under the program.

“(h) DISTRIBUTION OF GRANTS.—

“(1) IN GENERAL.—Except as provided in paragraph (2), each State program selected to receive a grant under subsection (f) in a fiscal year shall be eligible to receive a grant in an amount not to exceed the product obtained by multiplying—

“(A) the amount made available for grants under this section for the fiscal year; and

“(B) the ratio that—

“(i) the population of the State; bears to

“(ii) the population of all the States with programs selected to receive grants under subsection (f) for the fiscal year.

“(2) MINIMUM AMOUNT.—The minimum amount that a State program selected to receive a grant under subsection (f) shall be eligible to receive under this section for any fiscal year shall be \$200,000. The Administrator shall reduce the amount described in paragraph (1) as appropriate to carry out the purposes of this paragraph and subsection (j)(2).

“(i) EVALUATION AND REPORT.—Not later than 3 years after the establishment of the program, the Comptroller General of the United States shall conduct an evaluation of the program and shall transmit to the Administrator, the Committee on Small Business and Entrepreneurship of the Senate, and the Committee on Small Business of the House of Representatives a report containing the results of the evaluation along with any recommendations as to whether the program, with or without modification, should be extended to include the participation of all Small Business Development Centers.

“(j) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—There are authorized to be appropriated to carry out this section \$5,000,000 for fiscal year 2003 and each fiscal year thereafter.

“(2) LIMITATION ON USE OF OTHER FUNDS.—The Administrator may carry out the pro-

gram only with amounts appropriated in advance specifically to carry out this section.”.

#### SEC. 5. PROMULGATION OF REGULATIONS.

After providing notice and an opportunity for comment and after consulting with the Association (but not later than 180 days after the date of the enactment of this Act), the Administrator shall promulgate final regulations to carry out this Act, including regulations that establish—

(1) priorities for the types of assistance to be provided under the program;

(2) standards relating to educational, technical, and support services to be provided by participating Small Business Development Centers;

(3) standards relating to any national service delivery and support function to be provided by the Association under the program;

(4) standards relating to any work plan that the Administrator may require a participating Small Business Development Center to develop; and

(5) standards relating to the educational, technical, and professional competency of any expert or other assistance provider to whom a small business concern may be referred for compliance assistance under the program.

#### SEC. 6. PRIVACY REQUIREMENTS APPLICABLE TO SMALL BUSINESS DEVELOPMENT CENTERS.

Section 21(c) of the Small Business Act (15 U.S.C. 648(c)) is amended by adding at the end the following:

“(9) PRIVACY REQUIREMENTS.—

“(A) IN GENERAL.—No Small Business Development Center, consortium of Small Business Development Centers, or contractor or agent of a Small Business Development Center shall disclose the name or address of any individual or small business concern receiving assistance under this section without the consent of such individual or small business concern, except that—

“(i) the Administrator shall require such disclosure if ordered to do so by a court in any civil or criminal action; and

“(ii) if the Administrator considers it necessary while undertaking a financial audit of a Small Business Development Center, the Administrator shall require such disclosure for the sole purpose of undertaking such audit.

“(B) REGULATIONS.—The Administrator shall issue regulations to establish standards for requiring disclosures during a financial audit under subparagraph (a)(ii).”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. MANZULLO) and the gentlewoman from New York (Ms. VELÁZQUEZ) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois (Mr. MANZULLO).

#### GENERAL LEAVE

Mr. MANZULLO. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on this legislation.

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

There was no objection.

Mr. MANZULLO. Madam Speaker, H.R. 205 is identical to legislation this House passed unanimously on October 2, 2001. Unfortunately, this bill did not pass the Senate last year. We are here today to try again.

H.R. 205 was so strongly supported by the Committee on Small Business that

both the ranking member and I decided to skip the markup process and bring this bill straight to the House floor. It contains all the compromises within our committee and with the Senate. For those interested in the legislative history of the bill, I would encourage them to examine the committee's report from the 107th Congress on H.R. 205.

This bill is designed to help small businesses cope with the maze of Federal, State and local regulations that have created such a heavy burden on Main Street America. Every day we all receive complaints from our constituents about their inability to understand regulations that are written in legalese rather than in plain English and about arbitrary actions taken by some regulatory agencies.

Instead of creating a new program, H.R. 205 uses the existing Small Business Development Center network to provide regulatory compliance assistance to small businesses. The SBDC network has a good track record with small businesses. Because many small business owners fear going to regulatory agencies for compliance advice, SBDCs can serve as a buffer so that small business can receive the hands-on assistance it needs without retribution.

Already this fiscal year, the Small Business Administration received an additional \$1 million appropriation for SBDCs to provide regulatory compliance assistance to small businesses. H.R. 205 simply builds upon this initial first step. In addition, the legislation includes enhanced privacy protections for small business clients of SBDCs.

I urge my colleagues to support H.R. 205.

Madam Speaker, I reserve the balance of my time.

Ms. VELÁZQUEZ. Madam Speaker, I yield myself as much time as I may consume.

Today, I rise in strong support of H.R. 205, the National Small Business Regulatory Assistance Act of 2003, which would establish a regulatory compliance assistance program to this Nation's small businesses. I thank the gentleman from New York (Mr. SWEENEY) for his hard work on this issue and congratulate him for bringing this bill to the floor.

With the American economy still struggling, it is now more important than ever to make it easier for small businesses, this Nation's economic backbone, to expand. In today's business environment, one of the greatest obstacles standing in the way of growth for many of this Nation's small businesses is regulatory compliance. Small businesses regularly find themselves lost in the maze of Federal regulations that are designed to create safer and healthier workplaces.

In fact, regulatory burdens are typically ranked as a top concern for small businesses, and the Small Business Administration estimates those burdens cost almost \$7,000 per employee per

year. That is 60 percent higher than costs for businesses with more than 500 employees.

Small firms are less equipped to deal with regulations than large corporations. Business owners want to comply with regulations because they know that a safe and healthy workplace makes them more productive, but often they do not know how to comply or where to start.

With the adoption of this legislation, we take a big step in helping our Nation's small businesses to navigate the regulatory process with passage of the National Small Business Regulatory Assistance Act. This legislation establishes a 3-year pilot program to provide confidential and nonpunitive advice to small businesses that are trying to weather a blizzard of complex Federal regulations.

Business owners sometimes fear approaching agencies for compliance assistance because these are the very agencies charged with enforcement. They worry, Can I talk about OSHA requirements with the labor Department? Can I discuss environmental regulations with the EPA?

By creating a compliance program through the Small Business Development Centers national network, we will provide a neutral, non-threatening environment small business owners use to get important information and advice without fear of retaliation.

The SBDCs, which have a solid reputation for aiding local enterprise, already provide counseling, training and education. This legislation creates a one-stop shop for regulatory compliance that will help small business owners who want to do the right thing to do the right thing.

In addition, this legislation would establish a database clearinghouse for information gathered by the SBDCs based on their interaction with local businesses. This data will be useful in further identifying the compliance needs of small business and tailoring assistance to them.

While SBDCs provide more compliance assistance and gather more information, we must ensure that the sensitive information brought forward by small business is kept absolutely confidential. This legislation guarantees privacy for those who receive compliance assistance and extends these protections to all small businesses that seek any assistance from their local SBDC.

This legislation bars the sharing of information that any SBDC collects on a business with any third body or agency. This will guarantee that small businesses receive the assistance they need in complete confidence and privacy.

Madam Speaker, we want all our small businesses to comply with the regulations that preserve the health, environment, and well-being of our workers and our communities; but oftentimes, small businesses do not have access to the resources they need if they want to comply with regulations

in good faith. With the adoption of this legislation, we are giving small businesses the support they need to navigate the often complex realm of Federal regulations.

In closing, let me thank the gentleman from New York (Mr. SWEENEY) for this bill. I strongly urge the adoption of this legislation.

Madam Speaker, I reserve the balance of my time.

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

Sometime ago, the gentleman from New York (Mr. SWEENEY) came to me and said, Chairman, I have got a very interesting piece of legislation; and I took a look at it, and this is the type of legislation that really helps out small business people.

The gentleman from New York (Mr. SWEENEY) is the former labor commissioner for the State of New York, undoubtedly proud of Syracuse, and even though I am a graduate of Marquette, I am still here supporting the bill.

He explained how difficult it is, and I agree with him, for small business people to understand the web of regulations. He has experience in the private/public sector.

Madam Speaker, I yield as much time as he may consume to the gentleman from the Empire State (Mr. SWEENEY), whose idea fostered this legislation.

Mr. SWEENEY. Madam Speaker, I thank the gentleman for recognizing me; but more particularly, I would like to thank the chairman for his persistence in pursuing this matter.

As he mentioned, several years ago, I introduced the original of H.R. 205, the National Small Business Regulatory Assistance Act, passed it through the Committee on Small Business, passed it through the floor here; and unfortunately, we were not able to get the bill passed through the Senate and get our work completed.

The Chairman has stayed with us on this issue, and through his diligence we have been able to get it back on the floor, and I want to thank my friend and ranking member, the gentlewoman from New York (Ms. VELÁZQUEZ), because I know she, too, has been very committed and very persistent in pursuing this matter; and I am very, very thankful.

Madam Speaker, we strive in this era, in this time to find different ways to help the American economy as we travel down the road to recovery. We try to find ways that we can instill public confidence in our economy; and I think it is imperative that we in Congress, despite all of the other activity going on around us, continue to work in small ways and large ways and in any way we can to help the American economy.

□ 1400

And I think this bill really is an effort on the part of this House to make a concerted effort to aid the cornerstone of the American economy, and

that is the small business. The spirit of entrepreneurship is really a characteristic specifically unique to America. Recognized in that spirit is really the heroism and the important role that small business entrepreneurs and proprietors provide for the American economy in terms of jobs, opportunity, and even technology.

As Members of Congress, we receive the Federal Register daily in our offices. Though these documents are filed for safekeeping and reference, they are rarely poured over for specific details. However, for the average small business owner to understand his or her legal obligations as entrepreneurs trying to create these jobs, they have to be carefully analyzed, the Federal Register, that is, to understand the ever-changing regulations to which the businesses are subjected.

I believe additional measures need to be taken to better assist small business owners in their compliance with Federal guidelines and statutes. H.R. 205 relieves the burden shouldered by the average small business owner throughout America.

In the 106th Congress, Mr. Speaker, this body passed the National Small Business Regulatory Assistance Act as a pilot program. In the 107th Congress, both the House and the Senate adopted versions of this bill, though they are nonconforming, and as I said before, no final action was taken before Congress adjourned. I was encouraged by the bipartisan enthusiasm for this program and have conferred with our colleagues in the Senate to work out technical disagreements with prior language, so it is my hope that H.R. 205 will receive the approval of both the House and the Senate in the near future so as to move forward in our efforts to increase the lifespan of American small businesses.

In the 108th Congress, the National Small Business Regulatory Assistance Act will function as a permanent project, not a pilot program. This legislation will establish small business compliance centers in 20 American States and territories. These facilities will provide assistance to small business owners, allowing them to better comply with regulatory guidelines and ease the burden of critical yet over-worked small business development centers. It is important to note that H.R. 205 will not replace current regulatory compliance programs but complement them.

Mr. Speaker, the Small Business Administration does an exceptional job promoting the development of enterprise in our country. However, the current structure can only do so much. We need to better serve the small business community once they are given a leg to stand on. The Federal Government has invested a great deal in America's courageous entrepreneurs. By providing small business owners the necessary assistance to comply with ever-changing regulations, Congress will solidify the very foundation of the American economy.

Mr. Speaker, with that, I urge all my colleagues to support and pass H.R. 205, this bill, and I want to once again recognize the gentleman from Illinois (Mr. MANZULLO) and the ranking member, the gentlewoman from New York (Ms. VELÁZQUEZ) for their great work and their persistence in staying with this bill and this idea.

Ms. VELÁZQUEZ. Mr. Speaker, I yield such time as he may consume to the gentleman from Hawaii (Mr. CASE).

Mr. CASE. Mr. Speaker, I want to join in the remarks of my colleague from New York in thanking both my ranking minority member and my chair on the Committee on Small Business, a committee that I am very proud and happy to serve on, for their great bipartisan efforts. I also again thank the gentleman from New York (Mr. SWEENEY) for allowing me to cosponsor what I think is a very important bill for small businesses in our country.

I do not think we have to recite at any great length that small business is in fact the engine of our economy. This is especially true in Hawaii where small businesses represent 97 percent of all businesses. And it is not just small business as a category carried by the Federal Government, we are talking about the grassroots of small business in Hawaii. We are talking about businesses where 34 percent have annual sales, gross revenues of under \$250,000, where well over 85 percent of all businesses have 10 or fewer full-time employees, and 69 percent 5 or fewer full-time employees.

When we ask those small businesses what are the challenges they face, no different from anywhere else in our country, they will say that their challenges are taxes and regulations. Now, we can deal with taxes some other place in some other debate, but today we are dealing with regulations. And for a small business, and those of us that have been in small business know this, government regulation means time and it means attorneys. And time and attorneys means money. And money for a small business on a thin margin means the difference between survival and failure. And to take it a step further, that in turn means the difference between government revenues coming about or not. So it is in all of our interests to deal with the regulatory situation, and this bill does that.

Let me give my colleagues a hard core example from my own home State. My big island, my home island, the big Island of Hawaii. There is a region of the Island of Hawaii known as Hamakua. And there is a town in Hamakua known as Honokaa. And Hamakua, as I was growing up on that island, was a sugar community. And Honokaa was a sugar town. And in the last 10 or 15 years, sugar has faded away. As I walk down the streets of Honokaa today, there is a revival; but it is a revival of small business, not of a large scale industry. As I walk down that street, that street is full of small

businesses trying to survive and prosper. They are bringing about a revival of a rural economy in an area that needs to retain its employment.

Now, what concerns them? Taxes and regulation. They do not have great access to explanations of what is and is not the proper Federal Government regulation. They hardly have access to the Federal Register. They do not have too many attorneys in town, even if they could afford to pay them. But they do have a small business development center a few miles away in the town of Hilo. If they can go to that small business development center for free confidential advice on what Federal regulations are, that will make a world of difference to those small businesses, and that town will survive and that region will survive and prosper, and my island will survive and prosper, as will my State and country.

So we can easily see the benefit of this legislation as we go forward. And the benefit of this legislation, again, is to state that basically where our Federal Government does implement and impose regulation on the small businesses of our country, I believe and this legislation says that we also inherit a duty on the part of the Federal Government to ensure that the people that are subject to those regulations understand them and are able to comply with them. These are small businesses that want to comply, but the challenge is to comply fully and with the minimum expenditure of money so that that money can be put into investing in that company and producing tax revenues for all of us.

So this is a good bill. This is a bipartisan bill. This is an example of what we can do together. And again I commend the chair and the ranking minority member of the committee that I am proud to serve on, as well as the gentleman from New York (Mr. SWEENEY), and pledge my support to this and urge that it go forward.

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

Ms. VELÁZQUEZ. Mr. Speaker, I yield 4 minutes to the gentleman from Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. Mr. Speaker, let me commend the chairman, the gentleman from Illinois (Mr. MANZULLO) and the ranking member, the gentlewoman from New York (Ms. VELÁZQUEZ), for bringing this legislation to the floor.

Mr. Speaker, small businesses are the economic engine that drive America because they create three-fourths of all new jobs, employ half our workers, account for half of our gross domestic product, and contribute more than 55 percent of innovations. Small businesses have and will continue to pull the U.S. economy out of recession. They anchor our neighborhoods, employ and train our workers, and take care of our families. They are the reason that the U.S. economy is the strongest in the world.

Despite all their contributions, small businesses face many obstacles. One of

these obstacles is the expanding volumes of regulations where small businesses are mandated to learn and comply with government guidelines. The number of Federal regulations has nearly doubled over the past 20 years. The Federal Register, the resource book of Federal regulatory initiatives and changes, has increased to nearly 80,000 pages. With these kinds of rules and regulations, small businesses are finding themselves confused and often lost in piles of regulatory paperwork. It is difficult in this economy for small businesses to grow and prosper. The excess Federal Government paperwork requirements cost the economy about \$100 billion a year. Much of this cost is paid by small business owners.

Mr. Speaker, this is the reason why I support the passage of H.R. 205, the National Small Business Regulatory Act of 2003. This bill requires the Small Business Administration to enter into an agreement with participating small business development centers to provide small businesses with the information necessary to improve their rate of compliance with Federal and State regulations. Businesses would receive confidential, free, one-on-one, in-depth counseling regarding compliance with Federal and State regulations and would indeed receive referrals to experts and other providers of compliance assistance.

Again, Mr. Speaker, I commend the chairman (Mr. MANZULLO) and the ranking member. I think that this is probably one of the most bipartisan committees in the House. It is a committee that does indeed work well together and it is indeed a committee that turns out legislation like this bill that I am pleased to support.

Mr. MANZULLO. Mr. Speaker, I continue to reserve the balance of my time.

Ms. CHRISTENSEN. Mr. Speaker, I rise today in support of H.R. 205, The National Small Business Regulatory Assistance Act of 2003. This bill amends the Small Business Act to direct the establishment of a program which would provide regulatory compliance assistance to small businesses through participating Small Business Development Centers (SBDCs), the Association for SBDCs, and Federal compliance partnership programs.

Mr. Speaker, my colleagues and I on the Small Business Committee have dedicated much time and energy to addressing the issue small business' burden of complying with federal regulations. One of the greatest challenges facing small business owners is understanding and affording their regulatory requirements. Often, small businesses are so heavily penalized for non-compliance with regulatory requirements, that they are forced out of business. Imagine being a small business, in the current state of our economy, and being faced with paying a \$73,000.00 penalty for not submitting enough "supporting documentation." Mr. Speaker, this is not hypothetical—it is reality.

The House Small Business Committee has held many hearings to examine the myriad of regulations that small businesses are subjected to. For example, it is estimated that the

Medicaid/Medicare program, alone, has over 100,000 pages of laws and regulations. The Center for Medicare and Medicaid Services has over 200 forms that generate 1.7 million annual responses from health care providers. These forms consume over 100 million hours every year that health care providers could have been using to treat patients.

Committee and Member staff often serve as an intermediary between small businesses and the federal government in resolving federal regulatory compliance issues. What we are doing in this bill is expanding the scope of the SBDC network to educate small business owners to ensure greater compliance of federal regulations. There are more than 1,000 SBDC service locations in the United States, Puerto Rico, US Virgin Islands, Guam and American Samoa. By using the SBDC network to conduct this pilot program, H.R. 205 ensures that American entrepreneurs receive regulatory information in a proven vessel.

Last Congress, this legislation passed the House but did not get signed into law. I continued support until we are finally able to adopt this into law. I would also like to commend Representative SWEENEY for continuing to move this bill forward.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in support of H.R. 205.

I support H.R. 205 because the National Small Business Regulatory Assistance Act of 2003 establishes valuable programs that help America's small businesses and entrepreneurs.

H.R. 205 helps small businesses by establishing a program that provides confidential assistance to small business concerns, and provides small businesses with the information needed to improve their compliance with Federal and State regulatory agencies.

H.R. 205 also enhances the role of federal and state regulatory agencies by creating a partnership among various Federal agencies to increase outreach efforts to small businesses, and utilizes the service delivery network of Small Business Development Centers to assist small businesses with access to programs and assistance with regulatory compliance.

The positive impact of Small Business Development Centers on small businesses and local economies can be seen by looking at the Small Business Development Center (SBDC) at the University of Houston in my home District.

The University of Houston SBDC provides many services including business management, government procurement, and international trade assistance. It also provides training and consulting services. The Houston SBDC has helped many small businesses excel in Houston's business market. Each year the SBDC gives awards to Houston's Top 100 growing businesses. In 2002, in part because of the efforts of the SBDC, a small business Houston floral products distribution business, Arko Associates, Inc., experienced 191% growth. Another small business Smart Kids Software, an education software firm, experienced 199% growth. Each of these businesses made the Houston Top 100.

These small businesses enhance the quality of life in our local communities.

H.R. 205 provides the services and regulatory compliance assistance to help many small businesses and entrepreneurs stay in business.

I support H.R. 205.

Ms. VELÁZQUEZ. Mr. Speaker, I urge the adoption of this bill, and I yield back the balance of my time.

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

The SPEAKER pro tempore (Mr. TERRY). The question is on the motion offered by the gentleman from Illinois (Mr. MANZULLO) that the House suspend the rules and pass the bill, H.R. 205.

The question was taken.

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

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

The yeas and nays were ordered.

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

#### RECOGNIZING THE 40TH ANNIVERSARY OF THE SINKING OF THE U.S.S. "THRESHER"

Mr. BRADLEY of New Hampshire. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 170) recognizing the 40th anniversary of the sinking of the U.S.S. *Thresher*.

The Clerk read as follows:

#### H. RES. 170

Whereas the U.S.S. *Thresher* was first launched at Portsmouth Naval Shipyard on July 9, 1960;

Whereas, with a crew of 16 officers, 96 sailors, and 17 civilians, the U.S.S. *Thresher* departed Portsmouth Naval Shipyard for her final voyage on April 9, 1963;

Whereas the military and civilian mix of the U.S.S. *Thresher* crew reflects the unity of the naval submarine service in the protection of the United States;

Whereas at approximately 7:47 a.m. on April 10, 1963, while in communication with the surface ship U.S.S. *Skylark*, and approximately 300 miles off the coast of New England, the U.S.S. *Thresher* began her final descent;

Whereas, on April 10, 1963, the U.S.S. *Thresher* was declared lost with all hands;

Whereas the loss of the U.S.S. *Thresher* gave rise to the SUBSAFE program, which has kept United States' submariners safe at sea as the strongest and safest submarine force in history;

Whereas the loss of the U.S.S. *Thresher* gave rise to an ocean engineering curricula in institutions of higher education that has enabled and sustained the United States' preeminence in submarine warfare; and

Whereas the crew of the U.S.S. *Thresher* demonstrated the "last full measure of devotion" in service to the United States, and this devotion characterizes the sacrifices of all submariners, past and present: Now, therefore, be it

*Resolved*, That the House of Representatives—

(1) recognizes the 40th anniversary of the sinking of the U.S.S. *Thresher*;

(2) remembers with profound sorrow the loss on April 10, 1963, of the U.S.S. *Thresher* and her gallant crew of sailors and civilians;

(3) expresses its deepest gratitude to all submariners on "eternal patrol", who are

forever bound together by their dedicated and honorable service to the United States; and

(4) requests the Clerk of the House of Representatives to transmit a copy of this resolution to the Chief of Naval Operations and to the Commanding Officer of the Portsmouth Naval Shipyard to be accepted on behalf of the families and shipmates of the crew of the U.S.S. *Thresher*.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Hampshire (Mr. BRADLEY) and the gentleman from Arkansas (Mr. SNYDER) each will control 20 minutes.

The Chair recognizes the gentleman from New Hampshire (Mr. BRADLEY).

GENERAL LEAVE

Mr. BRADLEY of New Hampshire. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H. Res. 170, the resolution under consideration.

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

There was no objection.

Mr. BRADLEY of New Hampshire. Mr. Speaker, I yield myself such time as I may consume, and I rise today to honor the memory of the crew of the U.S.S. *Thresher*, an American nuclear submarine which was lost with all hands during sea trials off the coast of Cape Cod 40 years ago.

The *Thresher* was the first of a new class of nuclear submarines that would prove to be instrumental in ending the Cold War. I speak today to commend the bravery and heroism of 129 men who lost their lives in this terrible accident, and to honor all of our men and women in the armed services who have given their lives to protect our freedoms.

The nuclear attack submarine, U.S.S. *Thresher*, was commissioned on August 3, 1961 under the command of Commander Dean Axene. This was the second ship to carry the name *Thresher*, and was built at the Portsmouth Naval Shipyard. The Portsmouth Naval Shipyard has a long and distinguished history of building and maintaining the Navy's submarine fleet. During World War II, Portsmouth established a record for building the largest number of submarines during a single calendar year, 31 in 1944.

On October 18 of that year, the *Thresher* sailed south to Puerto Rico, where she conducted sea trials of her weapon systems and diving mechanisms. Upon completion of these extensive tests, the *Thresher* returned to her home port of Portsmouth for an overhaul before commencing active duty. After finishing the overhaul, she was escorted by the U.S.S. *Skylark* to an area 300 miles off the coast of Cape Cod, Massachusetts.

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There she conducted a series of deep-diving tests. During one of these tests, the *Skylark* received a number of garbled transmissions from the *Thresher*, followed by what sounded like rushing

water. After an extended loss of communications with the submarine, a search and rescue team was deployed. In April 1963, it was determined that she had gone down taking all 129 lives of her crew.

The brave men who served on this submarine died while in service of their country, but their sacrifice was not in vain because from this tragic accident came the creation of the United States Navy SUBSAFE program. This program increased the standards of all United States Naval submarines' reserve buoyancy, allowing submarines to rise to the surface more quickly and easily, even when damaged or flooding. Because of the success of this program, the United States Navy has the safest submarine force in history.

It is important not to forget the role that the United States submarine fleet played in winning the Cold War. It was the power and strength of the United States submarines that provided an invaluable deterrence which enabled the United States to win the Cold War and end the threat of Soviet aggression.

The submarine crews who gave their lives while protecting the United States made the ultimate sacrifice for their country and should be honored as they stand on eternal patrol. During this time of conflict and unrest, I believe we must pay tribute to the crew of the *Thresher* and all submarine crews who have given their lives to protect the freedoms and liberties that we enjoy as American citizens. I urge strong support for this resolution.

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

Mr. SNYDER. Mr. Speaker, I yield such time as he may consume to the gentleman from Maine (Mr. ALLEN).

Mr. ALLEN. Mr. Speaker, I thank the gentleman for yielding me this time. I rise in strong support of H. Res. 170, a resolution to commemorate the 40th anniversary of the tragedy of the USS *Thresher*, and I thank the gentleman from New Hampshire (Mr. BRADLEY) for bringing this resolution forward. The gentleman from New Hampshire and I jointly represent almost all of the workforce at Portsmouth Naval Shipyard where the *Thresher* was built in 1961 and which continues to serve a vital function for the Navy in submarine repair and overhaul.

Mr. Speaker, 40 years ago 129 sailors, officers and civilians lost their lives when the USS *Thresher* went down off the coast of Cape Cod. It was one of the worst peacetime submarine disasters in history. The *Thresher* was the lead ship of a new class of nuclear-powered submarines. Following commissioning in August 1961, the *Thresher* spent the next year and a half in sea trials to test its technological enhancements. It returned to Portsmouth Naval Shipyard for overhaul.

On April 9, 1963, the *Thresher* departed for deep-sea training. The next morning as the boat was near its maximum depth, something went wrong.

The *Thresher's* crew notified its companion ship on the surface, the USS *Skylark*, that it was experiencing minor difficulties. The *Skylark* then received ominous but less clear signals, and soon realized that the *Thresher* had sunk to the depths with all souls on board.

Despite a depth of 8,400 feet, the Navy located the wreckage. It was able to investigate and discovered the likely cause of the catastrophe. A leak in the engine room seawater system had caused a reactor shutdown, and left the sub insufficient power to resurface. The loss of the *Thresher* and its crew left an important legacy for future generations of submariners.

The Navy subsequently implemented new procedures such as the SUBSAFE program to ensure that no submarine would ever again enter the water without a full safety certification and rigorous test program. These changes have benefited the Navy and saved lives over the last 4 decades.

This week, memorials are being conducted at the Portsmouth Naval Shipyard to mark the 40th anniversary of the tragedy. This resolution pays tribute to the crew of the USS *Thresher*, who continue to be remembered throughout New England for their bravery and sacrifice. Today we offer our remembrance and our gratitude to them and express our sorrow to the families they left behind.

Again, I appreciate the gentleman from New Hampshire (Mr. BRADLEY) in bringing forth this resolution and ask the whole House to join us in honoring the lost crew of the *Thresher*.

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

Mr. Speaker, I appreciate this resolution being brought to the House floor today. April 10, 1963, marks the 40th anniversary for the loss of the *Thresher* and brings home once again the dangers inherent in military service, particularly with regard to new technology.

Our edge militarily in America has been and will continue to be our technology, but with new technology comes unexpected risks; and that is what was seen with the *Thresher*.

A word about nuclear-powered submarines, and that is that not only did these men demonstrate courage, but also the very nature of their work demonstrates intelligence, high levels of education, long-term commitments to the submarine service and to the nuclear force. We also have to recognize the dedication and perseverance of their family members who have to share with them their commitment to nuclear submarines.

So today we pay tribute to the 129 men, including 17 civilians, who were lost 40 years ago and now rest at 8,400 feet in the ocean. I thank the gentleman from New Hampshire (Mr. BRADLEY) for bringing this resolution.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today to express my deepest sympathies to the crew and families that perished with the

USS *Thresher*. On board was a crew of 16 officers, 96 sailors and 17 civilians, and on April 10, 1963, the submarine was declared lost with all hands.

I am in support of the House Resolution 170, in recognizing the 40th anniversary of the sinking of the USS *Thresher*. I hope we all can take a moment to remember with profound sorrow the loss of those brave and gallant people aboard, both sailors and civilians.

I also want to take this time to express my deepest gratitude to all submariners on "eternal patrol." These men and women are forever bound together by their dedicated and honorable service to the United States, and we thank you for taking such pride in this honor.

The loss of the USS *Thresher* gave rise to the SUBSAFE program. This has kept United States Submariners safe at sea, and we have the safest and strongest submarine fleet in history. Its loss also gave rise to furthering oceanic studies, so we can continue to protect the men and women who serve our nation so well.

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

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

The SPEAKER pro tempore (Mr. TERRY). The question is on the motion offered by the gentleman from New Hampshire (Mr. BRADLEY) that the House suspend the rules and agree to the resolution, H. Res. 170.

The question was taken.

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

Mr. BRADLEY of New Hampshire. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

#### EXPRESSING CONDOLENCES OF HOUSE OF REPRESENTATIVES TO ASSASSINATION OF PRIME MINISTER ZORAN DJINDJIC OF SERBIA

Mr. BEREUTER. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 149) expressing the condolences of the House of Representatives in response to the assassination of Prime Minister Zoran Djindjic of Serbia, and for other purposes.

The Clerk read as follows:

##### H. RES. 149

Whereas Prime Minister Zoran Djindjic symbolized the hopes of a new generation of Serbs exhausted by decades of war and turmoil until he was felled by 2 sniper bullets in front of his office in the center of Belgrade on Wednesday, March 12, 2003;

Whereas Djindjic's killing was a heinous attack on democracy;

Whereas Zoran Djindjic was born on August 1, 1952, in Bosnia and became politically active during his student years at the University of Belgrade;

Whereas after spending several months in jail for attempting to create an autonomous

noncommunist student organization with fellow students from Croatia and Slovenia, Zoran Djindjic moved to Germany, where he earned a doctorate in philosophy under Jürgen Habermas in 1979, and returned to Yugoslavia in 1989 to teach philosophy at Novi Sad University;

Whereas in 1989, Djindjic joined a group of Serb dissident writers and intellectuals to found the Democratic Party;

Whereas one year later, Djindjic was voted the Chairman of the Democratic Party Executive Board and in January 1994, he was elected the party's president;

Whereas Djindjic became a member of the Serbian Parliament in 1990, serving as the party's parliamentary group whip and a member of the Republic's Council at the Federal Parliament 3 years later;

Whereas following 88 days of mass protests over electoral manipulation during local elections in 1996, Zoran Djindjic was elected Belgrade's first noncommunist mayor since World War II;

Whereas Djindjic is widely believed to be the chief strategist and main organizer behind the Yugoslav presidential elections of September 24, 2000, and the uprising of October 5, 2000, that resulted in the overthrow and delivery of former Yugoslav President Slobodan Milosevic to the International Criminal Tribunal for the former Yugoslavia (ICTY), that was investigating atrocities committed during the tragic and violent breakup of Yugoslavia;

Whereas subsequent cooperation with the ICTY has been judged to be less than optimal, but in recent months Prime Minister Djindjic moved forcefully to fight the organized criminal structures that Serbia inherited from the Milosevic era and to arrest war criminals who have remained at large;

Whereas Djindjic is also credited with mastering the Serbian elections of December 2000, in which the Democratic Opposition of Serbia (DOS), a coalition of 18 parties spanning a broad range of the political spectrum, won 65 percent of the popular vote;

Whereas the DOS elected Djindjic to be Prime Minister of Serbia on January 25, 2001;

Whereas during his 2-year tenure as Prime Minister, Zoran Djindjic sought to advance democracy, human rights, free market reforms, and the rule of law;

Whereas Djindjic's leadership raised desperately low living standards and advanced the integration of Serbia into Europe; and

Whereas Prime Minister Djindjic managed to maintain a disparate 17-party coalition government with a narrow majority in order to achieve these urgently needed reforms: Now, therefore, be it

Resolved, That—

(1) the House of Representatives offers its condolences and deepest sympathy to the people of Serbia and the family of Zoran Djindjic following the assassination of Prime Minister Djindjic;

(2) the House of Representatives understands that organized criminal groups within Serbian society continue to threaten the free and democratic government of Serbia and Montenegro;

(3) the House of Representatives recognizes that while implementing necessary reforms and cooperating with the International Criminal Tribunal for the former Yugoslavia may carry significant risks for the leadership of Serbia and Montenegro, these reforms and this cooperation are necessary and must continue; and

(4) it is the sense of the House of Representatives that the United States should support continued democratic reforms initiated by Zoran Djindjic, should urge his successors to dedicate themselves to continue to support his road to reform, and should pledge to assist Serbia and its new leadership in ac-

complishing these necessary reforms, including efforts to fight organized crime and corruption.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Nebraska (Mr. BEREUTER) and the gentleman from California (Mr. LANTOS) each will control 20 minutes.

The Chair recognizes the gentleman from Nebraska (Mr. BEREUTER).

##### GENERAL LEAVE

Mr. BEREUTER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the resolution under consideration.

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

There was no objection.

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

Mr. Speaker, this Member rises today in strong support of H. Res. 149, a resolution expressing the condolences of the House of Representatives in response to the assassination of Prime Minister Zoran Djindjic of Serbia. It is with sadness that this Member brings this resolution to the floor of the House of Representatives today. Prime Minister Djindjic was assassinated on March 12. This tragic event was a shock to the people of Serbia, to the people of the Balkans, and to people around the world.

If anyone represented the present state of the Balkans, all of the changes that occurred in recent years, the hope for a free, democratic and prosperous future, it was Prime Minister Djindjic. He was the decisive leader who played a critical role in bringing democracy to Serbia. He was probably the most visible and important proponent of helping the Serbian people come to terms with the past, the destruction and the injustices of the tragic events which have been happening in the Balkans over the past decade. He was the leader most determined to integrate his country into Europe and the community of Western democracies, to provide a future of security, prosperity, and hope to the Serbian people.

However, only 2½ years after the overthrow of Slobodan Milosevic, let us not forget how fragile freedom and democracy in the region really is. During this crucial period, Prime Minister Djindjic was the leader who represented the best hope for the changes and reforms necessary to lead the former Yugoslavia to a new and different direction; but in the context of a country and a region of so much violence, hatred and corruption over the past decade, anyone who would have made these necessary forums would certainly make enemies and endanger both himself and the path of reform in his country.

Prime Minister Djindjic sought to change the political system in Serbia, sought to fight organized crime and official corruption, and sought to bring suspected war criminals to justice. He

attempted to develop better political institutions, to establish an independent judiciary, and to reform the police and the military. Although not exempt from what may have been legitimate criticism, perhaps even appearing to turn a blind or jaded eye to some of the forces that are so prevalent in Serbian society, he was seen to be making remarkable progress. He was the leader of a coalition and the leader of a younger generation who were bringing their efforts to bear to transform Serbian society. However, in the process, the forces of the past proved remarkably entrenched and widely based.

Mr. Speaker, let us recognize how significant the tragic event of March 12, 2003, is for Serbia and the Balkans. Let us recognize that the path of reform and fighting the forces of the past is not easy. Reformist leaders in Serbia and throughout the Balkans are vulnerable, and reformist and newly-democratic governments are fragile.

President Bush said Prime Minister Djindjic will be remembered for his role in bringing democracy to Serbia and for his role in bringing Slobodan Milosevic to justice.

Mr. Speaker, let us also remember Prime Minister Djindjic for his courage and bravery in fighting some of the most corrosive and virulent forces of the past in Serbia and the former Yugoslavia. This resolution shows that the House of Representatives supports the reforms that Prime Minister Djindjic spoke about most energetically and upon which he sought action. Reflecting upon the forces that brought his death must cause our country and the international community to redouble our efforts to assist the country of Serbia and Montenegro as it seeks a new and different future.

We offer our strongest encouragement to the new leaders of Serbia and Montenegro so that they may redouble their efforts in pursuit of crucial reforms. They must have the courage, the resources, and the support first of their citizenry and their country, but also the international community to aggressively fight the forces of the past, the forces of hatred and violence, the forces of organized crime and the history of official corruption in their country.

Mr. Speaker, in offering this resolution and statement, this Member offers his deepest sympathies and heartfelt condolences to the family of Prime Minister Djindjic and the people of Serbia and Montenegro.

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

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

Mr. Speaker, I rise in strong support of this resolution. First, I would like to commend the gentleman from Illinois (Chairman HYDE); the chairman of the Subcommittee on Europe, the gentleman from Nebraska (Mr. BEREUTER); and the gentleman from Illinois (Mr. EMANUEL) for their leadership on this important resolution.

Mr. Speaker, the tragic assassination of Prime Minister Djindjic happened just a few weeks ago, but the repercussions of this barbaric act will be felt throughout the Balkans for years to come.

Prime Minister Djindjic was a courageous and bold political leader, an anti-communist and a democratic activist. He was one of the leaders of the ouster of dictator Slobodan Milosevic in the fall of 2000. Djindjic was a Serbian patriot who clearly understood that Serbia's future lay in Europe, not in the isolation nationalism that plagued the Balkans at the sunset of the 20th century.

Prime Minister Djindjic will go into history books as the man who made the brave decision to extradite former dictator Slobodan Milosevic to The Hague for trial on war crimes. It is widely believed that the renewed attempts by Mr. Djindjic and his government to go after entrenched organized crime in Serbia and war criminals in that country led to his assassination.

□ 1430

Prime Minister Djindjic was also a pragmatic politician. While pushing the Serbian nation towards Europe, Mr. Djindjic also tried to appease nationalistic elements of Serbian society. His government's cooperation with the International War Crimes Tribunal was uneven, but on balance Mr. Djindjic was leading Serbia in a positive direction, progress that will be set back as Serbia deals with the ramifications of this horrendous assassination.

Mr. Speaker, today we mourn, together with the Serbian people and with Mr. Djindjic's colleagues and loved ones. We know that the job of leading Serbia is risky and difficult, and we pledge to offer support to the continued democratic reforms initiated by Mr. Djindjic. That is why today, Mr. Speaker, I want to call on my colleagues in Congress and in our government to remain engaged in the Balkans and to offer continued support to the reformers there. Our national interest will suffer if this region backslides towards lawlessness and conflict.

The United States has unfinished business in the Balkans. The establishment of a genuine rule of law and a system of justice that benefits the citizens of these countries, the restructuring of local economies, the establishment of a vigorous civil society, the creation of independent media, and the resettlement of refugees are just a few of the tasks that remain.

Mr. Speaker, with continued U.S. leadership and engagement in the Balkans, these tasks can all be achieved. I urge all of my colleagues to support the passage of this important resolution.

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

Mr. BEREUTER. Mr. Speaker, I have no further requests for time, and I reserve the balance of my time.

Mr. LANTOS. Mr. Speaker, I yield 4 minutes to the gentleman from Illinois

(Mr. EMANUEL), one of the original movers of this important resolution.

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

Mr. EMANUEL. Mr. Speaker, I thank the gentleman from California (Mr. LANTOS) for yielding me this time.

Mr. Speaker, I rise as an original co-sponsor and in strong support of House Resolution 149, expressing the sorrow of the House of Representatives in response to the assassination of Serbian Prime Minister Zoran Djindjic earlier this month.

On behalf of more than 1,000 of my constituents of Serbian descent, I commend the gentleman from Illinois (Chairman HYDE); the gentleman from California (Mr. LANTOS) ranking member; as well as the gentleman from Nebraska (Mr. BEREUTER), the Europe Subcommittee chairman; and the gentleman from Florida (Mr. WEXLER), ranking member, for their leadership in recognizing a truly remarkable reformer and a champion of democracy in the Balkans.

The world has lost a great friend and a true democrat in the Prime Minister. While our brave troops engage in another war-torn region, we identify with the war-weary citizens of Serbia and Montenegro who lived under Milosevic's cruelty.

Serbia has courageously demonstrated that it is willing to defeat a brutal tyrant and will not allow its democratic progress to unravel. As we mourn the Prime Minister's death, this resolution says loud and clear that America will work with Serbia to ensure that its path to democracy will never be deterred.

To all the young democracies of tomorrow, who, like Serbia, have also thrown off the yoke of dictatorship and totalitarianism and embraced the values of liberty and freedom, this resolution says to them that the United States, the House of Representatives, the people's House will stand with them no matter how many tomorrows it takes to achieve democracy.

The Serbian people are our fellow countrymen and allies because they embrace the values of democracy and freedom. Our nations share a mutual admiration for democracy, which is never a guarantee or a foregone conclusion. It is accomplished only through perseverance and courage. Democracy requires the force of vision and determination endowed upon great leaders like the late Prime Minister. His death at only 50 is a great loss for his family and friends, and it is also a tremendous loss for the democratic progress in the Balkans. The New York Times editorialized on the day after his murder: "In countries that lack institutions, individuals matter greatly."

After Yugoslavia fell apart following Marshal Tito's death, a common line that the nation had been held together by the force of his personality, Milosevic dragged Yugoslavia back to a darker time by igniting human genocide not seen in Europe since Hitler.

But the brilliance, the charisma, the force of vision of Zoran Djindjic steered Serbia away from an era of ethnic cleansing and towards liberty and equality. The Prime Minister was a reformer who envisioned a free and modern Europe. In less than 2 years he liberalized markets, elections, the press, and parliamentary debate. He showed that the human spirit and desire for freedom can never be extinguished.

Through calm persuasion he brokered a compromise with Montenegro, helped prevent further bloodshed in Kosovo, restored human rights and economic realization, the rule of law to a nation torn apart by four wars and two rebellions started by his predecessor, Milosevic.

After extraditing Milosevic and other war criminals, the world contributed more than \$1 billion in economic aid which proved a tremendous boost to a people whose standard of living had long been the worst in Europe. He taught his countrymen to appreciate the rewards of integrating into the Europe of tomorrow, the Europe of the 21st century, and his steadfast pursuit of reforms gave democracy a foothold in Serbia and the people of Serbia a hope of tomorrow.

In these difficult times, Mr. Speaker, we stand with our friends in the Balkans as they mourn a fallen hero and search for a new leader dedicated to fulfilling the democratic vision of modern Serbia who will always be remembered in history for his honor, his greatness, and his selfless commitment to the public good.

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

I want to thank the gentleman from California (Mr. LANTOS) and the gentleman from Illinois (Mr. HYDE) for expediting the consideration of this resolution. I want to particularly note the contributions of the gentleman from Illinois (Mr. EMANUEL) who had the major role in drafting the legislation. I am grateful to have his assistance and his cosponsorship along with a substantial number of other Members who believe this is an important way for the House to recognize the contributions of the Prime Minister.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today to express my deepest condolences to the nation of Serbia, the friends, family, admirers and supporters of Zoran Djindjic. The Serbian prime minister, who was tragically assassinated, was a leading proponent of democracy, human rights, and progress for the country of Serbia.

The assassination of Prime Minister Djindjic was more than the killing of an admirable leader; it was a heinous attack on democracy. Mr. Djindjic was elected Belgrade's first non-communist mayor since World War II. He believed in the ideal and principles of maintaining a democratic state, and dedicated himself to pursuing that cause.

We can thank Zoran Djindjic for being a chief organizer of the Yugoslav presidential elections in September 2000. We also owe him tribute as being a principal strategist for the October 2000 uprising, which led to the

delivery of Slobodan Milosevic to the International Criminal Tribunal. Mr. Djindjic understood that horrific war crimes were being committed, and was there to support his people to see their persecutor punished.

Zoran Djindjic was elected Prime Minister of Serbia on January 25, 2001. In his two year tenure, he sought to advance democracy, human rights and free market reforms. The United States values its democratic cohorts, and we can appreciate even more the people who seek to bring democracy to a region that has not had the privilege of maintaining it. Mr. Djindjic was an effective democratic leader; he raised the low living standard and opened the Serbian markets to precipitate trade throughout Europe. He was a stable Prime Minister who effectively dealt with the task of keeping a 17 party coalition government.

Zoran Djindjic understood the value of human rights, and worked tirelessly to maintain equal opportunities in a country that had been vacated of such leadership for half a century. He was an advocate of civil liberties and individual freedoms. We should feel so lucky to have had an ally of our American principles over in Eastern Europe.

The death of Prime Minister Zoran Djindjic is a travesty on so many levels. We have lost one of our democratic allies, someone who wanted the best for his country. The Serbian people have lost one of their greatest leaders. I stand firmly in support of this resolution, so the United States Congress can show its sympathy in a time of great mourning.

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

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

The SPEAKER pro tempore (Mr. TERRY). The question is on the motion offered by the gentleman from Nebraska (Mr. BEREUTER) that the House suspend the rules and agree to the resolution, H. Res. 149.

The question was taken.

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

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

The yeas and nays were ordered.

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

#### SENSE OF HOUSE REGARDING SYSTEMATIC HUMAN RIGHTS VIOLATIONS IN CUBA COMMITTED BY CASTRO REGIME

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 179) expressing the sense of the House of Representatives regarding the systematic human rights violations in Cuba committed by the Castro regime, calling for the immediate release of all political prisoners, and supporting respect for basic human rights and free elections in Cuba.

The Clerk read as follows:

H. RES. 179

Whereas the Cuban Government continues to repress all peaceful attempts by the

Cuban people to bring democratic change to the island by denying universally recognized liberties, including freedom of speech, assembly, association, movement and of the press;

Whereas on March 9, 2003, many of Cuba's prominent dissidents issued a statement titled "Joint Statement" to the European Union, wherein they reaffirmed their view of the Cuban Government's "total vocation to immobility and its refusal to respect internationally recognized human rights or accept the existence of legitimate political opposition" and further stated that "in recent times the Cuban Government has intensified its political and social repression";

Whereas commencing on March 17, 2003, the Cuban Government carried out a massive, island wide crackdown on members of Cuba's pro-democracy movement, which included the arrest of over 80 dissidents, among them many who signed the "Joint Statement", activists of the Assembly to Promote Civil Society, promoters of the Varela Project, independent journalists, and numerous members of Cuba's nascent independent civil society;

Whereas the Cuban Government arbitrarily searched the homes and confiscated personal items belonging to pro-democracy activists;

Whereas independent journalists were among those incarcerated in this massive crackdown, including Raul Rivero, known as the dean of the dissident independent journalists in Cuba;

Whereas independent librarians, who make their homes available so that the Cuban population may have access to publications otherwise censored by the Cuban Government, also became victims of repression, as many were arrested, their homes ransacked and searched, and publications and other belongings confiscated;

Whereas Marta Beatriz Roque, and other leaders of the "Assembly to Promote Civil Society", an islandwide movement seeking to coordinate the various sectors of Cuba's nascent independent civil society who work for a democratic transition, were incarcerated and face lengthy sentences, including life sentences;

Whereas activists who have collected or signed petitions for the Varela Project were also incarcerated in this crackdown and may also face life sentences;

Whereas more than 80 pro-democracy leaders who work for a peaceful transition to democracy in Cuba have been incarcerated and sentenced under "Law 88" and "Law 91", two draconian totalitarian laws that call for long sentences of 10, 15, or 20 years, or life imprisonment, or even death for pro-democracy activity;

Whereas there is concern for the well-being and safety for all of Cuba's political prisoners, particularly Juan Carlos Gonzalez Leyva, who is a blind human rights activist incarcerated since March of 2002 without being formally charged, and Leonardo Bruzon Avila, who has been denied medical attention according to Amnesty International, despite the effects of a prolonged hunger strike while in prison.;

Whereas a plea for solidarity was made from within the notoriously harsh prison in Cuba known as "Combinado del Este" and signed by 21 political prisoners, among them Dr. Oscar Elias Biscet, Francisco Chaviano, Rafael Ibarra, and Jorge Luis Garcia Perez "Antunez" to the member states of the 59th Session of the United Nations Human Rights Commission;

Whereas the Cuban Government has carried out "summary trials" to expeditiously sentence pro-democracy leaders to try to intimidate and silence other pro-democracy activists on the island, while world attention is primarily focused on Iraq;

Whereas the Castro regime has engaged in mass arrests of dissidents while the United Nations Commission on Human Rights, of which Cuba is a member, is meeting in Geneva;

Whereas certain member countries of the Latin American and Caribbean group (GRULAC) at the United Nations Commission on Human Rights are currently drafting a resolution on the violations of human rights by the Cuban Government;

Whereas the Cuban Government has repeatedly violated the rights enshrined in the Universal Declaration of Human Rights, the Inter-American Convention on Human Rights, and other international and regional human rights agreements, and has violated the mandates issued by the United Nations Commission on Human Rights;

Whereas foreign diplomats and members of the international press have been barred by the Cuban Government from being present at the "summary trials"; and

Whereas pro-democracy leaders on the island have come together to call for the immediate release of all Cuban political prisoners, and are requesting international solidarity with the internal opposition, as reflected in a March 31, 2003, statement signed by some of the most prominent dissidents on the island: Now, therefore, be it

*Resolved*, That the House of Representatives—

(1) condemns the brutal crackdown of the Cuban Government on the island's peaceful pro-democracy movement;

(2) calls for the immediate release of all Cuban political prisoners;

(3) supports the right of the Cuban people to exercise fundamental political and civil liberties, including freedom of expression, assembly, association, movement, press, and the right to multiparty elections;

(4) calls on the United States Permanent Representative to the United Nations and other International Organizations in Geneva, Switzerland, to work with the member countries of the United Nations Commission on Human Rights to ensure a resolution that includes the strongest possible condemnation of the current crackdown of dissidents and of the gross human rights violations committed by the Cuban Government; and

(5) calls on the Latin American and Caribbean group (GRULAC) at the United Nations Commission on Human Rights to exclude Cuba from its slate of candidates for the United Nations Commission on Human Rights and urges all member nations to oppose renewing Cuba's membership on the United Nations Commission on Human Rights until the Government of Cuba adheres to international human rights standards, such as those delineated in the Universal Declaration of Human Rights.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentleman from California (Mr. LANTOS) each will control 20 minutes.

The Chair recognizes the gentlewoman from Florida (Ms. ROS-LEHTINEN).

#### GENERAL LEAVE

Ms. ROS-LEHTINEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the resolution under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Florida?

There was no objection.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

Nobel peace laureate Eli Wiesel has said: ". . . to remain silent and indifferent is the greatest sin of all . . ."

Indifference breeds evil. Indifference is the enemy of freedom. Indifference helps cloak the deplorable actions of tyrants.

Cuba's ruthless dictator counts on this indifference. Taking advantage of global attention being focused on Iraq and noting the worldwide tendency to ignore or minimize the deplorable human rights condition in Cuba, the Castro regime has launched a full-scale assault on those who are struggling to bring freedom and democracy to this enslaved nation. Courageous men and women such as Marta Beatriz Roque, an independent economist and leading pro-democracy advocate, are being sentenced to harsh prison terms of 20 years. Marta Beatriz had previously spent nearly 3 years in prison for publishing, along with three other colleagues, a paper calling for democratic reforms. Independent journalists such as Raul Rivero, who is highlighted in the resolution before us, as the dean of the independent dissident Cuban journalists, was sentenced to 20 years. Fellow journalists such as Ricardo Gonzalez Alfonso and Hector Maseda Gutierrez also received 20-year sentences.

Other victims of this wave of repression include Jose Daniel Ferrer, a member of the Christian Liberation Movement, whose penalty was increased to death per a special request by the puppet whom the regime has as the presiding judge. There is also independent union labor leader Oscar Espinosa Chepe, and Manuel Vazquez Portal, Nelson Molinet Espino and Nelson Alberto Aguiar.

I enter into the RECORD their names and their sentences.

#### PINAR DEL RIO

Victor Rolando Arroyo Carmona, Periodista Independiente—Life in prison.

Horacio Julio Piña Borrego, Periodista Independiente—12 years.

Eduardo Díaz Fleitas, opositor—15 years.

Fidel Suárez Cruz, opositor—12 years.

#### CIUDAD HABANA

Raúl Rivero Castañeda, Periodista Independiente—Life in prison.

Jorge Olivera Castillo, Periodista Independiente—Life in prison.

Ricardo González Alfonso, Periodista Independiente—Life in prison.

Héctor Maceda Gutiérrez, Periodista Independiente—Life in prison.

Manuel Vázquez Portal, Periodista Independiente—16 years.

Osvaldo Alfonso Valdez, opositor—Life in prison.

Pedro Pablo Álvarez Ramos, opositor—Life in prison.

Héctor Palacio Ruiz, opositor—Life in prison.

#### LA HABANA

Miguel Galvañ Gutiérrez, Periodista Independiente—Life in prison.

José Ubaldo Izquierdo Hernández, Periodista Independiente—20 years.

Héctor Raúl Valle Hernández, opositor—15 years.

#### VILLA CLARA

Librado Linares García, Periodista Independiente—20 years.

Lester González Pentón, Periodista Independiente—20 years.

Omar Ruiz Hernández, Periodista Independiente—18 years.

Margarito Broche Espinosa, opositor—25 years.

Omar Pernet Hernández, opositor—25 years.

#### ISLA DE PINO

Favio Prieto Llorente, Periodista Independiente—20 years.

The list seems endless as the daunting reality of what the dictatorship has done sinks into our consciousness. Since March 18, Mr. Speaker, Castro's security agents have been storming into the homes of dissidents and other opposition leaders across the island, confiscating typewriters, books, papers, and other professional and personal belongings. And what have been their so-called crimes? Engaging in such "threatening" activities such as possessing and lending books by authors such as Vaclav Havel, Ghandi and Martin Luther King. Hector Palacios Ruiz, for example, was engaged in such "treasonous" behavior, to quote the regime, as helping to draft the document in December of last year which called for "free hiring of employees." He was also found in possession of books such as "Castro's Final Hours" and "A Manual for Education in Human Rights" as well as children's games.

Every day more and more opposition leaders are sentenced to languish in squalid jail cells and subjected to the most inhumane and degrading treatment. We cannot and must not be silent. We cannot and must not be indifferent to the anguish and misery endured by the Cuban people just 90 miles off our shores at the hands of the depraved and cruel dictator and his agents of terror.

The European Union has issued statements condemning the arrests and demanding that these prisoners of conscience be immediately released. Amnesty International urged Cuba to release all of its prisoners of conscience and reform the laws which make such detentions possible. Human Rights Watch called on the United Nations Commission on Human Rights to condemn these abuses and do so strongly and unequivocally. Human Rights International, the American Society of Newspaper Editors, and the Inter-American Press Association have all denounced this incredible Stalinist crackdown. Newspapers such as the Houston Chronicle, the San Diego Union Tribune, the Pittsburgh Post-Gazette have run editorials with headlines underscoring that: "Saddam and Fidel are Birds of a Feather"; "Crackdown in Cuba: A Reminder that Castro is Still a Tyrant"; and "Castro's Regime as Repressive as Ever."

The Los Angeles Times led its editorials by saying: "After years of calling for liberalized relations with Cuba, this editorial page must now urge American policymakers to hit the brakes."

Just today the Washington Post ran an editorial by Richard Cohen which said: "I would like to hear some moral outrage about Castro . . . Fidel Castro is a thug and a fool."

But it is our turn now to speak. It is our time for the U.S. Congress to stand behind the Cuban people, side by side, as it has done for so many times before and is so doing with the Iraqi people.

This resolution is a strong first step. House Resolution 179 details the sequence of events which have transpired in recent weeks and places particular emphasis on the plight of these political prisoners such as Juan Carlos Gonzalez Leyva, a blind human rights dissident imprisoned for over a year who is gravely ill and has yet to receive medical attention.

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

Mr. LANTOS. Mr. Speaker, I yield myself such time as I may consume and rise in strong support of this resolution.

Mr. Speaker, first I would like to thank my friend, the gentleman from Illinois (Chairman HYDE), for expediting consideration of this resolution; and I want to congratulate my good friend, the gentlewoman from Florida (Ms. ROS-LEHTINEN), for her powerful and eloquent statement and for her leadership on this resolution, as well as my colleagues, the gentleman from New Jersey (Mr. MENENDEZ) and the gentleman from Florida (Mr. LINCOLN DIAZ-BALART).

Mr. Speaker, after several years of masquerading as a liberalizing regime, the brutal and deplorable nature of Fidel Castro's sickening communist state has manifested itself once again.

In the last couple of weeks, Castro's thugs have arrested and detained approximately 80 Cubans. Their crime? They sought to express their disagreement with their government, provide an independent media voice, stock their shelves with banned literature that reports the interests of independent labor, and otherwise improve the lot of their fellow citizens.

Among those arrested, Mr. Speaker, were prominent political dissidents, such as Marta Beatriz Roque; independent journalists, such as Raul Rivero and Ricardo Gonzalez; independent labor advocates, like Pedro Pablo Alvarez; and civil society activists, such as Antonio Diaz Sanchez of the Varela Project.

The Castro regime intends to place these and other individuals on trial in what have been called kangaroo courts for allegedly collaborating with the United States to harm Cuba and its economy.

Just yesterday, a sham court sentenced Marta Beatriz Roque, Antonio Diaz Sanchez and Ricardo Gonzalez Alfonso, among others, to 20 years in prison for "acts of conspiracy." Neither representatives of the diplomatic corps nor the international press were

permitted to witness the summary trials, which does not surprise those of us who have experienced the tactics of the Gestapo in Hitler's time and the KGB under Stalin. Fidel Castro is a worthy follower of both of these outrageous dictators.

Not only are the trumped-up charges against these political dissidents indefensible; Castro and his henchmen are convicting individuals for practicing their profession and exercising their fundamental political and civil liberties.

Accordingly, Mr. Speaker, our resolution calls upon the international community to recognize these outrageous violations of human rights and to exclude Cuba from the United Nations Commission on Human Rights after its term expires at the end of this year.

Mr. Speaker, while Castro and his henchmen seem intent to break the backs of many political dissidents and their growing organizations in a manner not seen since the 1960s, the regime has concentrated much of its fury against the Varela Project. Founded and led by Oswaldo Paya, the Varela Project asks Cubans to sign a petition calling for a referendum on open elections, freedom of speech, freedom for political prisoners, and free enterprise. Despite gigantic risks, over 30,000 courageous Cubans have penned their names to the petition in the hope for change.

Mr. Speaker, we have had many contentious disagreements, both in committee and on this floor, on how best to bring about change in Cuba; but today this body stands united in solidarity with those who endure torture, incarceration, and deprivation of all types because they dare to strive for freedom.

We stand together in strong condemnation of these cowardly arrests and the outrageous prosecution and persecution of those 80 individuals, and we demand their immediate release and the release of all political prisoners in Castro's jails. We stand together in our conviction that, despite the Castro regime, democracy will prevail in Cuba.

Mr. Speaker, I strongly urge all of my colleagues to support this resolution.

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

Ms. ROS-LEHTINEN. Mr. Speaker, I yield 5 minutes to the gentleman from Florida (Mr. LINCOLN DIAZ-BALART), the author of this resolution.

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

Mr. Speaker, I wish to also thank the gentleman from Illinois (Chairman HYDE) and the gentleman from North Carolina (Chairman BALLENGER), as well as the ranking members, the gentleman from California (Mr. LANTOS) and the gentleman from New Jersey (Mr. MENENDEZ), for expediting this important resolution. It is important it be considered today because the dicta-

torship is in the midst of a brutal crackdown on the peaceful pro-democracy movement in Cuba.

Since the world's attention has been focused on Iraq for some weeks, the Cuban tyrant decided to crack down on the peaceful pro-democracy movement, including independent librarians, independent journalists, independent physicians, and many others; rounded them up and has thrown them in dungeons.

Some of the so-called summary trials have already taken place. Perhaps the best known independent journalist in Cuba, Raul Rivero, was already sentenced in one of those sham Roman circus trials, sentenced for having a typewriter, for having some articles published. For having articles published in Spain and in the United States and for other such "crimes," Raul Rivero has been sentenced to 20 years.

Marta Beatriz Roque, mentioned by the distinguished gentleman from California, perhaps one of the best known of the political prisoners rounded up in this totalitarian crackdown, was sentenced to 20 years. Her indictment makes interesting reading, if it can be called an indictment.

The dictatorship charged her with having created a Web page, with having a computer in her home, with utilizing a server in the United States for her Web page, for having spoken on Radio Marti, for having published articles in an independent publication known as "Encuentro," for having in her possession in her home a fax machine of the mark Panasonic, and for having a copy machine, a Canon copy machine.

That is in the so-called indictment in the year 2003, in this hemisphere, by the Cuban tyrant, the indictment prepared by the Cuban tyrant of Marta Beatriz Roque, who has been sentenced to 20 years.

I think that much of the responsibility for what is going on in Cuba today, unfortunately, lies with the fact that the international media does not report sufficiently with regard to what happens in Cuba.

A distinguished new colleague of ours recently actually told me she had witnessed a Special Order that we did precisely on this crackdown, a number of us last week, the distinguished new gentlewoman from Michigan (Mrs. MILLER of Michigan). She asked me, "Where can we read about what is going on? Why don't we read in our major newspapers about the details of this totalitarian brutal crackdown in a country 90 miles away?" I think she has a very legitimate point. I think the media has a responsibility to report about such things in a neighboring country 90 miles away.

So today is the day, Mr. Speaker, when we need to as a Congress of the United States set our differences aside and concentrate on the brutal totalitarian crackdown that is taking place in Cuba and speak with one voice that this Congress, as it has so many times in the past, stands for human rights and demands human rights, starting

with the cessation of the brutal crackdown being perpetrated on the Cuban people. And as the resolution continues to state, we call for the respect of all elemental human rights, including the right of self-determination, which can be manifested only through free and fair multiparty elections.

Mr. LANTOS. Mr. Speaker, I am very pleased to yield 5 minutes to my good friend, the gentleman from New Jersey (Mr. MENENDEZ), the ranking member on the Subcommittee on the Western Hemisphere, the chairman of the Democratic Caucus and an indefatigable fighter for freedom in Cuba.

Mr. MENENDEZ. Mr. Speaker, I thank the distinguished gentleman for yielding me time and for his statement as well.

Mr. Speaker, where is the outrage? Where is the outrage regarding the latest barbarity from the dictatorship of Fidel Castro?

Where is the outrage that a blind dissident, Juan Carlos Gonzalez Leiva, is detained in the harshest of political prisons and that the Castro regime denies him his needed medication; that Leonardo Bruzon, an Amnesty International prisoner of conscience who suffers from the ill-effects of a hunger strike, is denied needed medical attention?

Where is the outrage, that three of the four brave authors of the pro-democracy essay, "La Patria Es De Todos," the nation belongs to everyone, Marta Beatriz Roque, Rene Gomez Manzano and Felix Bonne, have been mercilessly thrown in jail and face sentences raging from 20 years to life?

Ms. Roque, who had the audacity to call herself an independent economist and criticized Cuba's economy, has already been sentenced to 20 years. The fourth author, the Afro-Cuban leader, Dr. Oscar Elias Biscet, who already served 3 years for displaying national flags upside down in an act of civil disobedience, will also be sentenced. His three colleagues having the audacity to fast peacefully to protest his detention.

Where is the outrage, that the independent journalists movement in Cuba, led by journalist and poet Raul Rivero, have been rounded up, had their houses ransacked by state security thugs, and their professional personal belongings taken from them?

We learned this morning that Raul Rivero was sentenced to 20 years. Among the dangerous materials that Rivero possessed was a collection of Martin Luther King's speeches autographed by former President Jimmy Carter on his recent trip to the island.

□ 1500

It was taken as evidence of subversive thought.

Where is the outrage, that those who gathered the signatures of 30,000 brave men and women who, much like our Founding Fathers, with the stroke of a pen, had the courage to peacefully demand a referendum calling for democratic changes, were unceremoniously

rounded up and are being sentenced in show trials reminiscent of Hitler and Stalin?

Where is the outrage that independent union activists have been rounded up, that this crackdown occurs when the U.N. Human Rights Commission meets in its annual session in Geneva? The Castro dictatorship's membership of that commission is itself a mockery and a travesty.

The show trials have begun, with the same coerced confessions and the same betrayal of dissident organizations by Castro's security agents who infiltrated these groups.

And what are the verdicts? Guilty. Guilty of criminal association. Guilty of enemy propaganda. Guilty of dangerousness. Guilty of contempt for authority, of resisting authority. Guilty of seeking democracy and a respect for human rights. That is Castro's socialism.

So far, 47 peaceful dissidents have been sentenced to between 12 and 27 years in prison in what the State Department calls "Kangaroo courts" that began proceedings last Thursday.

Let me just mention a few of those sentenced.

Omar Rodriguez Saludes, an independent journalist known to ride his bicycle to news conferences with a camera dangling by a strap from his neck: 27 years, the hardest sentence so far. Hector Palacios, one of the key figures promoting the Varela Project: 25 years. Oscar Espinosa Chepe, who wrote critical articles about the Cuban economy for the Internet: 25 years. Ricardo Gonzalez Alfonso, Raul Rivero's editor at "De Cuba" magazine: 20 years.

And it goes on and on.

So to all who go sip wine with Castro, smoke his cigars and are regaled by his soliloquies, where is the outrage?

Mr. Speaker, the expression of international outrage has begun from European governments to Jimmy Carter to the AFL-CIO. May we all raise our voices to join the growing chorus of outrage and condemnation of this dictatorship heard around the world, heard everywhere, except for these hallowed halls. May this Congress not sit silent now as the show trials proceed. May this Congress stand in solidarity with those dissidents and human rights activists who heeded Pope John Paul's words during his visit to Cuba: "Do not be afraid." "Do not be afraid."

Let us in this bastion of democracy also not be afraid to vote for this resolution.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself 1 minute to explain what this bill actually does. I have had some Members ask.

House Resolution 179 establishes the nexus which exists between the current wave of repression and the 59th session of the United Nations Commission on Human Rights which is currently being held in Geneva. And in doing so, it takes into account the dictatorship's systematic and gross human rights vio-

lations and its repeated demonstrations of contempt for the mandates issued by the U.N. Commission on Human Rights.

Further, it calls for a resolution to be offered and passed at the Human Rights Commission, which accurately reflects this grim reality. It seizes the opportunity which presents itself in May of this year when Cuba's membership on the commission expires. It does so by calling on the Nation of Latin America and the Caribbean group to oppose and deny the regime a seat on this human rights body. More importantly, this resolution calls for the immediate release of all Cuban prisoners of conscience. It sends a strong, definitive message that the United States Congress stands with the dissidents, the independent journalists, and all pro-democracy activists, and not with their oppressor.

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

Mr. LANTOS. Mr. Speaker, I am delighted to yield 2 minutes to the gentleman from New York (Mr. RANGEL), the distinguished ranking member of the Committee on Ways and Means, and an indefatigable fighter for human rights across the globe.

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

Mr. RANGEL. Mr. Speaker, I rise in support of this legislation without any hesitation.

Most all Americans, and certainly those in this House, are strong advocates for democracy all over the world, and we had hoped that the seeds of democracy would have grown in Cuba. Many of us have taken different approaches how we would want to do this, but one thing is abundantly clear: It has taken too long for Castro to recognize the importance of open elections and, certainly, no Americans can find any justification of the wanton and massive arrests of people, many of whom were advocates of normalization, all of whom were advocates of democracy, to have been arrested with closed and secret trials and without any evidence that their conduct was a threat to the security of the people in Cuba.

While we also are reminded that some of us are old enough to have supported the July 26 resolution against Batista and recognize that we do not want those days ever to return, still we are not satisfied with the progress that has been made in terms of moving toward democracy, and it is hard for us to believe that the Cuban Government wants us to believe that these people were arrested because they were involved in a conspiracy with the United States of America to overthrow their government. If they truly believe that the United States intended to overthrow their government, they should have exercised their right to have kicked out the chief of the U.S. Interests Section there, and then not to hold their people hostage and subject

to the painful sentences that have been imposed upon them.

I join in urging the Cuban Government to release these people, to open up these courthouses, and to whatever complaints they have about the conduct of any Americans that are in Cuba, to let the whole world see it. But I am glad to stand with my colleagues and ask for an immediate response to the call of this House, and that is to release the prisoners forthwith.

Mr. Speaker, I rise in support of the resolution introduced by my colleague, Congressman LINCOLN DIAZ-BALART condemning the actions of the government of Cuba in violation of the rights of its citizens. It is not the resolution that I would have drafted, but it comes close enough in reflecting my objections to these actions.

Representatives of the Cuban government want us to believe that their actions in arresting and prosecuting Cuban citizens were based on evidence of their involvement in a conspiracy with the United States to overthrow their government. The Cuban citizens being prosecuted—many of them journalists and advocates of open elections and supporters of normalization of relations with the United States—allegedly consorted with the Chief of the U.S. Interests Section in Havana in this conspiracy at private meetings, including visits to each others' homes.

The so-called evidence is that the United States government provided the Cuban activists with millions of dollars with which to carry out the conspiracy and that these Cuban citizens, therefore, were in violation of Cuban law.

It is hard to believe that the Cuban government feels so insecure that these mass arrests had to be carried out, that the trials had to be held in secret, without any evidence exposed to the Cuban people or to the international community, or that the God-given right of Cuban citizens would be so violated. It is even harder to believe that if this conspiracy theory held water, the person who was at the center of the conspiracy—the Chief of the U.S. Interests Section in Havana—would be allowed to remain in Cuba.

Hardly anyone could disagree that Castroled revolution of 1959 had improved the lives of the great majority of Cuban citizens. But we've waited too long for the revolution to take the next step in offering true democracy to all Cubans. Some Americans believe that the best way to bring democracy to Cuba is a policy of embargo, cutting off all food, medicines, travel, trade and social and family contacts.

Some of us believe that—as with other communist countries, such as China and North Vietnam—a better way is to tear down barriers and allow the Cuban people to see the benefits of democracy. In my view, such a policy of engagement is far better than the use of propaganda and the distribution of radios and pamphlets. U.S. citizens are the most effective ambassadors of democracy.

Despite the ability of supporters the embargo to sustain that failed policy for over 40 years, there has been a great deal of progress in the movement toward normalization of relations between our countries. Just as in February 1996, when the Cuban government shot down two unarmed private aircraft piloted by Cuban-Americans based in Miami, this time there was no threat to the security of the

Cuban government. Just as the shooting incident set back the development of our relationship for several years, that unwarranted violation of the rights of ordinary Cubans, in my humble opinion, has further set back the efforts of the Cuban and American people to move toward democracy and free trade.

For 30 years, I have been part of a sometimes unpopular effort to improve relations between our countries. I would be less than honest if I did not say now that the response of the Cuban government to concerns raised from many quarters has been less than adequate. I will continue to support any effort by our two countries to improve that relationship, but I cannot support this action taken by the Cuban government. Indeed, I am forced to condemn it.

I know that this view is shared by many of my colleagues, and I hope that the Cuban government will seek ways to undo this unfortunate setback to relations between our countries.

I hope that they will reconsider this action against people who were seeking to demonstrate their political differences with their government. I hope that the government will take the most drastic action for any government to take, to reverse itself and release the prisoners.

Ms. ROS-LEHTINEN. Mr. Speaker, I thank the gentleman from New York for his statement of support.

Mr. Speaker, I yield 1½ minutes to my good friend, the gentleman from Arizona (Mr. FLAKE), a member of our Committee on International Relations.

Mr. FLAKE. Mr. Speaker, I thank the gentlewoman for yielding me this time, and I thank the gentlewoman and the gentleman from Florida for authoring this important resolution. It is important to all of us.

For those of us who have followed the situation in Cuba, we have been saddened and sickened by the events that have happened over the last month, although I do not believe any of us have been surprised. This latest crackdown typifies the last 43 years now that Fidel Castro has been in power. It is all too typical.

Let us look at what is going on here. I had the opportunity to be in Cuba just less than a month ago and we met with several of the dissidents at that time. Hector Palacios, director of the Independent Center for Social Studies and the key organizer of the Varela Project, was just sentenced to 25 years. Oswaldo Alfonso, also an organizer for the Varela Project, 18 years. Oscar Espinosa Chepe, an economist, former diplomat and independent journalist, 20 years.

As the gentleman from New York noted, I do not think anybody, anybody, believes that these people are guilty of the crimes that they have been charged with. They are simply guilty of voicing ideas and ideas that this regime is too afraid of.

This resolution is important because it allows us to let people across the country and across the world, and particularly those who sit on boards and commissions of the United Nations, to understand that a regime like this does

not deserve to sit in judgment of others on human rights after what is going on right now, and after a record like this.

Mr. Speaker, I urge support of the resolution.

Mr. LANTOS. Mr. Speaker, I am delighted to yield 6 minutes to the gentleman from Massachusetts (Mr. DELAHUNT), one of the leaders on the House Committee on International Relations, and our acknowledged expert on Latin America.

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

As others have stated, this for me, too, is a day of disappointment and sadness, profound sadness, of human rights violated, and of diplomatic opportunities squandered. As a sovereign nation, only Cuba can decide how to attend to its own national security. But over the last 3 weeks, decisions have been made in Havana that seriously undermine efforts to normalize relationships with the United States.

I come to the floor today as part of a group, the so-called Cuba Working Group. It is bipartisan in nature, 25 Republicans, 25 Democrats. We have spent considerable time and effort to tear the wall down that has divided our people for some 40 years. This has put us at odds with the White House. It has put us at odds with many of our colleagues that are sitting here today. But we are not at odds today.

At this moment, we stand together. In the past I have called on President Bush to lift the U.S. restrictions on travel by Americans to Cuba, to let our people go. Well, today, I call on President Fidel Castro to let his people go.

For me, this issue is more than political, it is personal, because some of those who have been arrested are my friends. I want to speak about 2 of them. My colleagues have heard their names here. Hector Palacios, a Varela Project organizer, and Oscar Dhepe, an independent journalist. Their arrests and convictions pain me more than anyone in this Chamber can comprehend. They are men of exceptional character and integrity who seek peaceful change. They are not agents of violence or insurrection. Far from it. They acknowledge Cuba's advances in health and education brought about by the revolution, and they want to accelerate that progress in other areas, so they work through modest, small, yet courageous acts within the Cuban Constitution. They create and have made every effort to create political space.

Hector's apartment houses one of the first so-called independent libraries in Cuba, a few shelves devoted to old medical encyclopedias and geography texts, some children's books donated by members of my office. But when Hector was arrested, these books were taken away. Doctor Seuss is not a threat to the Cuban revolution.

During our visits, we talk about how to hasten a climate of mutual respect between the people of our 2 countries, between our governments. Ironically,

they argued persuasively for an end to the embargo and travel restrictions on Americans to Cuba. Let me quote from Oscar Chepe, who presently is incarcerated for 20 years in a Cuban jail. This is his quote. These are his words: "Experience demonstrates that isolation breathes life into totalitarianism. On the other hand, contact between peoples free individuals from falsehoods and from the lives without dignity that they are forced to lead."

As the gentleman from New York (Mr. RANGEL) indicated, we are told that these arrests had nothing to do with the content of their words. Rather, they are intended to send a message to the United States in response to a perceived pattern of illegal provocations from our own State Department.

Well, I submit that the message we have received is very different and deeply disturbing. It is that diversity of thought is not welcome in Cuba, even at the expense of jeopardizing progress toward normalization. How else can we explain 20- and 25-year sentences for Hector and Oscar and dozens of others after only cursory consultations with their lawyers and quick trials, closed to the public, foreign diplomats, and the international media.

It is inconceivable, if one knows these men, that they were conspiring with the United States. Like dozens of other detainees, they were working in behalf of the Cuban people. Nobody else. They posed no threat to the Cuban Government.

As I said, I disagree with some of my colleagues in Cuba. For example, I have chosen to travel there, to visit with people like Hector Palacios and Oscar Chepe. And unlike my friends from Florida, some of my friends, I oppose U.S. policies which prevent ordinary Americans from offering the same solidarity to those seeking change in our relationship with Cuba, a relationship that has been stated so eloquently by another prominent Cuban dissident who was recently released from serving 5 years in a Cuban jail. His name is Vladimiro Roca, and he said that the relationship ought to be characterized by dialogue, negotiation, and reconciliation. Again, those are his words.

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But that is a debate for another day. I might have written this resolution somewhat differently, but I commend my colleagues for bringing it to the floor of the House; and I urge my colleagues all of my colleagues to support it; and I ask the Cuban Government to release these people.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield 2 minutes to the gentleman from Missouri (Mr. BLUNT), the distinguished majority whip.

Mr. BLUNT. Mr. Speaker, I am glad to rise in support of this resolution and in opposition to the deplorable behavior we see in Cuba today as evidenced by these so-called desires. That people whose only desire is freedom would be

swooped up in these kinds of numbers and brought to trial at a time when it is clear in the mind of the dictator that we are looking at other things, shows just how wrong he is.

Once again this regime is showing its true colors. These actions continue to be proof of Castro's horrific record of repression, that no matter how much we argue and no matter which side we are on in other debates, people agree on this floor today, it continues to be the kind of commitment that Castro makes to his people, a commitment to repress them.

The Castro regime has chosen this particular time because they thought we were looking elsewhere. We show on the House floor today that we are not looking elsewhere, that we continue to look at Cuba, we continue to hope for the liberation of Cuba, we continue to hope for the greater freedom for the Cuban people. The civilized world cannot stand quietly by and tolerate these terrible abuses of individual rights. As we try to bring freedom to another country, we have to continue to stand for freedom in this hemisphere. And today we join the President of the United States, the European Union, and many others, including the Catholic Church, who have condemned these actions.

I urge the huge vote on this resolution as we send an important message to Castro.

Mr. LANTOS. Mr. Speaker, I ask unanimous consent that each side may have an additional 10 minutes so all of our colleagues may be heard.

Mr. MURTHA. Mr. Speaker, I object. The SPEAKER pro tempore (Mr. TERRY). An objection is heard.

Mr. LANTOS. Mr. Speaker, I would like to request my colleague to reconsider his objection. This is a matter of great principle. Several colleagues would like to speak on this subject, and I think it is singularly unfair to deny them the opportunity to do so.

Mr. MURTHA. I object, Mr. Speaker.

Ms. ROS-LEHTINEN. Mr. Speaker, I ask unanimous consent that each side be granted an additional 5 minutes.

Mr. LANTOS. Mr. Speaker, would my friend agree to 5 minutes on each side?

Mr. MURTHA. Mr. Speaker, I withdraw my objection. I will agree to 5 minutes each side.

The SPEAKER pro tempore. There is a unanimous consent for 5 additional minutes for each side.

Hearing no objection, each side is granted an additional 5 minutes.

There was no objection.

The SPEAKER pro tempore. The gentleman from California (Mr. LANTOS) now has 6 minutes remaining.

Mr. LANTOS. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts (Mr. MCGOVERN).

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

Mr. Speaker, I rise in support of this resolution. All voices must condemn the recent crackdown by the Govern-

ment of Cuba against political dissent. Those arrested include two dozen independent journalists, leaders of independent trade unions and opposition political parties, and pro-democracy activists involved in the countrywide reform effort known as the Varela project.

It makes no difference whether you are for or against change in U.S. policy towards Cuba. On this matter we speak with one voice. These arrests are unacceptable. The summary trials and harsh sentences merit universal condemnation.

Mr. Speaker, I have had the privilege of traveling to Cuba many times and have met directly with Cuban independent journalists and members of the dissident community. Many of these individuals were arrested in the latest crackdown. They are receiving harsh sentences for actions we take for granted here in the United States: the right to hold meetings, have discussions, and express opinions different from those held by our government.

The Cuban Government has said that these arrests are in response to actions by U.S. Ambassador Cason and the U.S. Interests Section that are perceived as deliberate attempts to foment subversion in Cuba.

Mr. Speaker, those grievances should be raised and resolved between the two governments, but no action of the United States Interests Section justifies in any way these recent arrests. The right of diplomats to meet with people who represent a range of views, including people who peaceably dissent from the policies and priorities of their own governments, should not be impeded. In fact, Mr. Speaker, I believe the restrictions on U.S. diplomats in Cuba and Cuban diplomats in the United States are just plain wrong.

Mr. Speaker, I am seriously concerned about the increased tensions and hardening of positions in U.S. Cuban relations. They do little to advance human rights or open political space in Cuba; in fact, quite the opposite. I fear that without a concerted effort to change our policies towards one another for the better, it will only lead to greater restrictions in both countries and fewer opportunities for moderate voices in both countries to engage directly with one another. I will conclude by urging the Cuban Government to release immediately all these prisoners and all prisoners of conscience.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield 30 seconds to the gentleman from Michigan (Mr. MCCOTTER), a member of our Committee on International Relations.

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

We in America inhabit the bosom of freedom. Yet, scant miles, though a lifetime away from our shores, suffering and dying under an antiquated Communist tyrant, the Cuban people yearn to breathe free. By passing this resolution, we in the citadel of freedom

say to the Cuban people, we hear you and we will help you. For if we do not, we will betray our own cherished democratic principles and our refusal will constitute a mute chorus of deafening silence in the face of human suffering. I urge adoption of the resolution.

Mr. LANTOS. Mr. Speaker, I yield 2 minutes to my good friend, the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Speaker, I rise today in support of H.R. 179 that condemns the brutal crackdown of the Cuban Government on the island's peaceful pro-democracy movement and calls for the immediate release of all Cuban political prisoners.

Mr. Speaker, I have addressed this House on several occasions regarding Castro's continued assault on and disregard for human rights and democracy. I and several of my colleagues have spoken recently of Castro's decision to arrest and try over 80 non-violent human rights advocates, pro-democracy leaders, and independent journalists in what has become a campaign by the regime to silence all voices of peaceful opposition on the island.

Inside of a month Castro has arrested, arraigned, tried, and sentenced many of the dissidents, some receiving prison terms as long as 27 years.

Mr. Speaker, there is an article in today's New York Times that I would like to enter into the record, and it mentions James Cason, the U.S. diplomat that has been spoken of, and it says that the reason this is happening is because they have become such effective advocates that the government attacks them.

The reason this is happening is these dissidents are having an impact. People believe in them in Cuba. They are having an impact on basically changing and reforming the government ultimately. They have become voices of change. That is why it is so important that we here in the United States basically condemn what Castro is doing, because otherwise people like them will not continue.

Mr. Speaker, I strongly urge my colleagues to support this resolution. These recent actions by the Castro regime are simply the next step in the systematic denial of even the most basic human rights for the citizens of Cuba. Congress must send a strong message to Castro that despite his hopes that the world would be looking the other way, that his actions have not gone unnoticed and will not be allowed to continue.

[From the New York Times, April 8, 2003]

CUBAN DISSIDENTS GET PRISON TERMS AS LONG AS 27 YEARS

(By David Gonzalez)

MIAMI, Apr. 7.—Cuban courts today began handing out prison terms of up to 27 years to dozens of dissidents, including journalists and librarians, who had been advocating democratic reforms, according to human rights groups and news reports from Havana.

The harsh sentences capped five days of trials in which state security agents who had

infiltrated dissident groups testified against their supposed colleagues on charges of subversion and collaborating with American diplomats. Almost 80 people were arrested in an islandwide sweep that started last month and that has been condemned by numerous human rights advocates, the European Union and foreign leaders.

Héctor Palacios, a key organizer of the Varela Project, which seeks democratic reforms, was sentenced to 25 years. Marta Beatriz Roque, an independent economist who angered authorities when she invited the chief American diplomat in Cuba to her home in February, received a 20-year sentence.

Omar Rodríguez Saludes, an independent journalist who covered the news scooting around Havana on a battered bicycle, was handed the longest sentence: 27 years.

Cuban authorities said the dissidents had conspired with James Cason, the United States diplomat, and they brought charges against them under a law that makes illegal any support of measures like the American trade embargo that would harm the island's economy or sovereignty. During an appearance at the University of Miami today, Mr. Cason had a one-word reply when asked if he thought—as the Cuban government had suggested—that he provoked the crackdown by his repeated meetings with dissidents.

"Lies," he said.

He defended his contacts with the dissidents as a normal part of his work, saying that the American mission in Havana provided people with books, Internet access and newspaper clippings, among other services. They did not, he said, pay the groups or give them their marching orders, but supported their call for a quick and peaceful transition to democracy.

"We should be clear, the opposition is not a shadow government waiting to move into power," Mr. Cason said in his speech. "They are simply among the few who openly say what so many others believe, that it is time for change. Because they have become effective advocates, the government attacks them, labeling them subversive traitors."

International groups condemned the sentences, saying those arrested were exercising fundamental freedoms protected by the Universal Declaration on Human Rights, of which Cuba is a signer. Several Latin nations have introduced a proposal to censure Cuba at the current session of the United Nations Commission on Human Rights in Geneva.

"It's perverse that there's a massive crackdown in Cuba just at the moment that the United Nations is examining Cuba's human rights record," said José Miguel Vivanco, the Americas director of Human Rights Watch. "The commission must condemn these abuses, and do so strongly and unequivocally."

Relatives of some dissidents denounced the lengthy prison terms as effective life sentences. Raul Rivero, a poet and the dean of the island's independent journalists, who was given a 20-year sentence, suffers from phlebitis and other illnesses.

"This is so arbitrary for a man whose only crime is to write what he thinks," said Mr. Rivero's wife, Blanca Reyes. "What they found on him was a tape recorder, not a grenade."

Mr. Cason said that the United States would offer moral support to those who would assume the work of those now in jail.

The Cuban government put limits on Mr. Cason's movements after he traveled some 6,000 miles around the island in his first six months. Some have speculated the government might decide to keep him out of the country, a possibility he accepted.

"They can shoot the messenger if they want," Mr. Cason said. "There will be more messengers coming."

Ms. ROS-LEHTINEN. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. SMITH), the vice chairman of our Committee on International Relations.

Mr. SMITH of New Jersey. Mr. Speaker, I thank the gentlewoman for yielding me time.

Mr. Speaker, since mid-March the Castro dictatorship has carried out a massive crackdown on human rights defenders, independent journalists, and trade unionists and other brave and noble pro-democracy activists throughout Cuba.

Not satisfied with the ongoing torture and mistreatment and incarceration of approximately 400 political prisoners, Castro has begun a new, ominous, and shameful attack on another 80 of the best and brightest and most courageous of Cuba. Now, as we meet here today, his people and his thugs are beating, victimizing, and sentencing to very long prison sentences those who are the cream of the crop in Cuba, who believe in freedom and democracy.

Castro, with all eyes diverted on Iraq and the war in Iraq, is trying to silence dissent with violence, "show" trials, and incarceration. This latest manifestation, Mr. Speaker, of cruelty by the Castro dictatorship is but another, but a highly significant other, reminder of the true character of this regime. It is cruel, brutal and an egregious violator of human rights.

Mr. Speaker, Castro's brutal actions hopefully will serve as a wake-up call to those in the United States, especially those in the United States Congress who argue that it is time to lift the travel ban and sanctions against Cuba. I especially want to focus, Mr. Speaker, on those in the European Union who have been trading with the island country of Cuba for so many years without any linkage whatsoever to human rights. Trade, trade, trade, while this barbaric dictatorship gets worse and worse and worse.

In previous Congresses, Mr. Speaker, I have offered an amendment to lift the travel ban, if and only if political prisoners are freed and felons who have committed acts of violence in the United States against U.S. police, including a trooper from the State of New Jersey, are brought to the U.S. in order to be held accountable. That amendment, sadly, lost.

Now, today on the floor we are united in rhetoric and sentiment for those who are being incarcerated and mistreated. But we also need linkage, Mr. Speaker. We need to recognize that actions, and particularly those that are linked to trade and travel bans, can be very efficacious—actions always speak louder than our words. I call upon the European Union, Mr. Speaker, to engage the human rights abuses of Castro with something more than rhetoric. Members of the EU have been trading, as has Canada, for so many years. What have they gotten for it? Maybe they made a few bucks or a few Euros or a few Canadian dollars, but they have,

however unwittingly, aided and abetted this brutal tyrant in horrific repression against his people.

I urge strong support for the gentleman from Florida's (Ms. ROS-LEHTINEN) resolution, and I hope this is a wake-up call about what this regime is all about.

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

Ms. ROS-LEHTINEN. Mr. Speaker, I yield 1 minute to my colleague, the gentleman from Florida (Mr. FEENEY).

Mr. FEENEY. Mr. Speaker, I want to thank all of the sponsors of this resolution, especially my friends from Florida.

Mr. Speaker, there is an old saying that people do not miss fresh air until they live without it. My friends from south Florida understand what it is like to live without freedom and without fresh air.

While American men and women are halfway around the world fighting for freedom and democracy, we are finding out who our friends are. We are also finding out throughout the world who the really bad actors are. You can judge bad guys because while the cat is away, the rats are playing just 90 miles off the Florida border. And I will say that the roundup of these individual freedom fighters, who remind me of the original founders of our Republic, who pledged in the Declaration their lives, their fortunes, and their sacred honor to stand up for what is right, the most recent roundup by Castro and his evil regime is nothing but a modern-day Stalinist purge.

I will say as we are fighting to free the Iraqi people, so we should stay the course and fight to free the Cuban people. I urge a unanimous vote by this House of Representatives and, once again, I want to thank all of my colleagues who are sponsors of this resolution.

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

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself 1 minute. After speaking, I will yield to the gentleman from Florida (Mr. MARIO DIAZ-BALART) to close.

Mr. Speaker, I started my remarks quoting Eli Wiesel, and I would like to end the remarks that I have on this resolution by this same gentleman who has meant so much for freedom and human rights and free expression of ideas throughout the world.

Eli Wiesel said, "Just as despair can come to one only from other human beings, hope too can be given to one only by other human beings."

Let us be that beacon of hope for the Cuban people. Let us support this resolution. Let us support those freedom fighters, those valiant fighters for free thought who are actually given sentences for possession of typewriters, for possession of books, for possession of computers, for giving interviews to foreign journalists. Let us be that beacon of hope that Eli Wiesel spoke about.

□ 1530

Mr. Speaker, I yield the remaining time to the gentleman from Florida (Mr. MARIO DIAZ-BALART).

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I thank the gentleman for yielding the time to me, and I also want to thank the gentleman from Florida (Mr. LINCOLN DIAZ-BALART) for bringing this resolution to the floor.

We have heard about this horrible thing that is going on just 90 miles away from the United States coast, these people getting arrested. What are they getting arrested for? What have they gotten convicted for? Let me just mention Raul Ramon Rivero, an independent journalist and leader of the Cuba press newspapers service who, by the way, has been sentenced to 20 years, Mr. Speaker, 20 years in prison for the following reasons:

Because he created an independent press organization, 20 years for that. Because he is circulating materials published by human rights groups, 20 years for that, Mr. Speaker. Because he is a member of the Cuban Society of Independent Journalists, 20 years in prison for that, Mr. Speaker. Because, the audacity, he has a Sony tape recorder. Mr. Speaker, furthermore, he has the audacity of having a Samsung computer; and if that was not enough to deserve 20 years in prison, it is because he has had meetings in his home with other independent journalists.

That is the reason, Mr. Speaker, why he is serving 20 years, why the tyranny has sentenced him for 20 years in prison. It is not a joke. It is not a cruel joke. Those are the reasons, and like reasons for why these people are being sentenced to 20 years or life imprisonment just 90 miles away from our coast.

Mr. Speaker, some still do business with that tyrant, with Castro; and some want to do business with Castro, with the Castro regime. Doing business with the Castro regime, Mr. Speaker, which is Castro's will, that is what he wants, he says it every single day, doing business with that tyrant, Mr. Speaker, and let us make it very clear, is doing business with a criminal. It is doing business with an international terrorist. It is doing business with a thug, with a tyrant. Mr. Speaker, it is doing business with a murderer; and yes, just listen to him, what he says, it is doing business with a mortal enemy of the United States of America and the American people.

Let us remember what Marta Beatriz Roque, who now has been sentenced to prison for these same types of issues, what she has been saying time and time again. One of the reasons that she is going to prison is because she has said that we must keep the sanctions on the tyranny; we must keep the pressure on until finally there are free elections in Cuba.

That is the goal, Mr. Speaker. That is what we need to do. That is what we need to succeed in achieving for the

Cuban people, and that is why it is important. That is a step to free elections. That is a step to freedom in Cuba.

We overwhelmingly support this resolution and want to make sure that the world sees that everybody understands that we will not tolerate, we will not tolerate this type of behavior; and we are not going to do business with that kind of anti-American thug, criminal, assassin and terrorist just 90 miles away from our shores.

Mr. UDALL of Colorado. Mr. Speaker, I rise in strong support of this resolution.

The world has condemned Cuba's recent crackdown on human rights and democracy activists. What is most troubling is that this is nothing new. The recent crackdown is merely a continuation of the systematic human rights violations in Cuba committed by the Castro regime.

Today I was most discouraged to learn of the prison sentences that have been handed down to dozens of these dissidents, who have been charged with "subversion" and collaborating with American diplomats, among other charges. Hector Palacios is but one I'll mention. Along with Oswaldo Paya Sardinias, Mr. Palacios has been a key organizer of the Varela Project, an effort to win Cuban popular support for a referendum on open elections, freedom of speech, freedom for political prisoners, and free enterprise. Yesterday he was sentenced to 25 years in prison for advocating democratic reforms.

Today I join my colleagues in condemning Cuba's crackdown on democracy, in calling for the release of all Cuba's political prisoners, in supporting the right of the Cuban people to exercise their political and civil liberties, and in calling on the world to insist in the strongest terms that the Government of Cuba adhere to international human rights standards.

I enclose for the record a letter to me from former Secretary of State Madeleine Albright, now Chairman of the National Democratic Institute for International Affairs. NDI has worked with organizers of the Varela Project to promote the movement internationally, and last year NDI honored Oswaldo Paya Sardinias for his courageous efforts to promote democracy. Enclosed also is a statement from him calling for the immediate release of the activists. Mr. Paya calls this moment the "Spring of Cuba" because for the first time, a peaceful movement is flourishing there. We must do all we can to help it take root.

Mr. FARR. Mr. Speaker, I rise today to offer my strong support for H. Res. 179. The recent crackdown by the Cuban government on political dissidents is without reason or measure. The Cuban government must recognize that if it wants to become a full member of the family of democratic nations, and re-establish ties with the United States, it must abide by the fundamental rules of a democracy. At the very top of that list is freedom of expression.

I believe that the United States can assist Cuba in its move towards greater freedom and openness. The American Congress and the Administration can lead by example, by lifting the travel ban, and lifting the trade embargo. How can we advocate for greater freedom when we prevent American companies and consumers from benefiting from trade with Cuba? How can we call for greater openness when we do not let American citizens exercise

their constitutional right to travel freely, to Cuba if they so desire. America can also lead by example by avoiding needless antagonization of Cuba. Wherever they are, our diplomatic community must always act diplomatically.

Current U.S. policy towards Cuba has proved a failure. It makes no sense to continue down the path of isolation. The recent actions by the Cuban government, while reprehensible, do not change that central fact. U.S. policy should be based on U.S. national interests, not a system of rewards and punishments for good or bad behavior. In this instance, the Cuban government has behaved badly and they should be properly sanctioned for it, in America and in the world community. This resolution is an appropriate measure. I do not think, however, that it should affect policy. This should not lead to greater restrictions. To the contrary, the response should be greater exchange between the U.S. and Cuba. Greater freedom and openness will lead to a more free and open Cuban society. As we call on Cuba now to change its policy, we must also ask ourselves what we can do to have a more free and open policy. Lifting the travel and trade ban on Cuba would be a good start.

Mr. MEEK of Florida. Mr. Speaker, I rise today in strong support of this resolution. I also thank my South Florida colleagues, LINCOLN DIAZ-BALART, ILEANA ROS-LEHTINEN and MARIO DIAZ-BALART for bringing this resolution to the floor. I stand with them today to condemn the brutal and inhumane attacks by Fidel Castro on innocent human rights activists, trade union leaders, journalists and ordinary citizens in Cuba.

Fidel Castro has taken advantage of the power he has in his country and over his citizens for years. Today, he is taking advantage of the world's focus on the war in Iraq to once again suppress Cuban dissidents who are trying to exercise basic rights of freedom of expression, seeking a peaceful evolution towards a democracy he so obviously deplores.

Mr. Speaker, here in the United States, protesters are using their First Amendment rights to speak their minds on the war in Iraq. Whether they support the Bush administration or not and whether we agree with them or not, people in this country rally to voice their concerns over the war, and other issues, without the fear of being brutally attacked and imprisoned for the rest of their lives.

In Cuba however, the freedom to express your mind is nonexistent. The imprisoned dissidents in Cuba are part of a growing movement who are continuously followed, harassed, phone-tapped and detained.

For merely stating their opinions, signing petitions and writing articles advocating the end of the dictatorship in Cuba, these activists are charged as criminals. They are threatened for gathering in each other's private homes to talk about the resurrection of a better life in Cuba for themselves and for future generations to come.

Mr. Speaker, these callous and repressive acts by Castro's regime are nothing new. They have been occurring long before my colleagues and I came to Congress. Many of the prisoners will probably face years of imprisonment, joining several hundred political prisoners who have been previously sentenced for similar harmless acts. For decades now, Castro has repeatedly used the repression of his citizens as a means of retaining authority and control over his country and over his people.

It is for these reasons I stand in strong support of this resolution and ask my fellow colleagues to join me to condemn the arrests of these individuals and insist the immediate release of all political prisoners in Cuba.

Mr. DELAY. Mr. Speaker, on March 17th of this year, Fidel Castro initiated his most draconian crack-down on political dissidents in recent years.

He has ordered the arrest of more than 80 pro-democracy activists. He has tried them in proceedings the State Department called a "kangaroo court." And he has sentenced them to decades in prison on illegitimate charges.

Castro was wrong to think he could tighten his choke-hold on the human rights of his people under the radar of the civilized world.

The United States may be engaged in armed conflict on the other side of the world, but no fog of war can conceal Castro's barbarism.

And no freedom-loving nation can reward such behavior with trade policies that, however well-intentioned, would enrich a terrorist regime 90 miles off our shores.

If Castro cared about the Cuban people, he would stop brutalizing members of the pro-democracy movement. He would release all his political prisoners, and restore individual liberties to his people.

He would recognize the human rights of all Cubans, especially those with the courage to speak the truth about his goon squad of a government.

This resolution calls on the Cuban dictator to do all of these things, and it puts the House of Representatives once again on the side of our oppressed neighbors and against their oppressor.

I urge all Members to support it.

The SPEAKER pro tempore (Mr. LINDER). The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and agree to the resolution, H. Res. 179.

The question was taken.

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

Ms. ROS-LEHTINEN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

#### CLEAN DIAMOND TRADE ACT

Mr. CRANE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1584) to implement effective measures to stop trade in conflict diamonds, and for other purposes, as amended.

The Clerk read as follows:

H.R. 1584

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Clean Diamond Trade Act".

#### SEC. 2. FINDINGS.

Congress finds the following:

(1) Funds derived from the sale of rough diamonds are being used by rebels and state actors to finance military activities, overthrow legitimate governments, subvert international efforts to promote peace and stability, and commit horrifying atrocities against unarmed civilians. During the past decade, more than 6,500,000 people from Sierra Leone, Angola, and the Democratic Republic of the Congo have been driven from their homes by wars waged in large part for control of diamond mining areas. A million of these are refugees eking out a miserable existence in neighboring countries, and tens of thousands have fled to the United States. Approximately 3,700,000 people have died during these wars.

(2) The countries caught in this fighting are home to nearly 70,000,000 people whose societies have been torn apart not only by fighting but also by terrible human rights violations.

(3) Human rights and humanitarian advocates, the diamond trade as represented by the World Diamond Council, and the United States Government have been working to block the trade in conflict diamonds. Their efforts have helped to build a consensus that action is urgently needed to end the trade in conflict diamonds.

(4) The United Nations Security Council has acted at various times under chapter VII of the Charter of the United Nations to address threats to international peace and security posed by conflicts linked to diamonds. Through these actions, it has prohibited all states from exporting weapons to certain countries affected by such conflicts. It has further required all states to prohibit the direct and indirect import of rough diamonds from Sierra Leone unless the diamonds are controlled under specified certificate of origin regimes and to prohibit absolutely the direct and indirect import of rough diamonds from Liberia.

(5) In response, the United States implemented sanctions restricting the importation of rough diamonds from Sierra Leone to those diamonds accompanied by specified certificates of origin and fully prohibiting the importation of rough diamonds from Liberia. The United States is now taking further action against trade in conflict diamonds.

(6) Without effective action to eliminate trade in conflict diamonds, the trade in legitimate diamonds faces the threat of a consumer backlash that could damage the economies of countries not involved in the trade in conflict diamonds and penalize members of the legitimate trade and the people they employ. To prevent that, South Africa and more than 30 other countries are involved in working, through the "Kimberley Process", toward devising a solution to this problem. As the consumer of a majority of the world's supply of diamonds, the United States has an obligation to help sever the link between diamonds and conflict and press for implementation of an effective solution.

(7) Failure to curtail the trade in conflict diamonds or to differentiate between the trade in conflict diamonds and the trade in legitimate diamonds could have a severe negative impact on the legitimate diamond trade in countries such as Botswana, Namibia, South Africa, and Tanzania.

(8) Initiatives of the United States seek to resolve the regional conflicts in sub-Saharan Africa which facilitate the trade in conflict diamonds.

(9) The Interlaken Declaration on the Kimberley Process Certification Scheme for Rough Diamonds of November 5, 2002, states that Participants will ensure that measures taken to implement the Kimberley Process Certification Scheme for Rough Diamonds

will be consistent with international trade rules.

### SEC. 3. DEFINITIONS.

In this Act:

(1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” means the Committee on Ways and Means and the Committee on International Relations of the House of Representatives, and the Committee on Finance and the Committee on Foreign Relations of the Senate.

(2) **CONTROLLED THROUGH THE KIMBERLEY PROCESS CERTIFICATION SCHEME.**—An importation or exportation of rough diamonds is “controlled through the Kimberley Process Certification Scheme” if it is an importation from the territory of a Participant or exportation to the territory of a Participant of rough diamonds that is—

(A) carried out in accordance with the Kimberley Process Certification Scheme, as set forth in regulations promulgated by the President; or

(B) controlled under a system determined by the President to meet substantially the standards, practices, and procedures of the Kimberley Process Certification Scheme.

(3) **EXPORTING AUTHORITY.**—The term “exporting authority” means 1 or more entities designated by a Participant from whose territory a shipment of rough diamonds is being exported as having the authority to validate the Kimberley Process Certificate.

(4) **IMPORTING AUTHORITY.**—The term “importing authority” means 1 or more entities designated by a Participant into whose territory a shipment of rough diamonds is imported as having the authority to enforce the laws and regulations of the Participant regulating imports, including the verification of the Kimberley Process Certificate accompanying the shipment.

(5) **KIMBERLEY PROCESS CERTIFICATE.**—The term “Kimberley Process Certificate” means a forgery resistant document of a Participant that demonstrates that an importation or exportation of rough diamonds has been controlled through the Kimberley Process Certification Scheme and contains the minimum elements set forth in Annex I to the Kimberley Process Certification Scheme.

(6) **KIMBERLEY PROCESS CERTIFICATION SCHEME.**—The term “Kimberley Process Certification Scheme” means those standards, practices, and procedures of the international certification scheme for rough diamonds presented in the document entitled “Kimberley Process Certification Scheme” referred to in the Interlaken Declaration on the Kimberley Process Certification Scheme for Rough Diamonds of November 5, 2002.

(7) **PARTICIPANT.**—The term “Participant” means a state, customs territory, or regional economic integration organization identified by the Secretary of State.

(8) **PERSON.**—The term “person” means an individual or entity.

(9) **ROUGH DIAMOND.**—The term “rough diamond” means any diamond that is unworked or simply sawn, cleaved, or bruted and classifiable under subheading 7102.10, 7102.21, or 7102.31 of the Harmonized Tariff Schedule of the United States.

(10) **UNITED STATES.**—The term “United States”, when used in the geographic sense, means the several States, the District of Columbia, and any commonwealth, territory, or possession of the United States.

(11) **UNITED STATES PERSON.**—The term “United States person” means—

(A) any United States citizen or any alien admitted for permanent residence into the United States;

(B) any entity organized under the laws of the United States or any jurisdiction within the United States (including its foreign branches); and

(C) any person in the United States.—

### SEC. 4. MEASURES FOR THE IMPORTATION AND EXPORTATION OF ROUGH DIAMONDS.

(a) **PROHIBITION.**—The President shall prohibit the importation into, or exportation from, the United States of any rough diamond, from whatever source, that has not been controlled through the Kimberley Process Certification Scheme.

(b) **WAIVER.**—The President may waive the requirements set forth in subsection (a) with respect to a particular country for periods of not more than 1 year each, if, with respect to each such waiver—

(1) the President determines and reports to the appropriate congressional committees that such country is taking effective steps to implement the Kimberley Process Certification Scheme; or

(2) the President determines that the waiver is in the national interests of the United States, and reports such determination to the appropriate congressional committees, together with the reasons therefor.

### SEC. 5. REGULATORY AND OTHER AUTHORITY.

(a) **IN GENERAL.**—The President is authorized to and shall as necessary issue such proclamations, regulations, licenses, and orders, and conduct such investigations, as may be necessary to carry out this Act.

(b) **RECORDKEEPING.**—Any United States person seeking to export from or import into the United States any rough diamonds shall keep a full record of, in the form of reports or otherwise, complete information relating to any act or transaction to which any prohibition imposed under section 4(a) applies. The President may require such person to furnish such information under oath, including the production of books of account, records, contracts, letters, memoranda, or other papers, in the custody or control of such person.

(c) **OVERSIGHT.**—The President shall require the appropriate Government agency to conduct annual reviews of the standards, practices, and procedures of any entity in the United States that issues Kimberley Process Certificates for the exportation from the United States of rough diamonds to determine whether such standards, practices, and procedures are in accordance with the Kimberley Process Certification Scheme. The President shall transmit to the appropriate congressional committees a report on each annual review under this subsection.

### SEC. 6. IMPORTING AND EXPORTING AUTHORITIES.

(a) **IN THE UNITED STATES.**—For purposes of this Act—

(1) the importing authority shall be the United States Bureau of Customs and Border Protection or, in the case of a territory or possession of the United States with its own customs administration, analogous officials; and

(2) the exporting authority shall be the Bureau of the Census.

(b) **OF OTHER COUNTRIES.**—The President shall publish in the Federal Register a list of all Participants, and all exporting authorities and importing authorities of Participants. The Secretary shall update the list as necessary.

### SEC. 7. STATEMENT OF POLICY.

The Congress supports the policy that the President shall take appropriate steps to promote and facilitate the adoption by the international community of the Kimberley Process Certification Scheme implemented under this Act.

### SEC. 8. ENFORCEMENT.

(a) **IN GENERAL.**—In addition to the enforcement provisions set forth in subsection (b)—

(1) a civil penalty of not to exceed \$10,000 may be imposed on any person who violates,

or attempts to violate, any license, order, or regulation issued under this Act; and

(2) whoever willfully violates, or willfully attempts to violate, any license, order, or regulation issued under this Act shall, upon conviction, be fined not more than \$50,000, or, if a natural person, may be imprisoned for not more than 10 years, or both; and any officer, director, or agent of any corporation who willfully participates in such violation may be punished by a like fine, imprisonment, or both.

(b) **IMPORT VIOLATIONS.**—Those customs laws of the United States, both civil and criminal, including those laws relating to seizure and forfeiture, that apply to articles imported in violation of such laws shall apply with respect to rough diamonds imported in violation of this Act.

(c) **AUTHORITY TO ENFORCE.**—The United States Bureau of Customs and Border Protection and the United States Bureau of Immigration and Customs Enforcement are authorized, as appropriate, to enforce the provisions of subsection (a) and to enforce the laws and regulations governing exports of rough diamonds, including with respect to the validation of the Kimberley Process Certificate by the exporting authority.

### SEC. 9. TECHNICAL ASSISTANCE.

The President may direct the appropriate agencies of the United States Government to make available technical assistance to countries seeking to implement the Kimberley Process Certification Scheme.

### SEC. 10. SENSE OF CONGRESS.

(a) **ONGOING PROCESS.**—It is the sense of the Congress that the Kimberley Process Certification Scheme, officially launched on January 1, 2003, is an ongoing process. The President should work with Participants to strengthen the Kimberley Process Certification Scheme through the adoption of measures for the sharing of statistics on the production of and trade in rough diamonds, and for monitoring the effectiveness of the Kimberley Process Certification Scheme in stemming trade in diamonds the importation or exportation of which is not controlled through the Kimberley Process Certification Scheme.

(b) **STATISTICS AND REPORTING.**—It is the sense of the Congress that under Annex III to the Kimberley Process Certification Scheme, Participants recognized that reliable and comparable data on the international trade in rough diamonds are an essential tool for the effective implementation of the Kimberley Process Certification Scheme. Therefore, the executive branch should continue to—

(1) keep and publish statistics on imports and exports of rough diamonds under subheadings 7102.10.00, 7102.21, and 7102.31.00 of the Harmonized Tariff Schedule of the United States;

(2) make these statistics available for analysis by interested parties and by Participants; and

(3) take a leadership role in negotiating a standardized methodology among Participants for reporting statistics on imports and exports of rough diamonds.

### SEC. 11. KIMBERLEY PROCESS IMPLEMENTATION COORDINATING COMMITTEE.

The President shall establish a Kimberley Process Implementation Coordinating Committee to coordinate the implementation of this Act. The Committee should be composed of the following individuals or their designees:

(1) The Secretary of the Treasury and the Secretary of State, to serve as co-chairpersons.

(2) The Secretary of Commerce.

(3) The United States Trade Representative.

(4) The Secretary of Homeland Security.

(5) A representative of any other agency the President deems appropriate.

#### SEC. 12. REPORTS.

(a) ANNUAL REPORTS.—Not later than 1 year after the date of the enactment of this Act and every 12 months thereafter for such period as this Act is in effect, the President shall transmit to the Congress a report—

(1) describing actions taken by countries that have exported rough diamonds to the United States during the preceding 12-month period to control the exportation of the diamonds through the Kimberley Process Certification Scheme;

(2) describing whether there is statistical information or other evidence that would indicate efforts to circumvent the Kimberley Process Certification Scheme, including cutting rough diamonds for the purpose of circumventing the Kimberley Process Certification Scheme;

(3) identifying each country that, during the preceding 12-month period, exported rough diamonds to the United States and was exporting rough diamonds not controlled through the Kimberley Process Certification Scheme, if the failure to do so has significantly increased the likelihood that those diamonds not so controlled are being imported into the United States; and

(4) identifying any problems or obstacles encountered in the implementation of this Act or the Kimberley Process Certification Scheme.

(b) SEMI-ANNUAL REPORTS.—For each country identified in subsection (a)(3), the President, during such period as this Act is in effect, shall, every 6 months after the initial report in which the country was identified, transmit to the Congress a report that explains what actions have been taken by the United States or such country since the previous report to ensure that diamonds the exportation of which was not controlled through the Kimberley Process Certification Scheme are not being imported from that country into the United States. The requirement to issue a semiannual report with respect to a country under this subsection shall remain in effect until such time as the country is controlling the importation and exportation of rough diamonds through the Kimberley Process Certification Scheme.

#### SEC. 13. GAO REPORT.

Not later than 24 months after the effective date of this Act, the Comptroller General of the United States shall transmit a report to the Congress on the effectiveness of the provisions of this Act in preventing the importation or exportation of rough diamonds that is prohibited under section 4. The Comptroller General shall include in the report any recommendations on any modifications to this Act that may be necessary.

#### SEC. 14. DELEGATION OF AUTHORITIES.

The President may delegate the duties and authorities under this Act to such officers, officials, departments, or agencies of the United States Government as the President deems appropriate.

#### SEC. 15. EFFECTIVE DATE.

This Act shall take effect on the date on which the President certifies to the Congress that—

(1) an applicable waiver that has been granted by the World Trade Organization is in effect; or

(2) an applicable decision in a resolution adopted by the United Nations Security Council pursuant to Chapter VII of the Charter of the United Nations is in effect.

This Act shall thereafter remain in effect during those periods in which, as certified by the President to the Congress, an applicable waiver or decision referred to in paragraph (1) or (2) is in effect.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. CRANE) and the gentleman from Michigan (Mr. LEVIN) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois (Mr. CRANE).

Mr. CRANE. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. ROYCE).

Mr. ROYCE. Mr. Speaker, I would like to begin by commending the gentleman from New York (Mr. HOUGHTON), the vice-chairman of the Subcommittee on Africa, for working long and hard on this legislation.

For several years now, the House has been focused on the problem of conflict diamonds around the world. Three years ago, the Subcommittee on Africa that I chair held a hearing on these conflict diamonds; and we have had several hearings on Sierra Leone where, again, these diamonds have fueled a conflict, frankly, a conflict that has brutalized many children in that country, a conflict that has led to the forced amputations of the arms and legs of little girls and little boys in Sierra Leone.

Concerted international action, including a U.N. curb on the diamond trade in Sierra Leone and neighboring Liberia, has helped give Sierra Leone a chance for peace. The legislation that we are considering today builds on that success.

We should note that the problem of natural resources fueling conflicts in Africa is not limited to diamonds. Over the last several years, an estimated 2.5 million people have died in the eastern Congo due to a conflict being fueled by an illegal natural resource rush. The U.N. has documented what it calls “elite networks,” government officials from Rwanda, Uganda, Zimbabwe, and the Congo acting in collaboration with international criminals and war lords. What are they doing? They are gorging on diamonds, but also other minerals and on farm produce and land and tax revenue, and these characters thrive in an environment of conflict. They thrive on death, and we need to combat all of this exploitation.

Today, though, we are focused on a significant part of the problem, and that is diamonds; and this legislation is an important tool to fight this chaos that is going on in eastern Congo and elsewhere. Ending the trade in conflict diamonds is all the more important given reports of terrorists using rough diamonds to hide their funds and to transfer their funds.

Again, I would like to commend the gentleman from New York and the other Members; and to name a few, I would like to commend the gentleman from Virginia (Mr. WOLF); our former Member, the gentleman from Ohio (Mr. Hall); the gentleman from New York (Mr. RANGEL); and others who have worked on this legislation, which has been several years in the making. It promises to curb the trade in conflict diamonds while not harming the legiti-

mate diamond trade that so many Africans depend on for their livelihood.

This is an important step forward and deserves strong support.

Mr. LEVIN. Mr. Speaker, I yield myself such time as I may consume, and I ask unanimous consent to yield the balance of the time, after I am done, to the gentleman from California (Mr. LANTOS), the ranking member of the Committee on International Relations, and also that he be allowed to allocate that time as he desires.

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

There was no objection.

Mr. LEVIN. Mr. Speaker, I rise in support of this legislation. H.R. 1584, the Clean Diamond Trade Act, implements our obligations, the U.S. obligations under the Kimberley Process Certification Scheme, an international system designed to ensure that rough diamonds entering the U.S. are legally mined and traded.

Once in place, this system will be instrumental in ensuring that conflict diamonds, gems that have fueled decades-long wars and atrocities in Africa, are not imported into the United States.

This legislation represents the culmination of a 3-year effort led in substantial part by the gentleman from Virginia (Mr. WOLF) and former Member, the gentleman from Ohio (Mr. Hall), and the gentleman from New York (Mr. HOUGHTON), who is here today, and I salute his efforts, and the gentleman from New York (Mr. RANGEL).

Each of these Members has helped to keep the spotlight focused on the terrible toll trade in conflict diamonds has had on the people of sub-Saharan Africa. They have worked diligently and responsibly to address the concerns of the administration and of the gentleman from California (Mr. THOMAS). They have also worked to address concerns about the impact of rough diamond regulations on legitimate diamond trade in countries such as Botswana, Namibia, South Africa, and Tanzania.

Let me just say briefly a word about the circumstances under which this bill is being considered. There is an urgent time factor. As a result, this legislation was not considered in the Committee on Ways and Means or the Committee on International Relations; but this was not basically an effort to bypass the committee process which, in my view, is essential to the development of sound legislation. Rather, we agreed, on a bipartisan basis, because of time constraints, to proceed in this manner, in part in large measure because of the implications of continued nonaction by the U.S.

Specifically, as I understand it, the entire international certification system was not going to go into effect because we here had not implemented our obligations. So I am glad we were able to work across the aisle, across committees and with the NGO community,

the diamond industry and the diamond mining country representatives to put this bill together.

I believe it is a beneficial work product, one which I urge my colleagues to pass; and also I think it is an example of how to proceed on a bipartisan basis. It makes sense here, and it makes sense on other important issues.

Specific provisions I am pleased to see included are inclusion of record-keeping requirements for importers and exporters of rough diamonds, mandatory executive branch oversight of any entity that issues Kimberley process certificates and provisions to coordinate activities of the various agencies and departments that will implement this bill and U.S. Kimberley process obligations. With these additions, this bill sends an important signal to the international community that we here are engaged; that we here take this issue seriously; and that we here expect other nations to take the necessary steps to help eradicate this plight.

Mr. CRANE. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. HOUGHTON).

Mr. HOUGHTON. Mr. Speaker, I thank the gentleman from Illinois (Mr. CRANE), the gentleman from Michigan (Mr. LEVIN), the gentleman from California (Mr. ROYCE), the gentleman from New York (Mr. RANGEL). I want to thank particularly the gentleman from Virginia (Mr. WOLF) here who has been a leading light in this whole proposition and also Tony Hall, who is the ambassador to the Food and Agricultural Organization in Rome whose spirit just pervades this whole Chamber on this issue.

A lot of this has already been talked about. I will not go over it in detail, but let me just say a few things. This really is a follow-up to last year's bill. I will not give my colleagues the number, they know it, but this 1584 creates a system to monitor the blood diamonds coming from Africa. It is a very, very important bill for a variety of reasons, not the least of which the humanitarian aspect; and what it does, it attacks the problem of the trade in African diamonds by having the President implement the so-called Kimberley process. My colleagues know what that is. It is important. It is a vehicle for making this bill possible.

What the bill mechanically does is three things. First of all, it bans non-compliant rough diamonds. It severely punishes the violators of this ban, and it also helps other countries to set up similar systems.

Also, this bill will require various reports by the administration and a 24-month study by the GAO to report on the effectiveness of the system. It urges the President to continue negotiations to strengthen the system and protects the legitimate diamond trade and also remains consistent with our international trade obligations.

Like so many other things we do around here, all great ideas ultimately

degenerate into work; and the people who did the great work, David Kavanaugh, Mike Walsh, Viji Rangaswami of the Subcommittee on Trade, Frank Record of the Committee on International Relations, Jay Bruns of the State Department, and many friends of the Campaign to Eliminate Conflict Diamonds, world vision, Amnesty International, Oxfam, and Catholic Relief Services. All have added their weight here to this very important piece of legislation.

I urge my associates and my colleagues to pass it.

□ 1545

Mr. LANTOS. Mr. Speaker, I yield myself such time as I may consume, and I rise in strong support of this resolution. First, Mr. Speaker, I would like to commend my good friend and colleague, the gentleman from New York (Mr. HOUGHTON), who has done so much to promote human rights and human dignity and fairness and justice in Africa, and indeed throughout the globe. I also want to thank all of my colleagues on both sides of the aisle for making a contribution to this legislation.

Mr. Speaker, our legislation requires the United States to participate in the Kimberly Process certification scheme. This process is designed to prevent international trade in conflict diamonds while protecting legitimate trade.

One cannot speak of conflict diamonds, Mr. Speaker, without recalling in vivid detail the young children from Sierra Leone who came before this Congress as tiny witnesses to the horror of so-called resource wars in Africa. Little boys and little girls with arms and legs missing sat quietly before the Committee on International Relations as we listened to the gruesome details of the civil war in Sierra Leone.

The civil war was not a just war. This was a war of shameless greed and shameless corruption, an uncivilized war that knew no mercy, that knew no limit to cruelty. This war, and the wars in Angola and the so-called Democratic Republic of Congo, were fueled in large part by the illicit trade in so-called conflict diamonds. While some call these diamonds a curse on these countries, it is the evil men who would slaughter parents and maim children who are the ultimate curse on these countries and on humanity as a whole.

Mr. Speaker, the wars in Sierra Leone and Angola have ended, and in Sierra Leone many of the wrongdoers are being brought to justice. Sanctions against conflict diamonds played a significant part in helping to stop these wars. While the immediate crisis has passed, the effects will linger far into the future. I trust we will be willing to step up to the plate when we are called upon to help.

Mr. Speaker, H.R. 1584 will make sure that the United States and our jewelry industry are not complicit in any further exploitation of diamonds to fuel

civil conflicts. Our legislation prohibits the importation to or exportation from the United States of any rough diamonds, from whatever source, that are not controlled through the Kimberly Process. I urge all of my colleagues to support H.R. 1584.

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

Mr. CRANE. Mr. Speaker, I yield 3 minutes to the gentleman from Virginia (Mr. WOLF).

Mr. WOLF. Mr. Speaker, I thank the gentleman for yielding me this time, and I want to say thanks to the chairman of the Committee on Ways and Means, the gentleman from California (Mr. THOMAS), the chairman of the Subcommittee on Trade, the gentleman from Illinois (Mr. CRANE), and their staff, Angela Ellard and Dave Kavanaugh, with the help of Viji Rangaswami from the minority staff for their efforts on the bill. In addition, I want to thank the gentleman from New York (Mr. HOUGHTON) and his staff, Bob Van Wicklin for pulling this bill together and staying very faithful during this difficult time; also, Frank Record and Joan Condon from the Committee on International Relations for their important contributions.

The passage of this bill is really a tribute to a former Congressman, Tony Hall, who brought this issue to the body and asked me to go with him several years ago to Sierra Leone. So, Tony, this is really because of your work. And who says one person cannot make a difference?

Mr. Speaker, millions of people have died in Africa because of the bloodshed surrounding conflict diamonds. The bill we consider today may finally bring hope and justice to the millions of Africans who have suffered. In addition, major media organizations, the Washington Post and the BBC, have reported direct connections between blood diamonds and the al Qaeda terrorist network. Addressing the issue of conflict diamonds is not only essential for the millions dying and suffering in Africa but also for America's national security.

This version of the bill before the House is a good one, and I am confident the President has the tools to ban trade of rough diamonds that fund terrorists and other groups that commit despicable actions against innocent people. The al Qaeda, Hezbollah, and many other groups have been funded through this diamond trade.

This bill is an important improvement over other drafts we have seen this year. For example, the bill language has established the Kimberly Process Coordination Committee. The committee would coordinate the implementation of the act. Both the Secretaries of State and Treasury would be chairs of the committee. With the assistance of the Secretaries of Commerce, Homeland Security, and the U.S. Trade Rep, there would be greater pressure to be sure the process is implemented as the Congress intends.

Further, a former Ambassador to Sierra Leone, Ambassador Melrose, has told us that the ability to maintain statistical information is vital to make a determination as to whether or not the Kimberly Process is being successful or circumvented. This will take care of that.

The bill prevents illicit conflict diamonds from entering the United States. This is a tribute not only to former Congressman Hall, but also as a sign that we care deeply about the young men and women and children who had their arms cut off and all those activities that took place. And I just want to thank all the Members and the staff that have been involved in bringing this bill here.

Mr. LANTOS. Mr. Speaker, I am very pleased to yield 3 minutes to the gentlewoman from California (Ms. LEE), my good friend and neighbor, who has fought so hard for human rights in Africa and elsewhere.

Ms. LEE. Mr. Speaker, I want to thank the gentleman for his leadership in advocating human rights throughout the world and also for making sure that this is a bipartisan bill.

I rise today in support of the Clean Diamonds Trade Act. Finally, Congress, the international community, and the various grassroots organizations' efforts to sever the link between diamonds and war has come to the floor for a vote. So I want to thank the gentleman from New York (Mr. HOUGHTON), the gentleman from Illinois (Mr. HYDE), and again our ranking member, the gentleman from California (Mr. LANTOS), as well as the chair of the Subcommittee on Africa, the gentleman from California (Mr. ROYCE) and our ranking member, the gentleman from New Jersey (Mr. PAYNE) for their continued commitment to this issue. I encourage all Members to support this bill.

Some have argued that regulating the global diamond industry should not be Congress' responsibility, but I argue that promoting peace over conflict, supporting our international communities' efforts to clean up the global diamond system, and introducing ways to support the people in Africa, who have not been able to benefit from their own resources, should be our goal. This legislation transforms diamonds into a commodity from which all communities can benefit, not just a chosen few.

H.R. 1584, the Clean Diamonds Trade Act, provides a long list of overdue regulation on conflict diamonds. The bill requires United States compliance with the Kimberly Process certification. It imposes costly, very costly, civil penalties and jail time, which is very important, jail time for those who willfully violate the act, and incorporates oversight from our Customs Service and other key agencies which oversee international trade.

I believe each component is essential to ending the sale of conflict diamonds. And, further, I hope that we will find a

way to incorporate more Africans into the diamond industry itself to promote more entrepreneurship and sustainable development.

In closing, I would like to thank several organizations, including Amnesty International, World Vision, Physicians for Human Rights, Oxfam America, and World Relief for their continued support of conflict diamond reforms. Over 65 percent of these conflict diamonds, Mr. Speaker, were sold to people in our own country. So I want to thank our constituents for pushing for reform instead of accepting this unjust trade.

I urge all our colleagues to support this bipartisan bill and the passage of H.R. 1584, and I want to thank once again the gentleman from California (Mr. LANTOS) again and the gentleman from New York (Mr. HOUGHTON).

Mr. CRANE. Mr. Speaker, I yield 5 minutes to the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Speaker, I thank the distinguished chairman for yielding me this time and for his great work on behalf of this legislation, and to the gentleman from New York (Mr. HOUGHTON) for his superb leadership in crafting this bill.

I rise in strong support, Mr. Speaker, of the Clean Diamond Trade Act, a long overdue measure that will restore the U.S. in a leadership position in the fight against the trade in conflict diamonds. For too long, the international community has looked the other way as rebel groups have trafficked in the sale of lethal military weapons using the profits from the sale of these diamonds to finance efforts to overthrow legitimate governments.

This bill will put in place the required laws and regulations designed to monitor and control the import and export of the trade in conflict diamonds so they can no longer be used to support instability and armed conflict throughout much of Africa and other parts of the world.

By all accounts, they are aptly named conflict diamonds. During the past decade, more than 6 million people from Sierra Leone, Angola, and the Democratic Republic of the Congo have been driven from their homes by wars waged in large part for control for diamond mining areas.

I have met on several occasions, Mr. Speaker, with David Crane, the Sierra Leone Special War Crimes Prosecutor, who told me about ghastly war crimes committed in the name of diamond profits. Not only has the illegitimate trade of diamonds led to systematic and gross human rights violations and civil unrest, so too it has hurt the trade in legitimate diamonds, which makes a critical contribution to the economies of many developing countries.

Numerous resolutions, Mr. Speaker, of the United Nations Security Council under Chapter VII of the U.N. Charter, including resolutions 1173, 1295, 1306, and 1343, as well as a United Nations

General Assembly resolution in 2000 have laid the groundwork for devising an international regime to stop the flow of these conflict diamonds.

The first meeting, as I think Members know, to discuss this took place in Kimberly, South Africa, in May of 2000 at the initiative of the African producing countries. Many technical and working group meetings took place subsequent to that throughout Africa and Europe, culminating in the November 2002 meeting in Interlaken, Switzerland, finalizing the so-called Kimberly Process.

This historic meeting committed all 48 participants, including the United States, to the rapid implementation of its diamond certification scheme for rough diamonds consistent with international trade rules. Fully consistent with the work of the diamond industry, including the World Diamond Council, numerous civil society representatives and key NGOs, the voluntary self-regulating initiatives from many producing importing countries have now been melded through the Kimberly Process into a global system of mutually recognized certificates for legitimate diamonds.

Our own Nation's extensive participation in this effort, under the auspices of the State Department's special negotiator for conflict diamonds, is reflected in the measure before us today. The bill implements our obligations to prohibit the import or export of rough diamonds not controlled by the Kimberly Process.

The bill specifies that the exporting authority under the bill will be the Bureau of the Census, and their role will be to issue the required regulations and guidelines to ensure that any proposed exports of rough diamonds be made through the automated export system. Any efforts to fully evaluate and enforce this system validating Kimberly Process Certificates would be undertaken by the United States Bureau of Customs and Border Protection and the Bureau of Immigration and Customs Enforcement.

I would also point out to my colleagues that the legislation gives the State Department a lead role, together with the Treasury, in implementing the legislation. In this regard, the existing special negotiator for conflict diamonds in the Bureau for Economic and Business Affairs should continue to play a key role in this effort.

□ 1600

Mr. Speaker, it is the expectation of the Committee on International Relations that it will be fully consulted by the Department to the extent it decides to take any action to modify this position in any way. It has been brought to my attention that a number of nongovernmental organizations who are taking an active role in monitoring the implementation of the Kimberly Process have expressed concerns that several countries, including the Republic of the Congo, the Democratic Republic of the Congo, Zimbabwe and the

Central African Republic, have been admitted as participants in the certification scheme despite evidence of continued illegal trade in rough diamonds.

I would ask the Department to examine this evidence and take any and all appropriate actions necessary to mitigate and stop this illegal activity. I urge support for the bill.

Mr. LANTOS. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. RANGEL).

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

Mr. RANGEL. Mr. Speaker, I thank the ranking member of the Committee on International Relations, and all of the Members of the House that worked on this legislation, including the gentleman from New York (Mr. HOUGHTON) and our past Member, Tony Hall, for the interest and support that he has given. I would like to thank the non-government organizations for the work that they have done to make the Kimberly Process available to us, and the certificates, so we can move forward with better trade with those who produce raw diamonds.

Like other Members, I was motivated to get involved in this issue after seeing the horrific evidence of violence wrought by rebel groups financing their civil war activities and human rights abuses through the illegal diamond trade. Addressing this issue, it seemed to me, was part and parcel of our responsibility to assist the nations of sub-Saharan African countries by bringing peace to the continent.

In addition, I understood if we did not curtail trade in illegal diamonds, our failure to act would have a chilling effect on the legitimate diamond trade for countries such as Botswana where legitimately mined diamonds provide a significant source of her income. The stain of conflict diamonds threatens to have a tremendous adverse impact on her.

I would like to say a few words about the process by which this legislation is being considered. Normally, I have been a strong advocate that all legislation go through the committee process and be fully debated; but this particular bill did not go through the Committee on Ways and Means or the Committee on International Relations, but I do believe in view of the time pressure to pass this very important legislation that this should be an exception to the rule and there should not be any controversy. I am pleased to be working with the gentleman from California and on the other side of the aisle with the gentleman from Illinois (Mr. CRANE) to give this support in connection with the urgency that it deserves. I ask all of my colleagues to support this bill.

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

Mr. LANTOS. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. MEEKS).

Mr. MEEKS of New York. Mr. Speaker, I thank the ranking member, the

gentleman from California (Mr. LANTOS), and the gentleman from Illinois (Chairman HYDE), and of course from the Committee on Ways and Means, the gentleman from California (Mr. THOMAS) and the gentleman from New York (Mr. RANGEL).

As a member of the Subcommittee on Africa, we spend a great amount of time on exploring and understanding conflicts in Africa and how devastating the symptoms of the civil war and low-intensity conflicts can be in terms of loss of life and loss of development opportunities.

However, we often do not spend sufficient time on the underlying causes of conflicts of the wars, including wars started and perpetuated over trying to control who gets to benefit from the free trade of Africa's vast natural resources like diamonds. Today's bill makes a positive step in the right direction to bring an end to those who would profit from conflict and war and violence at the expense of socioeconomic development. It makes a step in the right direction to wage a war on the international trade nexus of money, diamonds and weapons which help fuel conflicts in Africa.

I want to thank Members on both sides of the aisle for supporting this initiative. It represents a compromise between doing more to help stop the trade of illegal conflict diamonds while also protecting the trade of diamonds from countries which produce and sell diamonds in ways which support economic development.

Mr. Speaker, H.R. 1584 is a measure we can all support. We must not lose sight of the fact that for centuries Africa's vast resources have been used in legal and illegal ways and provide little benefits to African societies.

If we want to change these realities, if we want the trade of Africa's diamonds, oil, and gold to support economic growth and development, we must devote as equal a level of attention and financial resources as we spend on trade liberalization and privatization efforts to assist African societies in building the necessary economic, regulatory, supervisory, and enforcement institutions and laws that every society must have to have a transparent, competitive and free market economy, an economy where both the rights and obligations of the private sector and consumers are protected, an economy which provides opportunities and freedom for all. This Congress can start today with H.R. 1584.

Mr. LANTOS. Mr. Speaker, I yield 2 minutes to the gentleman from Arkansas (Mr. SYNDER).

Mr. SYNDER. Mr. Speaker, almost 20 years ago I lived and worked in Sierra Leone for 6 months. I was a doctor at a Catholic mission hospital. At that time, Sierra Leone was poor and unhealthy with a life expectancy of 42 years. It was inefficient with a low level of corruption, but it was not dangerous. And then along came these con-

flict diamonds, blood diamonds, which stimulated greed and provided purchasing power for the weapons and drugs that were used in this very, very brutal war.

As the international community responded to the war in Sierra Leone, a lot of Americans may ask themselves, What does that have to do with me? What is wrong with having a cheaper supply of diamonds? Sierra Leone is so far away.

Mr. Speaker, drying up the cash that supports terrorism is a very important part of the war on terrorism; but we can freeze all of the bank accounts we want and stop the cash transfers, but somebody can take a sock full of illegal diamonds, put it in their pocket, walk onto a plane, and they have an ability to move wealth all over the world, to bribe and buy weaponry and buy explosives. This bill is an important part of our national security, not just in Africa.

Rats have a way of finding a hole in the house, and one of the things that I like about this bill today is that it has the vigilance that legislation needs. It has reporting requirements so we can monitor the success and failures in this bill, and I hope that we will respond in a rapid manner should we see we have some gaps. I encourage a strong vote of support for the Clean Diamond Trade Act.

Mr. LANTOS. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. WATSON), a former distinguished ambassador, and a distinguished member of the Committee on Ways and Means.

Ms. WATSON. Mr. Speaker, I rise in strong support of H.R. 1584, the Clean Diamond Trade Act. Over the past decade, many brutal civil wars throughout Africa have been financed with the sale of diamonds. These so-called conflict diamonds have been especially useful to the brutal Sierra Leone rebel organization, the Revolutionary United Front, which has been trading these diamonds to fund its war against the government of Sierra Leone.

This bill implements the Kimberly Process Certification Scheme, which prohibits importing rough diamonds into the United States unless they have been certified as not originating from areas where the diamond trade finances or generates violent conflict. In essence, this bill prohibits the importation of any rough diamond that has not been controlled through the Kimberly Process.

Mr. Speaker, I plan to introduce a bill in the next few days that also supports and endorses the Kimberly Process, but also encourages the global diamond industry, as represented by the World Diamond Council, to step up to the plate and establish a fund to support a variety of programs that will aid in the reconstruction and rehabilitation of African nations traumatized by civil wars financed through the diamond trade.

I believe the diamond industry, which has reaped the financial rewards

of trade with nations engulfed in civil war, must also take responsibility in assisting these nations to heal the wounds of war and creating a just and lasting peace in those countries. While there have been a number of groups within the gemstone industry that have been responsive, others have not yet chosen to acknowledge the humanitarian emergency that the trade in conflict diamonds has produced.

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

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

Mr. Speaker, before I speak on the bill, I want to congratulate Members on both sides of the aisle, especially the gentleman from New York (Mr. HOUGHTON) for the gentleman's work on behalf of getting this bill introduced. I also thank the gentleman from Virginia (Mr. WOLF) and the gentleman from California (Mr. LANTOS) and the gentleman from New York (Mr. RANGEL) on the other side of the aisle.

This is a very important bill that has nothing to do with partisan politics whatsoever. When it was introduced in 2001, it passed this body by a vote of 408 to six. I think the six Members that voted against it at the time are probably reconsidering it because there is no basis for anyone to find any objections to it.

I hope that the bill we have before us this evening, based on H.R. 2722 from the 107th Congress, which passed by that 408 to six vote, and since that time the administration has worked with the international community to finalize the structure of the Kimberly Process Certification Scheme which controls the trade in rough diamonds, that it is to all countries, and it prevents trade in conflict diamonds and the bill reflects the new structure. I thank the administration for its hard work and dedication to the effort on this important issue, too.

The funds derived from the sale of rough diamonds have been used by rebels and state actors to finance military activities and to overthrow legitimate governments, subvert international efforts to promote peace and stability, and commit horrifying atrocities against unarmed citizens.

During the past decade, more than 6.5 million people from Sierra Leone, Angola, and the Democratic Republic of the Congo have been driven from their homes by wars waged in large part for control of diamond mining areas. The United Nations Security Council has issued resolutions urging nations to take actions against conflict diamonds. In response, the United States has issued various Presidential executive orders to ban direct imports from nations subject to the United Nations resolution. The United States has also led international negotiations to reach an agreement that set standards for diamond extracting and trading nations to meet.

These international negotiations, the Kimberly Process it is called, came

after the name of the city in which they were initiated. It creates a system of checks and balances for rough diamonds throughout the world. This system tracks through governmentally verifiable certificates that trade in diamonds between countries and individuals. Since its January 1 implementation date, over 40 countries are participating in this system. The United States requires this system to ensure that its leadership position in this critical matter continues. Finally, this bill is consistent with our WTO obligations.

Mr. Speaker, I strongly urge my colleagues to support this bipartisan bill and to pass this important legislation.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in support of H.R. 1584—To implement effective measures to stop trade in conflict diamonds, and for other purposes. The Clean Diamonds Act prohibits the import of diamonds into the United States unless the exporting country is implementing a system of controls on the export or import of rough diamonds that meets specified requirements, consistent with United Nations General Assembly Resolution 55/56 adopted on December 1, 2000, or a future international agreement which implements such controls and to which the United States is a signatory. Additionally, this legislation sets forth both civil and criminal penalties for violations of the bill's requirements. It prohibits the Overseas Private Investment Corporation and the Export-Import Bank from engaging in certain transactions in connection with projects or exports to countries violating the requirements of this Act. If further expresses the sense of Congress that the President should take steps to negotiate an international agreement to eliminate the trade in diamonds used to support conflict in the country or regions in which such diamonds are mined.

Mr. Speaker, to many people, diamonds symbolize love, happiness, or wealth. But for others, they mean conflict, misery and poverty. In African countries such as Angola, Democratic Republic of Congo, and Sierra Leone, the profits from unregulated diamond trade allows rebel forces to obtain weapons and fund armed conflicts. Also, this practice spills over into neighboring countries that can be used as trading and transit grounds for illicit diamonds, and once the diamonds are brought to market, their origin is difficult to trace and once polished, they can no longer be identified. As a result of the complex nature of this process, tens of thousands of civilians have been killed, raped, mutilated or abducted.

In an amputee camp in the capital of Freetown, one will find a three-year-old girl whose right arm was chopped off with a machete. One might also not be shocked to find her or himself opposite a 14-year-old girl, pregnant by rape, who will never be able to hold her child because the rebels who raped her also hacked off both of her arms. Other amputees describe the horror of being forced to select at random a piece of paper out of a bag, and losing the body part written on the scrap—arm, leg, ear, or nose.

The enactment of this legislation will not only eliminate the degree to which human lives are negatively impacted by the brutal practices of these rebel forces, but also it would do much to increase consumer con-

fidence with respect to the purchase of diamonds by allowing American jewelers and jewelry store to tell their consumers the diamonds in their store are clean diamonds. Currently, no jeweler knows where their diamonds come from, and they cannot assure their customers their diamond purchases are not unwittingly subsidizing a cruel and abusive rebel force in one of these nations. Nonetheless, once the "Clean Diamonds Act" is passed, jewelers will at last have a "clean stream" of diamonds to sell. They can be confident the United States government is evaluating every diamond supplying country and excluding those that fail to conform to internal standards.

In a statement by Ambassador Juan Larrain, Chairman of the Monitoring Mechanism on sanctions against UNITA, he stated "It has been said that war is the price of peace. . . [These nations] have already paid too much. Let them live a better life."

Mr. Speaker, I urge my colleagues to join in this momentous effort to end the devastation that is occurring as a result of these conflicts. Now is the time to act on behalf of the many lives being sacrificed and those that are calling for our help and our immediate attention to their pain and suffering. For this reason, we must remain vigilant and not allow ourselves to ignore the blood of the blameless.

However, it is imperative that we not penalize African countries like Ghana, that have been diligent in certifying their diamonds and standing up against the rebel, terrorist, and violent use of such diamonds. This is an important economic resource of such countries and the legislature must acknowledge that.

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

The SPEAKER pro tempore (Mr. LINDER). The question is on the motion offered by the gentleman from Illinois (Mr. CRANE) that the House suspend the rules and pass the bill, H.R. 1584, as amended.

The question was taken.

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

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

The yeas and nays were ordered.

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

□ 1615

#### GENERAL LEAVE

Mr. CRANE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the subject of H.R. 1584, the bill just passed.

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

There was no objection.

#### POSTAL CIVIL SERVICE RETIREMENT SYSTEM FUNDING REFORM ACT OF 2003

Mr. TOM DAVIS of Virginia. Mr. Speaker, pursuant to the order of the

House of April 7, 2003, I call up the Senate bill (S. 380) to amend chapter 83 of title 5, United States Code, to reform the funding of benefits under the Civil Service Retirement System for employees of the United States Postal Service, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Pursuant to the order of the House of April 7, 2003, the bill is considered read for amendment.

The text of S. 380 is as follows:

S. 380

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Postal Civil Service Retirement System Funding Reform Act of 2003".

#### SEC. 2. CIVIL SERVICE RETIREMENT SYSTEM.

(a) DEFINITIONS.—Section 8331 of title 5, United States Code, is amended—

(1) in paragraph (17)—

(A) by striking "normal cost" and inserting "normal-cost percentage"; and

(B) by inserting "and standards (using dynamic assumptions)" after "practice";

(2) by amending paragraph (18) to read as follows:

"(18) 'Fund balance' means the current net assets of the Fund available for payment of benefits, as determined by the Office in accordance with appropriate accounting standards, but does not include any amount attributable to—

"(A) the Federal Employees' Retirement System; or

"(B) contributions made under the Federal Employees' Retirement Contribution Temporary Adjustment Act of 1983 by or on behalf of any individual who became subject to the Federal Employees' Retirement System"; and

(3) by striking "and" at the end of paragraph (27), by striking the period at the end of paragraph (28) and inserting "; and", and by adding at the end the following:

"(29) 'dynamic assumptions' means economic assumptions that are used in determining actuarial costs and liabilities of a retirement system and in anticipating the effects of long-term future—

"(A) investment yields;

"(B) increases in rates of basic pay; and

"(C) rates of price inflation.".

(b) DEDUCTIONS AND CONTRIBUTIONS.—

(1) IN GENERAL.—Section 8334(a)(1) of title 5, United States Code, is amended—

(A) by striking "(a)(1)" and inserting "(a)(1)(A)";

(B) by designating the matter following the first sentence as subparagraph (B)(i) and aligning the text accordingly;

(C) in subparagraph (B)(i) (as so designated by subparagraph (B)), by striking "An equal" and inserting "Except as provided in clause (ii), an equal"; and

(D) by adding at the end the following:

"(ii) In the case of an employee of the United States Postal Service, the amount to be contributed under this subparagraph shall (instead of the amount described in clause (i)) be equal to the product derived by multiplying the employee's basic pay by the percentage equal to—

"(I) the normal-cost percentage for the applicable employee category listed in subparagraph (A), minus

"(II) the percentage deduction rate that applies with respect to such employee under subparagraph (A).".

(2) CONFORMING AMENDMENTS.—Section 8334(k) of title 5, United States Code, is amended—

(A) in paragraph (1)(A), by striking "the first sentence of subsection (a)(1) of this section" and inserting "subsection (a)(1)(A)";

(B) in paragraph (1)(B)—

(i) by striking "the second sentence of subsection (a)(1) of this section" and inserting "subparagraph (B) of subsection (a)(1)"; and

(ii) by striking "such sentence" and inserting "such subparagraph"; and

(C) in paragraph (2)(C)(iii), by striking "the first sentence of subsection (a)(1)" and inserting "subsection (a)(1)(A)".

(c) POSTAL SUPPLEMENTAL LIABILITY.—Subsection (h) of section 8348 of title 5, United States Code, is amended to read as follows:

"(h)(1)(A) For purposes of this subsection, 'Postal supplemental liability' means the estimated excess, as determined by the Office, of—

"(i) the actuarial present value of all future benefits payable from the Fund under this subchapter attributable to the service of current or former employees of the United States Postal Service, over

"(ii) the sum of—

"(I) the actuarial present value of deductions to be withheld from the future basic pay of employees of the United States Postal Service currently subject to this subchapter pursuant to section 8334;

"(II) the actuarial present value of the future contributions to be made pursuant to section 8334 with respect to employees of the United States Postal Service currently subject to this subchapter;

"(III) that portion of the Fund balance, as of the date the Postal supplemental liability is determined, attributable to payments to the Fund by the United States Postal Service and its employees, including earnings on those payments; and

"(IV) any other appropriate amount, as determined by the Office in accordance with generally accepted actuarial practices and principles.

"(B)(i) In computing the actuarial present value of future benefits, the Office shall include the full value of benefits attributable to military and volunteer service for United States Postal Service employees first employed after June 30, 1971, and a prorated share of the value of benefits attributable to military and volunteer service for United States Postal Service employees first employed before July 1, 1971.

"(ii) Military service so included shall not be included in the computation of any amount under subsection (g)(2).

"(2)(A) Not later than June 30, 2004, the Office shall determine the Postal supplemental liability as of September 30, 2003. The Office shall establish an amortization schedule, including a series of equal annual installments commencing September 30, 2004, which provides for the liquidation of such liability by September 30, 2043.

"(B) The Office shall redetermine the Postal supplemental liability as of the close of the fiscal year, for each fiscal year beginning after September 30, 2003, through the fiscal year ending September 30, 2038, and shall establish a new amortization schedule, including a series of equal annual installments commencing on September 30 of the subsequent fiscal year, which provides for the liquidation of such liability by September 30, 2043.

"(C) The Office shall redetermine the Postal supplemental liability as of the close of the fiscal year for each fiscal year beginning after September 30, 2038, and shall establish a new amortization schedule, including a series of equal annual installments commencing on September 30 of the subsequent fiscal year, which provides for the liquidation of such liability over 5 years.

"(D) Amortization schedules established under this paragraph shall be set in accordance with generally accepted actuarial practices and principles, with interest computed at the rate used in the most recent dynamic actuarial valuation of the Civil Service Retirement System.

"(E) The United States Postal Service shall pay the amounts so determined to the Office, with payments due not later than the date scheduled by the Office.

"(F) An amortization schedule established under subparagraph (B) or (C) shall supersede any amortization schedule previously established under this paragraph.

"(3) Notwithstanding any other provision of law, in computing the amount of any payment under any other subsection of this section that is based upon the amount of the unfunded liability, such payment shall be computed disregarding that portion of the unfunded liability that the Office determines will be liquidated by payments under this subsection.

"(4) Notwithstanding any other provision of this subsection, any determination or redetermination made by the Office under this subsection shall, upon request of the Postal Service, be subject to reconsideration and review (including adjustment by the Board of Actuaries of the Civil Service Retirement System) to the same extent and in the same manner as provided under section 8423(c).".

(d) REPEALS.—

(1) IN GENERAL.—The following provisions of law are repealed:

(A) Subsection (m) of section 8348 of title 5, United States Code.

(B) Subsection (c) of section 7101 of the Omnibus Budget Reconciliation Act of 1990 (5 U.S.C. 8348 note).

(2) RULE OF CONSTRUCTION.—Nothing in this subsection shall be considered to affect any payments made before the date of the enactment of this Act under either of the provisions of law repealed by paragraph (1).

(e) MILITARY SERVICE PROPOSALS.—

(1) PROPOSALS.—The United States Postal Service, the Department of the Treasury, and the Office of Personnel Management shall, by September 30, 2003, each prepare and submit to the President, the Congress, and the General Accounting Office proposals detailing whether and to what extent the Department of the Treasury or the Postal Service should be responsible for the funding of benefits attributable to the military service of current and former employees of the Postal Service that, prior to the date of the enactment of this Act, were provided for under section 8348(g)(2) of title 5, United States Code.

(2) GAO REVIEW AND REPORT.—Not later than 60 days after the Postal Service, the Department of the Treasury, and the Office of Personnel Management have submitted their proposals under paragraph (1), the General Accounting Office shall prepare and submit a written evaluation of each such proposal to the Committee on Government Reform of the House of Representatives and the Committee on Governmental Affairs of the Senate.

#### SEC. 3. DISPOSITION OF SAVINGS ACCRUING TO THE UNITED STATES POSTAL SERVICE.

(a) IN GENERAL.—Savings accruing to the United States Postal Service as a result of the enactment of this Act—

(1) shall, to the extent that such savings are attributable to fiscal year 2003 or 2004, be used to reduce the postal debt (in consultation with the Secretary of the Treasury), and the Postal Service shall not incur additional debt to offset the use of the savings to reduce the postal debt in fiscal years 2003 and 2004;

(2) shall, to the extent that such savings are attributable to fiscal year 2005, be used

to continue holding postage rates unchanged and to reduce the postal debt, to such extent and in such manner as the Postal Service shall specify (in consultation with the Secretary of the Treasury); and

(3) to the extent that such savings are attributable to any fiscal year after fiscal year 2005, shall be considered to be operating expenses of the Postal Service and, until otherwise provided for by law, shall be held in escrow and may not be obligated or expended.

(b) AMOUNTS SAVED.—

(1) IN GENERAL.—The amounts representing any savings accruing to the Postal Service in any fiscal year as a result of the enactment of this Act shall be computed by the Office of Personnel Management for each such fiscal year in accordance with paragraph (2).

(2) METHODOLOGY.—Not later than July 31, 2003, the Office of Personnel Management shall—

(A) formulate a plan specifically enumerating the actuarial methods and assumptions by which the Office shall make its computations under paragraph (1); and

(B) submit such plan to the Committee on Government Reform of the House of Representatives and the Committee on Governmental Affairs of the Senate.

(3) REQUIREMENTS.—The plan shall be formulated in consultation with the Postal Service and shall include the opportunity for the Postal Service to request reconsideration of computations under this subsection, and for the Board of Actuaries of the Civil Service Retirement System to review and make adjustments to such computations, to the same extent and in the same manner as provided under section 8423(c) of title 5, United States Code.

(c) REPORTING REQUIREMENT.—The Postal Service shall include in each report rendered under section 2402 of title 39, United States Code, the amount applied toward reducing the postal debt, and the size of the postal debt before and after the application of subsection (a), during the period covered by such report.

(d) SENSE OF CONGRESS.—It is the sense of the Congress that—

(1) the savings accruing to the Postal Service as a result of the enactment of this Act will be sufficient to allow the Postal Service to fulfill its commitment to hold postage rates unchanged until at least 2006;

(2) because the Postal Service still faces substantial obligations related to postretirement health benefits for its current and former employees, some portion of the savings referred to in paragraph (1) should be used to address those unfunded obligations; and

(3) none of the savings referred to in paragraph (1) should be used in the computation of any bonuses for Postal Service executives.

(e) POSTAL SERVICE PROPOSAL.—

(1) IN GENERAL.—The United States Postal Service shall, by September 30, 2003, prepare and submit to the President, the Congress, and the General Accounting Office its proposal detailing how any savings accruing to the Postal Service as a result of the enactment of this Act, which are attributable to any fiscal year after fiscal year 2005, should be expended.

(2) MATTERS TO CONSIDER.—In preparing its proposal under this subsection, the Postal Service shall consider—

(A) whether, and to what extent, those future savings should be used to address—

(i) debt repayment;

(ii) prefunding of postretirement healthcare benefits for current and former postal employees;

(iii) productivity and cost saving capital investments;

(iv) delaying or moderating increases in postal rates; and

(v) any other matter; and

(B) the work of the President's Commission on the United States Postal Service under section 5 of Executive Order 13278 (67 Fed. Reg. 76672).

(3) GAO REVIEW AND REPORT.—Not later than 60 days after the Postal Service submits its proposal pursuant to paragraph (1), the General Accounting Office shall prepare and submit a written evaluation of such proposal to the Committee on Government Reform of the House of Representatives and the Committee on Governmental Affairs of the Senate.

(4) LEGISLATIVE ACTION.—Not later than 180 days after it has received both the proposal of the Postal Service and the evaluation of such proposal by the General Accounting Office under this subsection, Congress shall revisit the question of how the savings accruing to the Postal Service as a result of the enactment of this Act should be used.

(f) DETERMINATION AND DISPOSITION OF SURPLUS.—

(1) IN GENERAL.—If, as of the date under paragraph (2), the Office of Personnel Management determines (after consultation with the Postmaster General) that the computation under section 8348(h)(1)(A) of title 5, United States Code, yields a negative amount (hereinafter referred to as a "surplus")—

(A) the Office shall inform the Postmaster General of its determination, including the size of the surplus so determined; and

(B) the Postmaster General shall submit to the Congress a report describing how the Postal Service proposes that such surplus be used, including a draft of any legislation that might be necessary.

(2) DETERMINATION DATE.—The date to be used for purposes of paragraph (1) shall be September 30, 2025, or such earlier date as, in the judgment of the Office, is the date by which all postal employees under the Civil Service Retirement System will have retired.

(g) DEFINITIONS.—For purposes of this section—

(1) the savings accruing to the Postal Service as a result of the enactment of this Act shall, for any fiscal year, be equal to the amount (if any) by which—

(A) the contributions that the Postal Service would otherwise have been required to make to the Civil Service Retirement and Disability Fund for such fiscal year if this Act had not been enacted, exceed

(B) the contributions made by the Postal Service to such Fund for such fiscal year; and

(2) the term "postal debt" means the outstanding obligations of the Postal Service, as determined under chapter 20 of title 39, United States Code.

#### SEC. 4. EFFECTIVE DATE.

This Act and the amendments made by this Act shall become effective on the date of the enactment of this Act, except that the amendments made by section 2(b) shall apply with respect to pay periods beginning on or after such date.

The SPEAKER pro tempore. After 1 hour of debate on the bill, it shall be in order to consider the amendment printed in the CONGRESSIONAL RECORD, if offered by the gentleman from California (Mr. WAXMAN), or his designee, which shall be considered read, shall be debatable for 10 minutes, equally divided and controlled by the proponent and an opponent, and shall not be subject to amendment or to a demand for a division of the question.

The gentleman from Virginia (Mr. TOM DAVIS) and the gentleman from

California (Mr. WAXMAN) each will control 30 minutes of debate on the bill.

The Chair recognizes the gentleman from Virginia (Mr. TOM DAVIS).

GENERAL LEAVE

Mr. TOM DAVIS of Virginia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the Senate bill under consideration.

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

There was no objection.

Mr. TOM DAVIS of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, S. 380, the Postal Civil Service Retirement System Funding Reform Act of 2003, is a bipartisan bill in the Senate. Its House counterpart is sponsored by the gentleman from New York (Mr. MCHUGH), the gentleman from California (Mr. WAXMAN), the gentleman from Illinois (Mr. DAVIS), myself and others. It reforms the way the Postal Service funds its obligations to the Civil Service Retirement System. It prevents the Postal Service from overfunding its obligations to CSRS and postpones a rate increase for the American people and postal ratepayers.

Last year the Office of Personnel Management, at the request of GAO, reviewed the status of the Postal Service's funding of its CSRS benefits. OPM found that based on payments currently required by law, the Postal Service would overfund its CSRS benefits by more than \$70 billion. OPM proposed a legislative solution modeling the Postal Service's payments to CSRS after its payments to the current Federal Employee Retirement System. This would result in a reduction in the Postal Service's annual obligation to CSRS, allowing the Postal Service to delay its next rate increase beyond 2004 to at least fiscal year 2006.

The bill we are considering today, S. 380, differs from OPM's proposal in that it places tight restrictions on how the Postal Service uses the savings. The bill requires the Postal Service to work with the Department of the Treasury to apply the funds saved to pay down its debt to Treasury in fiscal years 2003 and 2004 and directs the Postal Service to use the savings in 2005 to delay an anticipated rate increase. Subsequently, the Postal Service and OPM are to calculate the difference between the cost to fund CSRS under the bill and under the current law.

The Postal Service will develop a proposal for the use of the funds. Without congressional action on the Postal Service proposal, the funds would be placed in escrow.

This legislation will also require the Postal Service to fund the portion of retirement benefits attributable to the prior military service of postal employees which, again, models the Postal Service's payments to CSRS after the current Federal Employee Retirement System, or FERS.

I think this is an issue that demands further study because no other agency in the Federal Government that I am aware of funds its CSRS military obligations within the department. It may ultimately be unfair to make postal customers and ratepayers fund military retirement benefits.

Working with the gentleman from California (Mr. WAXMAN), my ranking member, I prepared an amendment to the House version of the bill, H.R. 735, requiring the Department of the Treasury, the Office of Personnel Management, and the Postal Service to develop proposals on this issue. So this is an issue that will be revisited.

The Committee on Government Reform and the Senate Committee on Government Affairs will look at those proposals and revisit the issue. This amendment was incorporated in S. 380, so we do not need to offer it today. I also understand the gentleman from California (Mr. WAXMAN) will be offering and withdrawing an amendment on this subject in a few moments in order to further highlight its importance, and I thank and congratulate him for his leadership in highlighting this issue and pledge to him that we will continue to work on this; and this is, in my judgment, not the end of the matter.

Many people do not know this, but the Postal industry, including ancillary businesses, represents approximately 9 percent of the gross domestic product, the GDP. The industry has been hit hard in the last several years, first by the economic slowdown and then by events of September 11, 2001 and subsequent anthrax attacks. During this same period, postal rates increased three times within 18 months. The Postal industry needs relief.

The Postal Service will be able to hold off on a rate increase if this legislation passes. This gives money back to the Postal customer and allows us all to hold on to our 37-cent stamps for 2 more years. It also stabilizes the Postal Service financially, securing the jobs of nearly 9 million people in the postal industry.

Postal consumers have implored us to address this problem before it is too late. The United States Postal Service, all four postal unions, the postal management associations, and a very broad coalition of postal customers support this bill. I hope that we can pass it expeditiously and put off the next rate increase until at least 2006.

Mr. Speaker I urge adoption of S. 380.

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

Mr. WAXMAN. Mr. Speaker, I yield myself such time that I may consume.

I rise in support of the legislation before us. As the ranking member of the Committee on Government Reform, I support this bill, S. 380, and before I begin my remarks on the bill, I would like to commend my colleagues, the gentleman from Virginia (Chairman TOM DAVIS) and the gentleman from Illinois (Mr. DAVIS) and the gentleman

from New York (Mr. MCHUGH) for the time and effort they have spent in refining this proposal. The bill in S. 380, is identical to the version of the bill we reported out of committee with the exception of a provision requiring a new study on military pensions that I worked out with the gentleman from Virginia (Chairman TOM DAVIS). This is a very positive bipartisan start for our committee.

I would also like to commend our Senate colleagues, Senators SUSAN COLLINS and JOSEPH LIEBERMAN, for their work on this issue.

The bill we are considering today corrects the calculation of the Postal Service's contributions to its pension fund and provides immediate and needed financial relief to the Postal Service. The legislation would credit the Postal Service for the real value of Civil Service Retirement System contributions it made in the past and change how contributions will be computed in the future. Under S. 380, the Postal Service will save \$9 billion over the next 3 years and \$36 billion over the next 10 years. S. 380 divides the money saved by the Postal Service into two parts. For the savings received in fiscal years 2003, 2004, and 2005, the bill provides that the Postal Service will use the money to pay down the debt and hold postage rates stable. This will allow the Postmaster General to keep his commitment to hold off on any rate increases through the year 2006.

For fiscal years beyond 2005, the bill requires the Postal Service to submit to Congress a plan for using the savings. This plan must then be reviewed by the General Accounting Office and approved or modified by Congress. The planning provisions contained in the bill provide an opportunity for Congress to review how the Postal Service will use the savings to address a number of long-term challenges facing the service such as its debt load, underfunded capital projects, and unfunded liabilities for post-retirement health care.

This legislation is being acted upon quickly because without it, the Postal Service faces an increasing financial crisis. In fact, the Postmaster General and the Postal Board of Governors have indicated that in the absence of such a change, the Postal Service will be forced to apply for a rate increase later this year.

S. 380 has broad support among the postal community and it deserves our passage today.

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

Mr. TOM DAVIS of Virginia. Mr. Speaker, I yield 5 minutes to the gentleman from New York (Mr. MCHUGH) who has been the former chairman of the Subcommittee on the Postal Service and one of the real experts on this issue to address this issue and put his stamp of approval.

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

The puns notwithstanding, I deeply appreciate his very kind comments, and, Mr. Speaker, I certainly welcome this chance in the next 5 minutes to add my words of great appreciation and approval to I think a very important piece of legislation and certainly one that I hope bodes well for the future, because we have before us here today a bipartisan agreement, as the ranking member so correctly stated, one that sets and bodes very well a brighter future for this full committee, and, I am hopeful, as someone who has had the honor and opportunity to delve into postal issues over the past several years, a fine start to continued bipartisan cooperation in terms of our continuing efforts to modernize the Postal Service in even broader measures. And I, too, deeply appreciate the great leadership, the very hard work of the gentleman from Virginia (Mr. TOM DAVIS), the chairman of the standing committee; the gentleman from California (Mr. WAXMAN), the ranking member; and my long partner in these postal issues, the gentleman from Illinois (Mr. DAVIS) for their very concerted effort to bring this very necessary and, as the ranking member and the chairman both said, very timely piece of legislation to the floor at this moment.

Both the chairman and the ranking member, I think, have struck on the major points of importance here, very eloquently and very appropriately. But let me just highlight for a moment the very critical nature of what we are doing. Certainly to the Postal Service's future viability, its ability, as the gentleman from California (Mr. WAXMAN) said, to dedicate these savings that will accrue from what I hope the House is about to do here today toward all of those issues to ensure even better mail delivery service, to ensure their continued viability, to say to those some 800,000 dedicated Postal employees that we understand the great challenges that they face, that where the opportunities present themselves we are not just willing, but here through this bill apparently able to assist in that very worthy effort.

But this is an important piece of economic development legislation as well, Mr. Speaker. Just as way of illustration, the Postal Service, the entire postal delivery sector today represents some \$635 billion annually in direct economic activity in the production of mail and delivery services. Mail advertising alone generates some \$725 billion in economic activity each and every year. And the parcels handled by the Postal industry, including all postal and parcel carriers, have a value exceeding \$850 billion.

A lot of us spend a lot of time, understandably and rightfully so, delving into the issue of what we can do to stimulate this economy, and this bill today in supporting those significant segments of our economic activity and our economic sector certainly would go a long way towards boosting the economic activities of this Nation as a

whole into the future, and they certainly speak of the absolutely essential nature of this bill, S. 380. And my compliments to Ms. COLLINS and to Mr. LIEBERMAN, our colleagues in the Senate, for their leadership and their great work.

The gentleman from California (Mr. WAXMAN) said it, and he is absolutely right. Time is of the essence. Without this initiative it is likely, in fact absolutely certain, the Postal Service would be forced to impose a potential rate increase in postage rates within a matter of weeks, and through this action we can forestall that, as has been said here repeatedly on the floor, until at least the fiscal year 2006 to help the Postal Service expand its declining mail volumes, to help it become even more viable into the future.

And as the gentleman from California (Mr. WAXMAN) and others have said, rarely do we have a chance on this floor to support a piece of legislation so uniformly supported by all the affected parties. The Postal Service, the administration, the postal unions, the very vital mail industry throughout this Nation all see this as the proper thing to do.

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I want to just say for the record, I understand and in large measure support what both the ranking member and the chairman have said with respect to the treatment of military pay. I think we do have to take a look at that.

I commend the gentleman from California (Mr. WAXMAN) for not clouding the issue at this particular moment, but there are others who have differing opinions, and I think we need to have a full discussion on that. So I urge the full support of the House on this bill.

Mr. WAXMAN. Mr. Speaker, I am pleased to yield such time as he may consume to the gentleman from Illinois (Mr. DAVIS), the ranking Democrat on the Postal Task Force of the Committee on Government Reform.

Mr. DAVIS of Illinois. Mr. Speaker, I thank the gentleman from California for yielding me time.

Mr. Speaker, as the ranking minority member of the Committee on Government Reform's Special Panel on Postal Reform and Oversight, I rise in support of S. 380, the Postal Civil Service Retirement System Funding Reform Act of 2003. As an original cosponsor of the House version, H.R. 735, I am pleased to join my colleagues in the consideration of S. 380, legislation which will correct the way payments are made to the Civil Service Retirement System.

At this time, Mr. Speaker, I want to thank especially the chairman of this committee, the gentleman from Virginia (Mr. TOM DAVIS), and the ranking member, the gentleman from California (Mr. WAXMAN), for their ability to come together in a unified, bipartisan way, to reach agreement and bring to the floor this legislation in a very timely manner.

I also want to thank the gentleman from New York (Mr. MCHUGH), who has provided leadership on postal issues for a number of years, and all of their staffs, as well as my staff, for the enormous time and effort spent in crafting H.R. 735.

I am particularly proud of the fact that we have worked together in a productive, constructive, and bipartisan manner. We have begun the 108th Congress on a very positive note, and we look forward to the continuation of that in our committee.

I would also like to thank the Senate for striking their language and substituting the language from our bill, H.R. 735, and including the military study language of the gentleman from Virginia (Mr. TOM DAVIS).

Since the introduction of the House postal pension bill and throughout the committee's markup process, I received hundreds of letters from members of the business mailing community expressing support of the legislation and urging quick action. I was pleased to have been contacted by so many businesses in the Chicago area and within the State of Illinois.

In the face of a depressing economy and a swift and steady decline in mail volume, businesses and consumers are in no mood for postage rate increases. To that end, I am pleased that the bill before us not only corrects the calculation of the postal service's contributions to the CSRS fund, it will also allow the postal service to hold off on rate increases for at least 2 years, while allowing the postal service to reduce its \$11.9 billion debt.

Mr. Speaker, I appreciate the opportunity to express my support for this important legislation. Although this is a good bill, it is not a perfect bill. At the appropriate time, I certainly expect to express support for the military amendment of the gentleman from California (Mr. WAXMAN), an amendment which would retain current law with respect to Treasury paying the costs related to the military service of employees in the Civil Service Retirement System.

Practically all of the postal service's stakeholders are in support of this legislation: printers, mailers, the unions, and the consuming public. It is a good bill. I urge its passage.

Again, I commend the chairman and ranking member for their leadership.

Mr. TOM DAVIS of Virginia. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana (Mr. BURTON), the former chairman of the full committee and a leader in postal reform.

Mr. BURTON of Indiana. Mr. Speaker, I thank the gentleman for yielding me time.

I agree with what my colleague with the great voice, the gentleman from Illinois (Mr. DAVIS), just said; and I rise in support of the Postal Civil Service Retirement System Funding Reform Act of 2003. I commend the gentleman from Virginia (Chairman TOM DAVIS) on our side of the aisle for guiding this

bill through this legislative body at this time.

It is very important that we have a strong and viable postal service, and that is why during the last Congress I was disappointed when we did not pass the Postal Accountability and Enhancement Act. The gentleman from New York (Mr. MCHUGH) and others worked very hard on that legislation, and it would have helped a great deal.

As the gentleman from Virginia (Mr. TOM DAVIS) just said a few minutes ago, there are a lot of problems with the postal service that need to be addressed, but this is a very important one; and that is why I am happy to see this bill before us today.

Why is immediate action needed? Because, if we do not do anything, that simply is not an option. If Congress does not correct the retirement benefit formula in current law, postal rates will probably increase in the not-too-distant future, and everybody who deals with the postal service and has businesses understands how important that is. Such an increase in postal rates in the current economic environment threatens the postal service, its employees and the entire country, as well as the mailing industry.

Congress has a duty to ensure that the U.S. Postal Service is on a sound fiscal footing and to protect the American postal customers from unstable rates. Changing the way the U.S. Postal Service retirement payments are made is going to go a long way toward accomplishing that goal. Without this change, businesses throughout the country will continue to be unfairly taxed by having postal rate increases.

This bill is very, very needed and will ensure stable postal rates into the foreseeable future, and I think will help facilitate an economic recovery in many sectors of the economy.

Once again I want to thank the gentleman from Virginia (Chairman TOM DAVIS) for his hard work on this. He is doing a great job as a new chairman, and I appreciate that.

Mr. WAXMAN. Mr. Speaker, I am pleased to yield such time as he may consume to the gentleman from Maryland (Mr. CUMMINGS), a very important member of our committee.

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

Mr. Speaker, I would like to recognize the gentleman from Virginia (Mr. TOM DAVIS) and certainly the gentleman from California (Mr. WAXMAN), the gentleman from New York (Mr. MCHUGH) and the gentleman from Illinois (Mr. DAVIS) for their fine work on this bill.

The gentleman from New York (Mr. MCHUGH) has worked tirelessly on postal issues for several years. S. 380 contains the same language as H.R. 735. As such, I am pleased to support S. 380, a bill that goes a long way to ensure the viability of the postal service.

This bill provides financial relief to the postal service by reducing the

amount that the postal service has to pay into the Civil Service Retirement System. The postal service will save \$9.1 billion over the next 3 years and \$35.6 billion over the next 10 years.

I am also pleased that S. 380 contains language that calls on the postal service and other Federal agencies to study the military pensions and report back to the Congress. Currently, the postal service is paying billions of dollars more into CSRS each year than is needed to fully fund its pension obligations. The Office of Personnel and Management determined that by changing the funding formula the postal service could reduce the amount of money needed to pay into the fund. The funding formula would be more like the one used in the Federal Employees Retirement System.

This bill requires the postal service to work with the Treasury Department, applying the saved funding to pay down its debt in the first 2 years. In fiscal year 2005, the bill allows for the money saved to be used to keep postal rates stable through 2006.

Mr. Speaker, this bill enjoys broad support from the postal service, postal labor unions, mailing industry representatives, and postal consumers. Passage of this legislation will ensure that the postal service pays down its debts and will forestall the need for another postage rate increase until 2006. This legislation strengthens the postal service, lowers the postal service's debts, and protects postal consumers. I urge all of my friends in the Congress to vote in favor of S. 380.

Mr. TOM DAVIS of Virginia. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Florida (Mr. PUTNAM), a member on the Committee on Government Reform.

Mr. PUTNAM. Mr. Speaker, I rise today in strong support of S. 380, which contains the same language as H.R. 735. This legislation, as has been said earlier, is critically important to our Nation's economy, especially in these uncertain times.

S. 380 is good for the American consumers because it means that we will be able to hold the line on postal rate increases for at least 2 more years. It also relieves pressure on those who rely heavily on the postal service to deliver their products, allowing them to reinvest that savings into their local communities and provide more jobs. Most importantly, by freezing rates for 2 years, the postal service and its customers are afforded great stability in their mailing and long-term planning budgets.

As has been said earlier, this involved the support of all of the postal service customers, the unions, the administration; and it involved a great deal of compromise for those folks to come on board, setting the tone for long-term structural reform of the postal service.

The bill buys everyone valuable time to develop a comprehensive long-term solution to the post office's solvency,

while avoiding the temptation to micromanage post offices.

Mr. Speaker, I would like to thank my good friend, the gentleman from New York (Mr. MCHUGH), a congressional leader on postal issues, and my chairman, the gentleman from Virginia (Mr. TOM DAVIS), for his hard work bringing the bill so swiftly to the floor. The gentleman from Virginia (Chairman TOM DAVIS) has demonstrated his leadership in legislative capabilities as chairman of the Committee on Government Reform in a very short period of time, and I appreciate his work on this issue.

Mr. Speaker, I urge my colleagues to support this bill.

Mr. WAXMAN. Mr. Speaker, I yield 3 minutes to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY. Mr. Speaker, I thank the gentleman for yielding me time, and I thank him for his leadership on this issue and so many others, and, of course, thank the gentleman from Virginia (Mr. TOM DAVIS) and subcommittee minority member, the gentleman from Illinois (Mr. DAVIS), for their work on this important bill.

I rise in strong support of S. 380, the Postal Civil Service Retirement System Funding Program. As a member of the Committee on Government Reform's Special Panel on Postal Reform and Oversight and a cosponsor of H.R. 735, the House companion, I am very pleased that the House is taking up this very important legislation today that is important to the postal service and important to the American consumer.

With the postal service facing \$11 billion in debt over the next few years and the General Accounting Office listing the postal service on their high-risk list, S. 380 and its stabilizing effects on the postal service is very good news for our country.

S. 380 corrects the formula used to determine the amount of annual lump-sum payments the postal service makes to the Civil Service Retirement System. If current law remains unchanged, the postal service-required share of this Federal Government retirement fund will result in a very significant long-term overpayment of more than \$70 billion.

S. 380 will credit the postal service for its past payments, which is only fair, to seed SRS, and change how contributions will be made in the future. The bottom line is that the postal service will get some very needed fiscal relief, a cash inflow of money, and the American people get a promise of stable postal rates until 2006. The American public and all postal customers will enjoy a 3-year rate freeze on the cost of postage because of this fix.

I would like to thank my colleague, the gentleman from New York (Mr. MCHUGH), along with others, the gentleman from Illinois (Mr. DAVIS) and, of course, the chairman and ranking member, as well as the postal service and the very diverse coalition of post-

al, labor unions, management groups, business and industry and other postal consumers, all of whom support this legislation.

The mailing industry is tremendously important to the economy of our Nation. The United States Postal Service is the second largest civilian employer in the Nation, employing over 770,000 talented and dedicated workers, workers who lately have had to do their job under tremendous pressure with the threat of anthrax attacks and terrorist attacks.

□ 1645

The mail industry is 8 percent of our GNP, a \$900 billion industry that includes not only the Postal Service, but also 9 million Americans in the private sector who work in this industry. I represent many businesses that rely greatly on the Postal Service, and this bill will not only benefit the Postal Service directly, but because this will stabilize the rates, and this is very important, because it will help struggling and ailing businesses like the magazine industry, which happens to be headquartered in the district that I represent. And they have seen many longtime popular magazines fail, like *Mademoiselle*, *Mode*, and *Brill's Content* shut down operations because of the tough economy and also because of the escalating postal rates. All USPS customers need the best service possible from the Postal Service, and certainly a healthy Postal Service is vital to a healthy economy.

Mr. Speaker, I am very pleased that the House is taking action today to help strengthen the Postal Service.

Mr. TOM DAVIS of Virginia. Mr. Speaker, I am happy to yield 4 minutes to the gentlewoman from Macomb County, Michigan (Mrs. MILLER).

Mrs. MILLER of Michigan. Mr. Speaker, I certainly thank the gentleman for yielding me this time.

The Postal Civil Service Retirement System Funding Reform Act of 2003 is a very, very long name, but appropriately so, because it addresses reform that is certainly very long overdue. The Postal Service, in fact, has not seen any real reform since 1971 when the Congress passed the Postal Reorganization Act. Since then, of course, the Postal Service has dramatically expanded.

Consider some rather startling numbers. Today, the mailing industry accounts for 9 million jobs, \$900 billion in commerce, and 9 percent of the United States gross domestic product. S. 380, as approved by the Senate, is really nearly identical to H.R. 735 which was passed by the Committee on Government Reform under the extraordinary leadership of our great chairman, the gentleman from Virginia (Mr. DAVIS).

The purpose of this legislation is to change the manner in which the Postal Service pays into the Civil Service Retirement System.

This legislation is so very necessary because under current law, the Postal

Service will overpay its obligations to the Civil Service Retirement System by more than \$70 billion. In effect, the Postal Service would be forced to subsidize the retirement obligations of other Federal agencies.

The net result is that the Postal Service has to continually implement rate increases which would otherwise be unnecessary.

S. 380 does not affect the payment of retiree benefits. It has no negative impact on retirees. It simply addresses how those benefits are funded.

The anticipated savings from this bill would be utilized in two ways: first of all, to pay down the total debt that the Postal Service currently has with the Department of the Treasury; and secondly, to delay any rate increases on consumer and commercial mailings until fiscal year 2006.

Certainly, for most of us if one has a postal rate increase, it might just be a nuisance, just 1 cent or 2 cents. That kind of an increase might not mean too much if you send only a few letters per month. However, if you are a business who is sending literally millions of pieces of mail, this is a tremendous increase in your costs, and we can just think about the impact that a postal rate increase has on the mail order catalog businesses or on magazine businesses or so many businesses that rely on the United States Postal Service to conduct their business.

If the 108th Congress does not act on this legislation, it will necessitate a postal rate increase, and we will, in effect, be levying an unfair tax increase on the American consumer.

Passage of this bill would be very much the first stage of substantial postal reform that will bring the service into the 21st century. I think it is important that this Congress demonstrate to the citizens of our Nation that it will be committed to improving the cost-effectiveness and the efficiency certainly of government, and this legislation is an excellent first step in that direction.

No other governmental entity serves its customers more directly than the Postal Service. Almost every citizen of our Nation is impacted at varying degrees by the Postal Service. Customer service should not be a novel concept within the Federal Government. It should be an operative phrase for us.

S. 380 will allow post offices to better serve their customers and, by voting in favor of this legislation, Congress will be voting to fix a wrong that has hampered the Postal Service for years. I certainly urge my colleagues to vote in favor of S. 380.

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

Mr. TOM DAVIS of Virginia. Mr. Speaker, I yield 5 minutes to the gentleman from South Dakota (Mr. JANKLOW), former Governor.

Mr. JANKLOW. Mr. Speaker, I thank the gentleman for yielding me this time, and I thank the gentleman from California (Mr. WAXMAN) and clearly

the gentleman from New York (Mr. MCHUGH) for taking the leadership to move forward on this.

Mr. Speaker, it is an unusual day in America when people can look to the Congress and understand that we may really solve a problem. If we can agree on something being a problem, it should not be hard to fix it. The debate ought to be around what does it take to bring about a solution, but we have to agree there is a problem.

There is no question but that when one charges more for a monopoly like the Postal Service, when one charges more money for something than one is supposed to, then that is an unfair tax on the people, just as if the Congress had passed the tax. Two, it has a stifling effect on the economy and all of those businesses, but just as importantly, all of those individual human beings that use the Postal Service for everything from mailing their monthly bills to mailing out anniversary and Christmas cards. Three, they have not been able to figure out in the past how to take care of funding the Civil Service Retirement System adequately.

It is a red letter day when the Republicans and Democrats can come together on a bill that they agree solves a problem.

Mr. Speaker, that is what we have here today. We have had anthrax in the Postal Service, we have had the situation of rate increases in the Postal Service, we have had the situation in the Postal Service where we are dealing with a down economy, but this is a real shot in the arm for this organization. One, we are going to be able to use the excess monies to go into funding the operational aspects for fiscal years 03, 04 and 05. The second thing we are going to be able to do is to fix the Civil Service Retirement System. And the third thing we are going to be able to do is to move the Postal Service more towards a sound financial setting.

I have heard from the mail carriers, I have heard from the postmasters, I have heard from the newspaper organizations and the magazine organizations. The one group that I have not heard from are the consumers of America, the individual people, because they have not been aware that this problem has been going forward.

So, Mr. Speaker, it is really an exciting day, truly an exciting day when people can come together in this Congress, in this House, and solve problems.

Now, having said that, I think we all have to recognize that this gives the Postal Service a couple additional years of opportunity to look at their organization, to look at the things they have to do, to make this a more efficient, more effective service. It is the largest single business in this country. There is no business bigger. We always talk about the Fortune 500 or the top 100 or whatever. There is no business in this Nation that is as large as the U.S. Postal Service in terms of its economic impact, its economic might,

and its economic power. It can also be an economic drag, because this Nation cannot run without that service.

So to the extent that we are able to find billions of dollars and move them into the operational side, move them into the side to reduce the capital expenditure demands for increased funding, there is no question but what that does is give us the ability to be able to more effectively deal with the economy of this country.

This is a couple billion dollars a year, but the cumulative effect would have been \$70 billion, 7 followed by 0, 0, 0, 0, 0, 0, 0, 0. As Senator Dirksen once said, If you take a billion here and a billion there, pretty soon it adds up to real money.

So what we are doing today is taking the first giant step towards solving a real money problem for the American people. What we are doing today is starting the long-range fix of the problem in the Postal Service to the benefit of the employees, to the benefit of the consumers, to the benefit of the users, and to the benefit of the economy of America.

I say to the gentleman from Virginia (Mr. DAVIS), I sincerely applaud you as the chairman of the committee that has drafted this in the first couple of months in the Congress. The gentleman from California (Mr. WAXMAN) has done the same thing. They have come together in a committee that had historically a lot of contention. They have come together to move forward on something that is for the good of all of the people of this great country, and so I thank the gentleman from New York (Mr. MCHUGH) for having planted the seed and kept the tree nurtured until the others could seize upon it.

This is a red letter day for the people of America, and I urge my colleagues to support it unanimously.

Mr. WAXMAN. Mr. Speaker, I thank the gentleman for his comments. I thank everybody involved with this legislation for their efforts. I think this is a bill that we can all look at with pride.

Mr. Speaker, we have no further requests for time on our side, so I yield back the balance of my time.

Mr. TOM DAVIS of Virginia. Mr. Speaker, I have no other requests at this time. I would urge adoption of this measure.

Mr. UDALL of New Mexico. Mr. Speaker, I rise today in support of S. 380, the Postal Civil Service Retirement System Funding Reform Act of 2003. This legislation provides financial relief to the Postal Service in a time of great need. By enacting this legislation, we will help the Postal Service carry out its stated mission of providing universal service—the idea that mail service in our rural areas should be as speedy, efficient, and inexpensive as mail service in our largest cities. In my district in New Mexico where there are numerous rural communities, this mission is especially important. Additionally, by providing relief for the Postal Service, we can keep postal rates stable until 2006.

Mr. Speaker, I am pleased with the steps this Congress has taken toward helping the

Postal Service to carry out their vital services. I thank my colleagues for showing their support not only for the Postal Service and its many employees, but for all communities throughout the country.

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

The SPEAKER pro tempore (Mr. LINDER). All time having been yielded, it is now in order to consider Amendment No. 1 printed in the CONGRESSIONAL RECORD by the gentleman from California (Mr. WAXMAN).

AMENDMENT NO. 1 OFFERED BY MR. WAXMAN

Mr. WAXMAN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. WAXMAN:

In section 8348(h)(1)(B)(i) of title 5, United States Code (as proposed to be amended by section 2(c) of the bill), strike "include" and insert "exclude".

In section 8348(h)(1)(B)(ii) of title 5, United States Code (as proposed to be amended by section 2(c) of the bill), strike "included shall not" and insert "excluded shall".

The SPEAKER pro tempore. Pursuant to the order of the House of April 7, 2003, the gentleman from California (Mr. WAXMAN) and a Member opposed each will control 5 minutes.

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

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

Mr. Speaker, I support S. 380. The bill strengthens the Postal Service, lowers their debt, and protects postal consumers. The legislation, however, is not perfect. In particular, I do not believe that requiring the Postal Service to pay the pension costs associated with the military service, the previous military service of their employees, is a good idea.

Under current law, the Department of the Treasury pays the costs of retirement benefits related to military service for employees who are part of the Civil Service Retirement System. My amendment would maintain the status quo, keeping the responsibility for paying these costs with the Federal Treasury where they have always been, and where they belong.

In contrast, S. 380 shifts the burden of paying these costs from Treasury to the Postal Service. The legislation even has the effect of requiring the Postal Service to reimburse the Treasury for payments that have already been made. This shift will require the Postal Service to pay billions more than it otherwise would have to pay.

I believe it is wrong and unfair to require the Postal Service to shoulder this burden.

Many believe that the Postal Service should run more like a private business, yet no private business, including the Postal Service's competitors, is required to pay benefits for military service. S. 380 would also make the Postal Service the only entity in the

Civil Service Retirement System that has to pay for military benefits.

I will not seek a vote on this amendment because, for reasons that I do not understand, the White House has signaled that it would oppose this legislation if my amendment were included. Thus, the result of adopting the amendment would be to bring down a bill that has many other worthwhile components.

Instead of pursuing this amendment, S. 380 contains language that we worked out with the gentleman from Virginia (Chairman DAVIS) that calls for a study of whether the Department of the Treasury or the Postal Service should be responsible for pension costs associated with military service with reports to the Congress. I do not believe this study language is as good as my amendment, yet at least it preserves this issue for further consideration.

Under the language of the study provision, the submission and evaluation of the proposals regarding military pension are timed to coincide with our review of the Postal Service's proposed use of the savings resulting from this legislation. I hope that at that point in time, we will reconsider our approach toward military costs.

□ 1700

At the appropriate time, Mr. Speaker, I will seek to withdraw this amendment.

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

Mr. TOM DAVIS of Virginia. Mr. Speaker, I rise in opposition to the amendment.

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

Mr. Speaker, as I stated before, I agree in principle with the concept behind the gentleman's amendment. This bill, which adopts the administration's approach on the treatment of military funding, would make the postal service the only agency responsible for the military costs of the CSRS retirees. I do not think it is right. I do not think it is fair to postal rate payers. Unlike other agencies in government, this is an enterprise fund that is paid for by the rate payers who should not have to bear this burden. I think it puts strains on the post office that should not be there.

The postal service's mandate is to charge rate payers for its operating and overhead expenses and to break even over time. While the postal service does pay for military benefits for its FERS employees, it has never been required to for its CSRS employees, and neither is any other agency in government.

However, the administration is categorically opposed to any treatment of military funding other than the FERS model that they propose. The bill's principle sponsor, the gentleman from New York (Mr. MCHUGH), is going to speak on this more fully in just a moment. But with so much at stake in

this legislation, I think we have to move forward on what we can agree on and follow the administration's approach at this time.

We will carefully consider the results of the studies that we have mandated in this bill. But still, I want to thank my colleague from California (Mr. WAXMAN) for highlighting this important issue.

Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. MCHUGH).

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

Let me express my appreciation, as well, to the ranking member, the gentleman from California (Mr. WAXMAN), for raising this issue. I think it is a very appropriate question, and it needs full and total debate, and also for having the diplomatic position of withdrawing it because of the problems.

And I am certainly one who would support any measure that brings an added \$18 billion or even more to the postal service and all the good that that could accrue. But I think it is important for the House to know as we set the stage here for future debate that, as the chairman said, the administration has serious concerns about this. And their argument is simply that if we are going to use the FERS model, which is indeed what applies here and accrues the nearly over-\$70 billion in savings, that the FERS modeling should indeed be applied across the board, which under FERS does require military retirement to be paid by the agency instead of by the Federal Treasury.

I should note as well, whether or not we agree with them, the OPM has, in meetings that all of us sat in on, our staffs, that if this provision were to be included, they would strongly recommend a veto which I think underscores again the gentleman from California's (Mr. WAXMAN) willingness to deal with this particular issue of the funding question and then get on to the equally important debate with respect to the military obligation.

Mr. Speaker, I want to thank again the chairman and the ranking member for working this out. And certainly I am hopeful we can work with the administration to try to bring about an agreement that accrues to the most possible good for the postal service and its customers.

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

Mr. DAVIS of Illinois. Mr. Speaker, I simply rise in support of the Waxman amendment. But I also rise in support of the agreement that the gentleman from Virginia (Mr. TOM DAVIS) and the gentleman from California (Mr. WAXMAN) have been able to arrive at.

I think once again this is an indication of the manner in which the chairman and ranking member of the Committee on Government Reform have been able to provide leadership that moves us from the discussion point to

the position of being able to actually do something. And so I commend both of the gentlemen for their diplomacy, for their leadership, and for their legislative skill.

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

Mr. Speaker, I think we have made our point on this amendment. We will have this issue out there for further consideration at another time; but in the interest of moving this legislation forward and getting a good bill enacted into law, I will withdraw my amendment.

Mr. Speaker, I withdraw my amendment.

The SPEAKER pro tempore (Mr. LINDER). The amendment is withdrawn.

Pursuant to the order of the House of April 7, 2003, the previous question is ordered on the Senate bill.

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

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

The SPEAKER pro tempore. The question on the passage of the Senate bill.

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

Mr. TOM DAVIS of Virginia. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The Chair announces that further proceedings on motions to suspend the rules and agree to House Resolution 170 and House Resolution 149, postponed earlier today, will resume tomorrow.

The SPEAKER pro tempore. The Chair announces that this vote will be followed by three 5-minute votes on the motion to suspend the rules related to H.R. 205, House Resolution 179, and H.R. 1584, as amended.

This is a 15-minute vote on passage of S. 380.

The vote was taken by electronic device, and there were—yeas 424, nays 0, not voting 10, as follows:

[Roll No. 115]

YEAS—424

Abercrombie	Bilirakis	Burr
Ackerman	Bishop (GA)	Burton (IN)
Aderholt	Bishop (NY)	Buyer
Akin	Bishop (UT)	Calvert
Alexander	Blackburn	Camp
Allen	Blumenauer	Cannon
Andrews	Blunt	Cantor
Baca	Boehlert	Capito
Bachus	Boehner	Capps
Baird	Bonilla	Capuano
Baker	Bonner	Cardin
Baldwin	Bono	Cardoza
Ballance	Boozman	Carson (IN)
Ballenger	Boswell	Carson (OK)
Barrett (SC)	Boucher	Carter
Bartlett (MD)	Boyd	Case
Barton (TX)	Bradley (NH)	Castle
Bass	Brady (PA)	Chabot
Beauprez	Brady (TX)	Chocola
Becerra	Brown (OH)	Clay
Bell	Brown (SC)	Clyburn
Bereuter	Brown, Corrine	Coble
Berkley	Brown-Waite,	Cole
Berman	Ginny	Collins
Berry	Burgess	Conyers
Biggert	Burns	Cooper

Costello	Honda	Murtha
Cox	Hooley (OR)	Musgrave
Cramer	Hostettler	Myrick
Crane	Houghton	Nadler
Crenshaw	Hoyer	Napolitano
Crowley	Hulshof	Neal (MA)
Cubin	Hunter	Nethercatt
Culberson	Inslee	Ney
Cummings	Isakson	Northup
Cunningham	Kanjorski	Norwood
Davis (AL)	Issa	Nunes
Davis (CA)	Istook	Nussle
Davis (FL)	Jackson (IL)	Oberstar
Davis (IL)	Jackson-Lee	Obey
Davis (TN)	(TX)	Olver
Davis, Jo Ann	Janklow	Ortiz
Davis, Tom	Jefferson	Osborne
Deal (GA)	John	Ose
DeFazio	Johnson (CT)	Otter
DeGette	Johnson (IL)	Owens
DeLahunt	Johnson, E. B.	Oxley
DeLauro	Johnson, Sam	Pallone
DeLay	Jones (NC)	Pascrell
DeMint	Jones (OH)	Pastor
Deutsch	Kanjorski	Paul
Diaz-Balart, L.	Kaptur	Pearce
Diaz-Balart, M.	Keller	Pelosi
Dicks	Kelly	Pence
Dingell	Kennedy (MN)	Peterson (MN)
Doggett	Kennedy (RI)	Peterson (PA)
Dooley (CA)	Kildee	Petri
Doolittle	Kilpatrick	Pickering
Doyle	Kind	Pitts
Dreier	King (IA)	Platts
Duncan	King (NY)	Pombo
Dunn	Kingston	Pomeroy
Edwards	Kirk	Porter
Ehlers	Kleczka	Portman
Emanuel	Kline	Price (NC)
Emerson	Knollenberg	Pryce (OH)
Engel	Kolbe	Putnam
English	Kucinich	Quinn
Eshoo	LaHood	Radanovich
Etheridge	Lampson	Rahall
Evans	Langevin	Ramstad
Everett	Lantos	Rangel
Farr	Larsen (WA)	Regula
Fattah	Larson (CT)	Rehberg
Feeney	Latham	Renzi
Ferguson	LaTourette	Reyes
Filner	Leach	Reynolds
Flake	Lee	Rodriguez
Fletcher	Levin	Rogers (AL)
Foley	Lewis (CA)	Rogers (KY)
Forbes	Lewis (GA)	Rogers (MI)
Ford	Lewis (KY)	Rohrabacher
Fossella	Linder	Ros-Lehtinen
Frank (MA)	Lipinski	Ross
Franks (AZ)	LoBiondo	Rothman
Frelinghuysen	Lofgren	Roybal-Allard
Frost	Lucas (KY)	Royce
Gallegly	Lynch	Ruppersberger
Garrett (NJ)	Majette	Rush
Gerlach	Maloney	Ryan (OH)
Gibbons	Manzullo	Ryan (WI)
Gilchrest	Markey	Ryun (KS)
Gillmor	Marshall	Sabo
Gingrey	Matheson	Sanchez, Linda
Gonzalez	Matsui	T.
Goode	McCarthy (NY)	Sanchez, Loretta
Goodlatte	McCollum	Sanders
Goss	McCotter	Sandlin
Granger	McCrery	Saxton
Graves	McDermott	Schakowsky
Green (TX)	McGovern	Schiff
Green (WI)	McHugh	Schrock
Greenwood	McInnis	Scott (GA)
Grijalva	McIntyre	Scott (VA)
Gutierrez	McKeon	Sensenbrenner
Gutknecht	McNulty	Serrano
Hall	Meehan	Sessions
Harman	Meek (FL)	Shadegg
Harris	Meeke (NY)	Shaw
Hart	Menendez	Shays
Hastings (FL)	Mica	Sherman
Hastings (WA)	Michaud	Sherwood
Hayes	Millender-	Shimkus
Hayworth	McDonald	Shuster
Hefley	Miller (FL)	Simmons
Hensarling	Miller (MI)	Simpson
Herger	Miller (NC)	Skelton
Hill	Miller, Gary	Slaughter
Hinchee	Miller, George	Smith (NJ)
Hinojosa	Mollohan	Smith (TX)
Hobson	Moore	Smith (WA)
Hoeffel	Moran (KS)	Snyder
Hoekstra	Moran (VA)	Solis
Holden	Murphy	Souder
Holt		Spratt

Stark	Tiberi	Watt
Stearns	Tierney	Waxman
Stenholm	Toomey	Weiner
Strickland	Towns	Weldon (FL)
Sullivan	Turner (OH)	Weldon (PA)
Sweeney	Turner (TX)	Weller
Tancredo	Udall (CO)	Wexler
Tanner	Udall (NM)	Whitfield
Tauscher	Upton	Wicker
Tauzin	Van Hollen	Wilson (NM)
Taylor (MS)	Velazquez	Wilson (SC)
Taylor (NC)	Visclosky	Wolf
Terry	Vitter	Woolsey
Thomas	Walden (OR)	Wu
Thompson (CA)	Walsh	Wynn
Thompson (MS)	Wamp	Young (AK)
Thornberry	Waters	Young (FL)
Tiahrt	Watson	

NOT VOTING—10

Combest	Jenkins	Smith (MI)
Gephardt	Lucas (OK)	Stupak
Gordon	McCarthy (MO)	
Hyde	Payne	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LINDER) (during the vote). There are 2 minutes left in this vote.

□ 1724

So the Senate bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Pursuant to the order of the House of April 7, H.R. 735 is laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed. Votes will be taken in the following order:

- H.R. 205, by the yeas and nays;
- H. Res. 179, by the yeas and nays;
- H.R. 1584, as amended, by the yeas and nays.

NATIONAL SMALL BUSINESS REGULATORY ASSISTANCE ACT OF 2003

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 205.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. MANZULLO) that the House suspend the rules and pass the bill, H.R. 205, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 417, nays 4, not voting 13, as follows:

[Roll No. 116]

YEAS—417

Abercrombie	Baker	Bell
Ackerman	Baldwin	Bereuter
Aderholt	Ballance	Berkley
Akin	Ballenger	Berman
Alexander	Barrett (SC)	Berry
Allen	Bartlett (MD)	Biggert
Andrews	Barton (TX)	Bilirakis
Baca	Bass	Bishop (GA)
Bachus	Beauprez	Bishop (NY)
Baird	Becerra	Bishop (UT)

Blackburn  
Blumenauer  
Blunt  
Boehler  
Boehner  
Bonilla  
Bonner  
Bono  
Boozman  
Boswell  
Boucher  
Boyd  
Bradley (NH)  
Brady (PA)  
Brady (TX)  
Brown (OH)  
Brown (SC)  
Brown, Corrine  
Brown-Waite,  
    Ginny  
Burgess  
Burns  
Burr  
Burton (IN)  
Buyer  
Calvert  
Camp  
Cannon  
Cantor  
Capito  
Capps  
Capuano  
Cardin  
Cardoza  
Carson (IN)  
Carson (OK)  
Carter  
Case  
Castle  
Chabot  
Chocola  
Clay  
Clyburn  
Coble  
Cole  
Collins  
Conyers  
Cooper  
Costello  
Cox  
Cramer  
Crane  
Crenshaw  
Crowley  
Cubin  
Cummings  
Cunningham  
Davis (AL)  
Davis (CA)  
Davis (FL)  
Davis (IL)  
Davis (TN)  
Davis, Jo Ann  
Davis, Tom  
Deal (GA)  
DeFazio  
DeGette  
Delahunt  
DeLauro  
DeLay  
DeMint  
Deutsch  
Diaz-Balart, L.  
Diaz-Balart, M.  
Dicks  
Dingell  
Doggett  
Dooley (CA)  
Doolittle  
Doyle  
Dreier  
Duncan  
Dunn  
Edwards  
Ehlers  
Emanuel  
Emerson  
Engel  
English  
Eshoo  
Etheridge  
Evans  
Everett  
Farr  
Fattah  
Feeney  
Ferguson  
Filner  
Fletcher

Foley  
Forbes  
Ford  
Fossella  
Frank (MA)  
Franks (AZ)  
Frelinghuysen  
Frost  
Gallegly  
Garrett (NJ)  
Gephardt  
Gerlach  
Gibbons  
Gibbons  
Gilchrest  
Gillmor  
Gingrey  
Gonzalez  
Goode  
Goodlatte  
Goss  
Granger  
Graves  
Green (TX)  
Green (WI)  
Greenwood  
Grijalva  
Gutierrez  
Gutknecht  
Hall  
Harman  
Harris  
Hastings (FL)  
Hastings (WA)  
Hayes  
Hayworth  
Hefley  
Hensarling  
Herger  
Hill  
Hinchey  
Hinojosa  
Hobson  
Hoefel  
Hoekstra  
Holden  
Holt  
Honda  
Hookey (OR)  
Houghton  
Hoyer  
Hulshof  
Hunter  
Inslee  
Isakson  
Israel  
Issa  
Istook  
Jackson (IL)  
Jackson-Lee  
    (TX)  
Janklow  
Jefferson  
John  
Johnson (IL)  
Johnson, E. B.  
Johnson, Sam  
Jones (NC)  
Jones (OH)  
Kanjorski  
Kaptur  
Keller  
Kelly  
Kennedy (MN)  
Kennedy (RI)  
Kildee  
Kilpatrick  
King  
King (IA)  
King (NY)  
Kingston  
Kirk  
Kleczka  
Kline  
Knollenberg  
Kolbe  
Kucinich  
LaHood  
Lampson  
Langevin  
Lantos  
Larsen (WA)  
Larson (CT)  
Latham  
Leach  
Lee  
Levin  
Lewis (CA)  
Lewis (GA)

Lewis (KY)  
Linder  
Lipinski  
LoBiondo  
Lofgren  
Lowey  
Lucas (KY)  
Lynch  
Maloney  
Manzullo  
Markey  
Marshall  
Matheson  
Matsui  
McCarthy (NY)  
McCollum  
McCotter  
McCreary  
McDermott  
McGovern  
McHugh  
McInnis  
McIntyre  
McKeon  
McNulty  
Meehan  
Meek (FL)  
Meeks (NY)  
Menendez  
Mica  
Michaud  
Millender-  
    McDonald  
Miller (FL)  
Miller (MI)  
Miller (NC)  
Miller, Gary  
Miller, George  
Mollohan  
Moore  
Moran (KS)  
Moran (VA)  
Murphy  
Murtha  
Myrick  
Nadler  
Napolitano  
Neal (MA)  
Nethercutt  
Ney  
Northup  
Norwood  
Nunes  
Nussle  
Oberstar  
Obey  
Olver  
Ortiz  
Osborne  
Ose  
Otter  
Owens  
Oxley  
Pallone  
Pascarell  
Pastor  
Pearce  
Pelosi  
Pence  
Peterson (MN)  
Peterson (PA)  
Petri  
Pickering  
Pitts  
Platts  
Pomboy  
Porter  
Portman  
Price (NC)  
Pryce (OH)  
Putnam  
Quinn  
Rahall  
Ramstad  
Rangel  
Regula  
Rehberg  
Renzi  
Reyes  
Reynolds  
Rodriguez  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Ros-Lehtinen  
Ross  
Rothman

Roybal-Allard  
Royce  
Ruppersberger  
Rush  
Ryan (OH)  
Ryan (WI)  
Ryun (KS)  
Sabo  
Sanchez, Linda  
    T.  
Sanchez, Loretta  
Sanders  
Sandlin  
Saxton  
Schakowsky  
Schiff  
Schrock  
Scott (GA)  
Scott (VA)  
Sensenbrenner  
Serrano  
Sessions  
Shadegg  
Shaw  
Shays  
Sherman  
Sherwood  
Shimkus  
Shuster  
Simmons  
Simpson  
Skelton

Slaughter  
Smith (MI)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Snyder  
Solis  
Souder  
Spratt  
Stark  
Stearns  
Stenholm  
Strickland  
Sullivan  
Sweeney  
Tancredo  
Tanner  
Tauscher  
Tauzin  
Taylor (MS)  
Taylor (NC)  
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)

## NAYS—4

Culberson  
Flake

Hostettler  
Paul

## NOT VOTING—13

Combest  
Gordon  
Hart  
Hyde  
Jenkins

Johnson (CT)  
Lucas (OK)  
Majette  
McCarthy (MO)  
Musgrave

Payne  
Radanovich  
Stupak

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LINDER) (during the reading). There are 2 minutes remaining in this vote.

□ 1732

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. HART. Mr. Speaker, on rollcall No. 116 I was unavoidably detained. Had I been present, I would have voted "yea."

Ms. MAJETTE. Mr. Speaker, on rollcall No. 116 I was unavoidably detained. Had I been present, I would have voted "yea."

SENSE OF HOUSE REGARDING  
SYSTEMATIC HUMAN RIGHTS  
VIOLATIONS IN CUBA COM-  
MITTED BY CASTRO REGIME

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 179.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and agree to the resolution, H. Res. 179, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 414, nays 0, answered "present" 11, not voting 9, as follows:

[Roll No. 117]

## YEAS—414

Abercrombie  
Ackerman  
Aderholt  
Akin  
Alexander  
Allen  
Andrews  
Baca  
Bachus  
Baird  
Baker  
Baldwin  
Ballenger  
Doyle  
Barrett (SC)  
Bartlett (MD)  
Barton (TX)  
Bass  
Beauprez  
Becerra  
Bell  
Bereuter  
Berkley  
Berman  
Berry  
Biggart  
Bilirakis  
Bishop (GA)  
Bishop (NY)  
Bishop (UT)  
Blackburn  
Blumenauer  
Blunt  
Boehler  
Boehner  
Bonilla  
Bonner  
Bono  
Boozman  
Boswell  
Boucher  
Boyd  
Bradley (NH)  
Brady (PA)  
Brady (TX)  
Brown (OH)  
Brown (SC)  
Brown, Corrine  
Brown-Waite,  
    Ginny  
Burgess  
Burns  
Burr  
Burton (IN)  
Buyer  
Calvert  
Camp  
Cannon  
Cantor  
Capito  
Capps  
Capuano  
Cardin  
Cardoza  
Carson (IN)  
Carson (OK)  
Carter  
Case  
Castle  
Chabot  
Chocola  
Clay  
Clyburn  
Coble  
Cole  
Collins  
Conyers  
Cooper  
Costello  
Cox  
Cramer  
Crane  
Crenshaw  
Crowley  
Cubin  
Cummings  
Cunningham  
Davis (AL)  
Davis (CA)  
Davis (FL)  
Davis (IL)  
Davis (TN)  
Davis, Jo Ann  
Davis, Tom  
Deal (GA)  
DeFazio  
DeGette  
Delahunt  
DeLauro  
DeLay  
DeMint  
Deutsch  
Diaz-Balart, L.  
Diaz-Balart, M.  
Dicks  
Dingell  
Doggett  
Dooley (CA)  
Doolittle  
Doyle  
Dreier  
Duncan  
Dunn  
Edwards  
Ehlers  
Emanuel  
Emerson  
Engel  
English  
Eshoo  
Etheridge  
Evans  
Everett  
Farr  
Fattah  
Feeney  
Ferguson  
Filner  
Fletcher

Delahunt  
DeLauro  
Dicks  
DeMint  
Deutsch  
Diaz-Balart, L.  
Diaz-Balart, M.  
Keller  
Kelly  
Kennedy (MN)  
Kennedy (RI)  
Kildee  
Kind  
King (IA)  
King (NY)  
Kingston  
Dunn  
Edwards  
Ehlers  
Emanuel  
Emerson  
Engel  
English  
Eshoo  
Etheridge  
Evans  
Everett  
Farr  
Fattah  
Feeney  
Ferguson  
Filner  
Fletcher

Johnson (IL)  
Johnson, Sam  
Jones (NC)  
Jones (OH)  
Kanjorski  
Kaptur  
Keller  
Kelly  
Kennedy (MN)  
Kennedy (RI)  
Kildee  
Kind  
King (IA)  
King (NY)  
Kingston  
Kirk  
Kleczka  
Kline  
Knollenberg  
Kolbe  
Kucinich  
LaHood  
Lampson  
Langevin  
Lantos  
Larsen (WA)  
Larson (CT)  
Latham  
Leach  
Lee  
Levin  
Lewis (CA)  
Lewis (GA)

Owens  
Oxley  
Pallone  
Pascrell  
Pastor  
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  
Roybal-Allard  
Royce  
Ruppersberger  
Ryan (OH)  
Ryan (WI)

Ryan (KS)  
Sabo  
Sanchez, Linda  
T.  
Sanchez, Loretta  
Sanders  
Sandlin  
Saxton  
Schakowsky  
Schiff  
Schrock  
Scott (GA)  
Scott (VA)  
Sensenbrenner  
Serrano  
Sessions  
Shadegg  
Shaw  
Shays  
Sherman  
Sherwood  
Shimkus  
Shuster  
Simmons  
Simpson  
Skelton  
Slaughter  
Smith (MI)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Snyder  
Solis  
Souder  
Spratt  
Stark  
Stearns  
Stenholm  
Strickland  
Sullivan  
Sweeney  
Tancredo  
Tanner

Tauscher  
Tauzin  
Taylor (MS)  
Taylor (NC)  
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  
Watson  
Watt  
Waxman  
Weiner  
Weldon (FL)  
Weldon (PA)  
Weller  
Wexler  
Whitfield  
Wicker  
Wilson (NM)  
Wilson (SC)  
Wolf  
Woolsey  
Wu  
Young (AK)  
Young (FL)

The vote was taken by electronic device, and there were—yeas 419, nays 2, answered “present” 1, not voting 12, as follows:

[Roll No. 118]

YEAS—419

Abercrombie  
Ackerman  
Aderholt  
Akin  
Alexander  
Allen  
Andrews  
Baca  
Bachus  
Baird  
Baker  
Baldwin  
Ballance  
Ballenger  
Barrett (SC)  
Bartlett (MD)  
Barton (TX)  
Bass  
Beauprez  
Becerra  
Bell  
Bereuter  
Berkley  
Berman  
Berry  
Biggart  
Bilirakis  
Bishop (GA)  
Bishop (NY)  
Bishop (UT)  
Blackburn  
Blumenauer  
Blunt  
Boehlert  
Boehner  
Bonilla  
Bonner  
Bono  
Boozman  
Boswell  
Boucher  
Boyd  
Bradley (NH)  
Brady (PA)  
Brady (TX)  
Brown (OH)  
Brown (SC)  
Brown, Corrine  
Burgess  
Burns  
Burr  
Burton (IN)  
Buyer  
Calvert  
Camp  
Cannon  
Cantor  
Capito  
Capps  
Capuano  
Cardin  
Cardoza  
Carson (IN)  
Carson (OK)  
Carter  
Case  
Castle  
Chabot  
Chocola  
Clay  
Clyburn  
Coble  
Cole  
Collins  
Conyers  
Cooper  
Costello  
Cox  
Cramer  
Crane  
Crenshaw  
Crowley  
Cubin  
Culberson  
Cummings  
Cunningham  
Davis (AL)  
Davis (CA)  
Davis (FL)  
Davis (IL)  
Davis (TN)

Myrick  
Nadler  
Napolitano  
Neal (MA)  
Nethercutt  
Ney  
Northup  
Norwood  
Nunes  
Nussle  
Oberstar  
Obey  
Olver  
Ortiz  
Osborne  
Ose  
Otter  
Owens  
Oxley  
Pallone  
Pascrell  
Pastor  
Pearce  
Pelosi  
Pence  
Peterson (MN)  
Peterson (PA)  
Petri  
Pickering  
Pitts  
Platts  
Pombo  
Pomeroy  
Porter  
Portman  
Price (NC)  
Pryce (OH)  
Putnam  
Quinn  
Radanovich  
Rahall  
Ramstad  
Rangel  
Regula  
Rehberg  
Renzi  
Reyes  
Reynolds  
Rodriguez  
Rogers (AL)

Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Ros-Lehtinen  
Ross  
Rothman  
Roybal-Allard  
Royce  
Ruppersberger  
Rush  
Ryan (OH)  
Ryan (WI)  
Ryun (KS)  
Sabo  
Sanchez, Linda  
T.  
Sanchez, Loretta  
Sanders  
Sandlin  
Saxton  
Schakowsky  
Schiff  
Schrock  
Scott (GA)  
Scott (VA)  
Sensenbrenner  
Serrano  
Sessions  
Shadegg  
Shaw  
Shays  
Sherman  
Sherwood  
Shimkus  
Shuster  
Simmons  
Simpson  
Skelton  
Slaughter  
Smith (MI)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Snyder  
Solis  
Souder  
Spratt  
Stark  
Stearns  
Stenholm

Strickland  
Sullivan  
Sweeney  
Tancredo  
Tanner  
Tauscher  
Tauzin  
Taylor (MS)  
Taylor (NC)  
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  
Walsh  
Walsh  
Wamp  
Watson  
Watt  
Waxman  
Weiner  
Weldon (FL)  
Weldon (PA)  
Weller  
Wexler  
Whitfield  
Wicker  
Wilson (NM)  
Wilson (SC)  
Wolf  
Woolsey  
Wu  
Wynn  
Young (AK)  
Young (FL)

ANSWERED “PRESENT”—11

Ballance  
Conyers  
Jackson (IL)  
Jackson-Lee (TX)

Johnson, E. B.  
Kilpatrick  
Lee  
Paul  
Rush

Waters  
Wynn

NOT VOTING—9

Combest  
Gordon  
Hyde

Jenkins  
Lucas (OK)  
McCarthy (MO)  
Payne  
Rothman  
Stupak

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1740

Mr. SMITH of Michigan changed his vote from “nay” to “yea.”

Mr. JACKSON of Illinois and Mr. RUSH changed their vote from “yea” to “present.”

So (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CLEAN DIAMOND TRADE ACT

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 1584, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. CRANE) that the House suspend the rules and pass the bill, H.R. 1584, as amended, on which the yeas and nays are ordered.

This is a 5-minute vote.

NAYS—2

Flake  
Waters

Paul

ANSWERED “PRESENT”—1

NOT VOTING—12

Brown-Waite,  
Ginny  
Combest  
DeLay  
Gordon

Hyde  
Jenkins  
Lewis (CA)  
Lucas (OK)  
McCarthy (MO)

□ 1749

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REAPPOINTMENT AS MEMBER TO COORDINATING COUNCIL ON JUVENILE JUSTICE AND DELINQUENCY PREVENTION

The SPEAKER pro tempore (Mr. QUINN). Pursuant to section 206 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5616), and the order of the House of January 8, 2003, the Chair announces the Speaker’s reappointment of the following member on the part of the House to the

Coordinating Council on Juvenile Justice and Delinquency Prevention for a 3-year term:

Mr. Michael J. Mahoney of Chicago, Illinois.

#### HAITIAN TELEVISION NETWORK DEBUTS

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

Mr. MEEK of Florida. Mr. Speaker, I rise today to bring attention to Members and to our Nation of an important point in television history that took place on Friday, March 28, 2003. The Haitian Television Network of America went on the air in Miami, Florida. The Haitian Television Network is the first Creole and French language 24-hour-a-day station in the Nation. We were very proud, based on the fact that it is in Miami.

After years of programming on public access stations on cable, the president of the station, Claude Mancuso, has succeeded in his vision of reaching a broader audience. Mr. Mancuso has also worked within the Haitian community in providing Haitian programming. This is very important to our Haitian-Americans, that their Haitian culture, religion and history is daily programmed throughout south Florida and throughout the Nation. News, sports, movies, sitcoms and documentary programs for children are going to be able to help our Nation grow and understand one another. The Haitian-American population is estimated nationally at over 2 million, with over 700,000 Haitian-Americans residing in the State of Florida, with 500,000 in south Florida. I commend the Haitian Television Network for achieving its goal of being able to be a 24-hour station and look forward to many years of programming.

#### SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 2003, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

#### COMMENDING ARMY RESERVE'S 319TH TRANSPORTATION COMPANY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. NORWOOD) is recognized for 5 minutes.

Mr. NORWOOD. Mr. Speaker, our Nation is at war. Thousands of the fighting men and women of our Armed Forces are serving on the battlefields of Iraq, defending freedom, liberating the Iraqi people, and making our world a safer place to live. Today I rise to recognize and commend all of these courageous service personnel, but wish to pay particular tribute to the brave soldiers serving in the 319th Transpor-

tation Company. The 319th, part of the larger 375th Transportation Group out of Mobile, Alabama, is an Army Reserve unit based in my hometown of Augusta, Georgia.

The 319th has a proud history. During the Vietnam War, the 319th Transportation Company logged over a million miles, delivered over 92,000 tons to the battlefield, and was ambushed by the enemy on seven separate occasions.

Today, for the Reservists serving in the 319th, the voyage from Wrightsboro Road Reserve Center in Augusta to the war zone of Iraq began this past January with a short trip to nearby Ft. Stewart for specialized training. Then in mid-February, the 319th Transportation Company, along with the unit commander, Captain Mohandas Martin, deployed to northern Kuwait where they received their assignment, to support the more than 50,000 Marines in the 1st Marine Expeditionary Force.

When Saddam Hussein thumbed his nose for the last time and the war began in Iraq roughly 3 weeks ago now, the 319th began the next phase of their voyage, going into the deserts of Iraq, delivering by truck the critically important fuel to the Marines advancing to Baghdad and Saddam Hussein's final day of reckoning.

Their mission is an unheralded one; but as we have all realized on the round-the-clock cable news broadcasts, it is the success of the supply units traveling the roads of Iraq, like the 319th, that have been vital in the early success of our coalition forces and will ensure our ultimate victory.

As I said, Mr. Speaker, theirs is an unheralded mission, but also one that puts the members of the 319th at great risk and peril. In their first week operating in Iraq, the 319th headed out from their base of Camp Viper in Iraq for a multiday mission to deliver fuel near the front lines. According to the reports, while on their journey, vehicles of the company came under heavy enemy fire more than once in their ambush attempts. Thanks in large part to the efforts of the Marines, the 319th continues to supply, the attacks were thwarted, and all members of the 319th Transportation Company returned safely to regroup and prepare for the next mission and the next journey to the front lines of war.

Mr. Speaker, to the people of the Ninth Congressional District of Georgia, my constituents, the soldiers of the 319th Transportation Company represent different things: a good neighbor who lives down the street, a close relative or spouse that is sorely missed at home, or even a mother or father to a child that misses a parent and needs them back. It is true the soldiers of the 319th Transportation Company are all different, but they are all the same in one simple and very important way, they are all heroes.

Because of them, these same Marines moved closer to finally ending Saddam Hussein's horrific reign of terror and ability to aid and assist terrorists

around the globe. Because of them and others serving in the war today, loyalty, duty, honor, and personal courage are not words relegated to the history books, but instead living and shining examples for all of us on the battlefields of Iraq.

Lastly, Mr. Speaker, it is because of them that the battle cry in our Nation's war against terrorism is particularly meaningful today in the deserts of Iraq. So finally I say to the 319th, keep up the good work and "Let's roll."

□ 1800

#### NATIONAL RAIL INFRASTRUCTURE PROGRAM

The SPEAKER pro tempore (Mr. BURGESS). Under a previous order of the House, the gentleman from Illinois (Mr. LIPINSKI) is recognized for 5 minutes.

Mr. LIPINSKI. Mr. Speaker, freight transportation is a vital and growing industry in the United States. Rail is the most prudent way of expanding the capacity to accommodate growth in freight traffic, allowing for congestion relief on our roadways, cost benefits to shippers, and improving our air quality. However, our Nation's aging and congested infrastructure does not adequately support the rail needs of today. Across the country from Los Angeles to Chicago to New York City, the movement of freight is being stalled and delayed by a variety of bottlenecks. For example, every day 37,500 freight cars travel through Chicago at a snail's pace of 7 to 12 miles per hour. Added on top of that, 700 commuter and Amtrak trains. Today it takes 2 days to move rail shipments through Chicago.

It is clear that capacity constraints and congestion thrive within our rail system and the situation is quickly worsening. The Chicago Area Transportation Study predicts that freight car traffic through the Chicagoland area will increase nearly 79 percent in less than two decades. But this is not just the Chicago problem. A recent report from the American Association of State Highway and Transportation Officials states that growth in domestic and international freight tonnage is expected to grow 67 percent by the year 2020. The result will mean a shift of 900 million tons of freight onto our interstate system, adding a \$21 billion need to highway costs in the next 17 years.

In an economy where just-in-time delivery demands are the norm, slow cross-country freight movement results in economic losses that are felt throughout the United States of America. Our communities also suffer. Traffic tie-ups and idling trains affect the quality of life of many of our constituents.

The status quo must not continue. As Daniel Burnham, the famous Chicago-based architect and city planner, encouraged us to "make no small plans,"

we need to make big plans to address these tremendous capital needs. In order to sufficiently fund our country's freight rail infrastructure needs, the Federal Government should create a new significant and dedicated stream of funds for rail projects. Just as we have a Highway Trust Fund and an Aviation Trust Fund, the legislation I introduced last week, H.R. 1617, would create a National Rail Infrastructure Program.

As in all things here in Washington, the big question on everyone's mind is where can we get the funds to support these needs? H.R. 1617 would fund these improvements through various funding streams including a reallocation of the 4.3 cents per gallon diesel-fuel tax that railroads currently pay into the general revenue fund. I believe that putting these funds into a rail infrastructure program that would benefit the public is the only logical thing to do. The total revenue stream in my legislation would amount to about \$3 billion per year.

There are some who may disagree with such a proposal; however, it would be a serious mistake to ignore our country's growing rail infrastructure needs and the gridlock that will result if we fail to expand our freight rail capacity. So let us heed Daniel Burnham's remarks. Let us think big and make some big plans to address the growing national problem facing our rail system. I hope my colleagues will join the 25 bipartisan co-sponsors and me and support H.R. 1617, the National Rail Infrastructure Program.

Remember, this Nation is great because we dare to dream great dreams. Please support this bill because this bill can do what we need to be done for freight movement in this Nation.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

(Mr. JONES of North Carolina appeared hereafter in the Extensions of Remarks.)

#### FINANCIAL ASSISTANCE TO AIRLINE WORKERS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

Mr. DEFAZIO. Mr. Speaker, today, finally, 18 months after it was promised, the United States House of Representatives voted overwhelmingly, almost 2 to 1 when finally forced, to provide some financial assistance to the 150,000 airline workers who have lost their jobs as a result of 9/11 and the horrendous recession in the United States. It is expected that as many as another 70,000 will lose their jobs because of the slowdown in travel due to the war in Iraq and even more probably with the threat of SARS and other problems.

It is time that we recognize the service of these people to our country and the fact that they need a little bit of help in their time of need. The Congress rushed through a \$15 billion airline bailout shortly after 9/11 to try to help keep the industry in the air when people were afraid to fly. And that bailout provided more funds in one day than the entire deregulated industry has made in its entire history. Its entire 26-year history was eclipsed, their profits, by that one bill.

But the bill glaringly omitted any assistance directly to workers and it meaninglessly pretended to limit the salaries of CEOs. I have seen the results of the meaningless limits adopted by that legislation 2 years ago, or 18 months ago, in bailing out the airlines with the huge compensation packages and salaries and specially protected retirement that is being made available to the executives. It is defended. They said how could we get execs to work here if we did not pay them these outrageous salaries and if we did not totally protect their retirement? Guess what? All of the line workers, all the flight attendants, all the pilots, all the mechanics, all the gate agents, all the ticket agents, none of those people have specially protected pensions, and yet there has not been support from the industry or from this administration or from the majority in this House of Representatives to help those distressed workers.

And finally today, in one of those opportunities that rarely comes, a week ago when we were taking up the supplemental bill I tried to offer an amendment to help the workers; in fact, a Republican Member had gone earlier to a press conference with me and others to announce the legislation, and I asked him if he would go to the Committee on Rules and ask to have it made in order during the bill, and he said absolutely. Guess what? He did not show up. He did not show up because he was intimidated by the Republican leadership.

I came to the floor and offered that amendment, but the Republicans struck it down on a procedural technicality. They said we cannot take up a bill here to help the workers. We will get to it soon. Just like the 18 months we had promised previously, soon. Soon when?

Today, because we had one opportunity, which was a motion to instruct, usually a technical sort of thing in the House of Representative, we focused in on assistance to workers that has been long overdue; and when forced to vote, we find that nearly two-thirds of the United States House of Representatives supports that, but their leadership and the White House leadership has been preventing us from taking that step.

Congratulations to the House for that vote today and shame on the leadership and shame on the leadership downtown that did not allow that vote, and shame on them if they find some way to try to kill this in the con-

ference committee because the White House is objecting that there is too much money in the bill to help the airlines now that we have added a little bit of money to directly help the workers. We will all be watching to see what comes in that final conference report, and we will know who killed the assistance to workers if it is stripped out of the bill.

After this overwhelming vote here and the overwhelming vote in the Senate, let the majority work its will and let us help these workers and their families.

#### AUTISM AND VACCINATIONS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

Mr. BURTON of Indiana. Mr. Speaker, on a regular basis I come down here and talk about children who are autistic and the reasons for it. We have been receiving letters from across the country from literally hundreds and probably thousands of parents who have autistic children, and they do not know what to do about it, and all of them believe their children were damaged by the mercury that is in vaccines. It has been in children's vaccines for a long, long time.

Children get between 25 and 30 vaccinations before they go to school, and up until just recently almost all of them contained thimerosal which was 50 percent mercury. We all know mercury is toxic to the brain, and yet they had it as a preservative in vaccines. And our children, in my opinion, and scientists and doctors from across the globe and here in the States believe that mercury in the vaccines was one of the major causes.

Here on this easel I have pictures of probably 50 or 60 or 70 kids who were damaged by the mercury in the vaccines, and I have letters that I read every night. We have a system here called the Vaccine Injury Compensation Fund that is supposed to take care of these children if they are damaged by vaccines. It has \$1.8 billion in it. It is supposed to protect the pharmaceutical companies from lawsuits, and yet these parents of these kids have had a very difficult time getting satisfaction and restitution from that fund, and many of them, because there was a 3-year statute of limitations, could not even get in the fund.

The reason I bring this up right now is because we are in the process of working on legislation that would deal with this problem, that would help these kids who missed the opportunity by getting in that 3-year window of opportunity to be put in the program so that their case could be reviewed on a case-by-case basis by the special master. These families are spending hundreds of thousands of dollars, they are going bankrupt, selling their homes, borrowing money, doing everything to help their children, and there is nowhere for them to turn. We need to

make sure that they have access to this fund for which it was created and not have to go to courts to have class action lawsuits. And that is what we are working on with the other body and the majority leader in the other body to get done.

I want to read just a couple of letters that come from these people who have no place to turn. Here is a letter that came from a Marcy Kelly from Mullica Hill, New Jersey, and she writes:

"My son turned 4 in October, 2002, and was diagnosed with autism after a long history of medical problems that began at 2 months, within 1 week of his first series of thimerosal-containing vaccines. His immune system, weakened to where he couldn't handle viruses (resulting in recurring ear infections and RSV), he had reflux, terrible allergies and eczema, and a reaction to his MMR shot that is documented to have caused vomiting nightly for 6 months post vaccination and 2 years of diarrhea. Medical tests show toxic levels of metals, reduced glutathione, malabsorption, maldigestion, severe allergies, and liver problems, all common in those poisoned by mercury. He regressed into autism between 18 and 24 months." As a father and grandfather, you understand the heartbreak that I felt.

This is a picture of him.

"We have spent well over \$100,000 in the last 2 years, mostly on medical visits, tests, and therapies. Our insurance company, Aetna US Healthcare, stopped paying for these funds." So they have noplacement to go.

And she ends up by saying, "I understand that you intend to take our stories before Congress, not individually but as a group. If you could take a single child (or family with more than one child on the spectrum) and pile up all of the medical and therapy bills, ADA drill books and materials, and supplements used to help them heal from the effects of vaccines, it would be quite mountainous and tell a story as well. God be with you and with other politicians as they vote on matters relating to autism. In the quiet of night, if politicians would ask themselves the question 'what is right?' the answer in their hearts would be to help their children and their families."

We have the ability to do that, and we must do something and we must do it very soon, because these families are suffering; and we have to be very diligent to make sure the other body does not put some language in the bill that would be like what was in the homeland security bill which protected pharmaceutical companies but not the children.

I yield to the gentlewoman from California.

Ms. WATERS. Mr. Speaker, I thank the gentleman so very much. I caught his presentation on the screen as I was going through the cloakroom, and I cannot tell him how proud I am of him for dealing with this issue of autism and children. I commend him for his in-

terest. I commend him for the work that he is doing on it.

I came in close contact with children who were autistic when I started in the Head Start program.

□ 1815

Prior to the Head Start program, we had children who were autistic and had other kinds of deficiencies that never got discovered, and that is one reason I love the Head Start program so very, very much. But the most interesting and the most challenging and the most untold story was the story of children with autism.

I join the gentleman in his efforts and will do everything that I can to bring attention and resources to help these families of children who have autism.

Mr. BURTON of Indiana. Mr. Speaker, reclaiming my time, we will contact the gentlewoman on that legislation. We will be down here every night that is available to talk about this issue. I thank the gentlewoman.

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COMMUNICATION FROM THE HONORABLE NANCY PELOSI, DEMOCRATIC LEADER

The SPEAKER pro tempore (Mr. BURGESS) laid before the House the following communication from NANCY PELOSI, Democratic Leader:

HOUSE OF REPRESENTATIVES,  
OFFICE OF THE DEMOCRATIC LEADER,  
April 8, 2003.

Hon. J. DENNIS HASTERT,  
*Speaker, House of Representatives,*  
*Washington, DC.*

DEAR MR. SPEAKER: Pursuant to (40 U.S.C. 188a), I hereby appoint Rep. Chaka Fattah as a member of the United States Capitol Preservation Commission for the 108th Congress.  
Best Regards,

NANCY PELOSI.

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WILL WE WIN THE PEACE?

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. HOEFFEL) is recognized for 5 minutes.

Mr. HOEFFEL. Mr. Speaker, due to the bravery and the magnificent performance of American troops, our Armed Forces will soon win a resounding victory over Saddam Hussein, disarming him and eliminating the threat of his regime. Now that we are on the verge of winning the war, we must now turn our attention to winning the peace.

The morning after our military victory over Saddam, we will wake up to four challenges in Iraq: peacekeeping, humanitarian relief, reconstruction, and governance. How we face those challenges will determine whether we win the peace, win the battle for the hearts and minds of the people of Iraq, enhance our status in the Muslim world, and maintain our credibility as the leader of free and democratic nations.

I fear we could fail to meet those challenges if we pursue an aggressive,

antagonistic diplomacy that makes demands of our allies, but does not listen to them. We could fail if we embrace unilateralism and abandon our traditional reliance on multinational action. We could fail if we allow the reality or even the appearance of an American military colonial government in Iraq.

To meet these challenges and best serve American national interests, as well as the best interests of the citizens of Iraq, I suggest eight steps:

First, the State Department, not the Defense Department, must be in charge of American policy after the military victory.

Second, whenever and wherever possible, we must internationalize the stabilization and reconstruction operations and not try to do it all ourselves.

Third, American troops in the field will be needed to keep the peace, but we should move quickly to spread the burden of peacekeeping by giving NATO the task. NATO is a robust military alliance that defeated one tyrant in Kosovo and surely could keep order in a post-Saddam Iraq.

Fourth, emergency relief authority must begin with the State Department and USAID, but there is no better chief administrator for the humanitarian challenges than the United Nations. Its vast resources, experience and expertise are unparalleled.

Fifth, we must engage expert multilateral organizations like the United Nations, the International Monetary Fund, and the World Bank in the reconstruction of Iraq's infrastructure. A debt restructuring is needed to deal with Iraq's financial burden of \$383 billion including foreign debt, compensation claims, and pending contracts.

Sixth, we should convene a donor's conference soon after the military victory. Funds will be needed right away for quick start reconstruction projects. This could provide a funding opportunity for the Arab League.

Seventh, Iraqis must establish corruption-free control over their own oil. We should advocate for a transparent and reformed industry that accounts for oil revenues and devotes profits to rebuilding the country.

Eighth, we should urge the United Nations to sponsor a conference on the formation and direction of a transitional Iraqi-based government. Iraqi provisional leaders, internal Saddam opponents, exiles and the international community should be brought together to establish a stable representative government of Iraqis.

We must seize this opportunity to stabilize and unify Iraq and demonstrate to the entire world our commitment to democratic values, personal liberties, and social justice. That is how we win the peace in Iraq.

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The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. PENCE) is recognized for 5 minutes.

(Mr. PENCE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from the Virgin Islands (Mrs. CHRISTENSEN) is recognized for 5 minutes.

(Mrs. CHRISTENSEN addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

#### REDUCING THE COST OF PRESCRIPTION DRUGS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota (Mr. GUTKNECHT) is recognized for 5 minutes.

Mr. GUTKNECHT. Mr. Speaker, a couple of weeks ago I came to the well of the House, and I said that the FDA had declared war on American consumers. Now the battle is joined.

Mr. Speaker, I want to share a brochure, a little brochure that my staff and I have put together. On the cover it says, "If we want to allow Americans to keep and spend over \$600 billion during the next 10 years, here is a good place to start." Then at the bottom you have a picture of some pharmaceutical capsules.

Then if you open the brochure, the second page says, "That is right. According to the CBO," that is congressional language for the Congressional Budget Office, they are our official bean counters, "According to the CBO, American seniors will spend over \$1.8 trillion." By "seniors" they mean only those people who are 65 years of age or older. So over the next 10 years, the CBO tells us that seniors alone will spend over \$1.8 trillion on prescription drugs.

Now, a conservative estimate, not done by me, but by experts who are a whole lot smarter than I am, a conservative estimate would be that we can save 35 percent by allowing free markets to work. Again, I am not particularly good at math, but 35 percent times \$1.8 trillion works out to \$630 billion.

Here we have a chart. This is the latest chart. I have actually had in the last 4 years four different charts. I do not use my own numbers, although we have actually done our own research to confirm that these are very accurate in terms of the average prices that Americans pay, and these are some of the most commonly prescribed drugs in the United States.

Let us start right at the top, a drug called Augmentin. Here in the United States, according to the Life Extension Foundation that has been doing research on this for more than a decade, the average price for a 30-day supply in the United States is \$55.50. That same drug sells in Canada for about \$12, and it sells in Europe for an average price of only \$8.75. There are differences in the value of currency, but the net ef-

fect is that Americans pay that much more for the same drug.

Look at another drug, a drug made by a German company called Bayer. We usually call it Bayer, Bayer Aspirin. Cipro became real popular last year when we had anthrax here in these buildings, because it is one of the most effective drugs for things like anthrax. But Cipro in the United States sells for an average of \$87.99 for a month's supply. In Canada it sells for \$55.53 cents, and in Europe, in Germany, where they make it, they sell it for \$40.75.

The list goes on. Let me talk about a drug called Coumadin. My 85-year-old father takes Coumadin. Fortunately, because he worked for a union all of his life, worked as a union worker all of his life, under his contract he has prescription drug coverage, so it does not cost him \$64.88, which is what it costs the average American consumer in the United States if they do not have prescription drug coverage; \$64.88 in the United States, \$24.94 in Canada, and only \$15.80 in Europe.

The list goes on. This is reflective, and it goes on and on and on.

Down here, I put a famous quote by one of my favorite Presidents, President Ronald Reagan. He said, "Markets are more powerful than armies." At the end of the day, you cannot hold markets back; but unfortunately, that is what is happening in the United States.

Now, I have no qualms with the big pharmaceutical industry in the sense that they ought to be able to sell their drugs for what they want to sell them for. But they should not be allowed to hide behind the FDA to do it. So I do not say shame on them as much as I say shame on us. It is we the Congress, we the policymakers here in the United States that have allowed these disparities to happen.

Finally, we are having a big debate right now about tax cuts, how much should we give in tax cuts. Is it going to be \$625 billion or \$535 billion or \$375 billion?

Tax cuts are great, particularly at a time when the economy is soft. But if we really want to help seniors, if we want to lower prescription drug prices and allow Americans to keep and spend \$630 billion of their money over the next 10 years, let us open markets now.

Finally, it just says simply Americans deserve world-class drugs at world-class prices. All we are asking for is open markets. All we want is what German pharmacists have the right to do, and that is buy drugs where they can get them the cheapest.

Mr. Speaker, I would like to yield to one of my heroes. The gentleman from Indiana (Mr. BURTON) held a hearing last week, and it was one of the best hearings I have ever participated in.

Mr. BURTON of Indiana. Mr. Speaker, I think the gentleman covered the issue very well.

I just wanted to make one comment, and that is that some of the pharmaceutical companies, like SmithKline of

England, are going into Canada and saying if you sell pharmaceutical drugs in the United States for the price that you are paying in Canada, which is about one-fourth or one-half of what they are here, we are going to cut you off. They are doing that in a bullying way.

I do not think pharmaceutical companies should say to a country, you cannot sell those drugs in the United States because it is the same product that in America we are paying two or three times for it. It makes no sense to me.

Mr. GUTKNECHT. Mr. Speaker, reclaiming my time, the gentleman is absolutely right. What is being done by some of the big pharmaceutical companies is nothing short of shameful. I also say shame on us.

I said the other day that Teddy Roosevelt must be rolling in his grave, the Republican President who believed in breaking up the trusts, in enforcing competition, because he understood, as President Reagan understood, that markets are more powerful than armies.

Mr. Speaker, it is time for this Congress to live up to its responsibilities. It is time for Congress to allow Americans to have access to world-class drugs at world-market prices.

#### REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1036

Mr. FLAKE. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 1036.

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

There was no objection.

#### WINNING THE ECONOMIC WAR AT HOME

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

Ms. KAPTUR. Mr. Speaker, there are two major stories in the news. There is one that we see daily, and that is the story of the war in Iraq. The other story we hear little about, and that is the economic war right here at home.

Last month the Pentagon announced we will be sending another 100,000 troops to Iraq, and our hearts are with them. They are putting their lives at risk for us. They deserve our support. But last week the Associated Press reported that an even greater number of people, 108,000, lost their jobs, as U.S. companies dealt with the battered economy right here at home. These Americans also work every day to support the ideals of our Nation and the work ethic. They deserve our support.

It is also ironic to note that prior to the Pentagon's recent deployment, there were already 300,000 troops in the vicinity of Iraq. In February, according to the Associated Press, businesses here at home shed almost as many

jobs, 357,000 more than previously reported; and yet this morning, President Bush announced his opposition to the unemployment extension that we attempted to get here today in the budget resolution, calling it "objectionable" in the statement of administration policy.

We are hearing lots of plans about aid to flow to the Iraqi people, including food and medicine. This is aid that must be provided. But while the United States Army also takes on the role of humanitarian assistance in a military zone, the Salvation Army here at home is facing a swelling need for services and a downturn in donations that have led to an unprecedented lack of food for people in our own economic war zone.

The Salvation Army in my own hometown has seen a 42 percent increase in requests for assistance just this year. At the start of the fiscal year last October, our Women, Infants and Children food program reported the highest level of participants ever; and nationally we have the highest number of participants in the last 5 years.

Just since January 2001, America has lost nearly 2 million more jobs. In Toledo, my hometown, military spouses are showing up at the Women, Infants and Children feeding offices because their husbands have been called up for active duty, cutting the income of families by drastic amounts.

□ 1830

The Cleveland Plain Dealer last month told us, at a pantry in Columbus's west side, a 67-year-old retiree gets groceries to help feed a daughter and a granddaughter who moved in with him last year. He remembers relatives telling of bread lines during the Great Depression. He never imagined he would see himself in one, let alone wait in one.

There is no doubt that the United States is the freest and most bountiful Nation on earth. That is why people want to come here. But do we not owe as much to hardworking Americans as we do to war-torn Iraqis? Do we not need to build our economic might here at home as much as our military might abroad? Do we not need to plan as much for our economic-torn economy as much as we do the Iraqi war-torn economy? Do we not need a coalition of allies with labor and management for job creation and economic improvement as much as we need a coalition of military forces in the Gulf? If we can provide money to airlines who are claiming they are being hurt by the war, should we not also provide an additional 26 weeks of unemployment benefits to airline workers who are the real victims of the slowdown?

Military war, of necessity, is receiving most of our attention of late, but how about the enemy within? The economic war here at home? It seems to me that the weapons of war may be more visible when they are used, but the damage of an economic war is just as real for individuals and families and

communities that are suffering here at home. Our State is over \$4 billion in debt. Our mayor, he is broke. It just seems to me that our news ought to talk a little bit about what is happening here at home.

Mr. Speaker, it is time the second war that we are in on our home soil gets equal attention in the media.

FEDERAL GOVERNMENT IS FAILING IN ITS DUTIES TO LOCAL COMMUNITIES TO PROVIDE FUNDING FOR HOMELAND SECURITY

The SPEAKER pro tempore (Mr. BURGESS). Under a previous order of the House, the gentleman from Washington (Mr. INSLEE) is recognized for 5 minutes.

Mr. INSLEE. Mr. Speaker, the United States Government is still not doing its job on homeland security. It is failing in a very, very elementary manner. The way it is failing is that it is failing to give the tools that our local communities need to prepare an adequate homeland security plan and procedures in our towns and in our cities.

It is very sad to say that where the rubber meets the road on homeland security, and that is in our cities and towns, this administration and the majority party in this Congress are not giving our cities and towns the tools they need to do the job. The sad fact is, the Federal Government is not cutting the mustard when it comes to helping our cities and towns prepare their police departments for terrorism, prepare their fire departments for terrorism, prepare their emergency response plans for terrorism. The job is simply not getting done.

Now, we had a little bit of good news today out in the State of Washington. The city of Seattle will be receiving about \$11 million to help with some of their plans. But unfortunately, all of the cities and towns around Seattle are not getting help from the Federal Government, and they need it.

I will give an example. The town of Bothell, Washington has and will spend over \$200,000 this year on their homeland security plans to deal with terrorism, from buying gas masks to training for their personnel. Over \$200,000, Mr. Speaker, and no help from the Federal Government. The city of Monroe will spend over \$45,000. The city of Monroe is not the largest city in the whole country. They are not getting help from the Federal Government. Mountlake Terrace, a small town in my district, they are spending \$2,400 on gas masks, just one little tiny element for their expenditures, together with overtime for their officers, no help from the Federal Government. The city of Edmonds is spending \$145,000 for homeland security, a significant figure for overtime, for training of their personnel, and over \$30,000 of training of their fire department for hazardous materials training, no help from the Federal Government.

Mr. Speaker, where is the help of the Federal Government for Edmonds to deal with terrorism training, for Bothell to deal with gas masks, for Mountlake Terrace to deal with overtime, for Edmonds for their HAZMAT training? Where is the help for our cities that the Federal Government should be giving to these local communities? It is not getting done. The reason it is not getting done is that this Chamber and the other Chamber are not passing the appropriations that should be passed to help these local communities.

Now, on this floor last week, we in the minority party made an effort to increase the appropriation and supplemental budget to get help to Edmonds, to Mountlake Terrace, to Bothell so that they can prepare an adequate homeland security response. And we wanted to boost, by \$2.5 billion, help for our first responders, for our police and fire departments. But unfortunately, the majority party stymied that and would not support these increases in our plans to deal with homeland security.

I think it is important to point out the reason for that. The reason that this bill did not pass to help these local communities is that the majority party thought it was more important to give the folks at Enron tax breaks in their multibillion-dollar tax package than it was to give the city of Edmonds help for gas masks, the city of Bothell help for overtime for their police departments.

We believe in the Democratic Party it is more important to help these local communities deal with the threat of terrorism as a first job before giving these tax cuts, a predominant amount of which goes to the wealthiest Americans in the country. We believe that, because the city of Edmonds has a job to do for the people they represent, and that is to do an adequate job to get ready for potential terrorism. The city of Bothell has that responsibility. The city of Mountlake Terrace has that responsibility. We are going to continue working on this until we get this job done, because Americans are entitled to know their local communities have responded with as much vigor as we are seeing in Iraq from our very, very proud, honest, and effective military personnel today serving in Iraq.

Mr. Speaker, I hope that folks will join us in this effort, because our local communities need the help of the Federal Government.

IMPORTANT TOPICS FOR DISCUSSION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

HONORING OFFICER CHARLES CLARK, A DEDICATED PUBLIC SERVANT

Ms. JACKSON-LEE of Texas. Mr. Speaker, many times we come, sadly,

to the floor of the House to acknowledge a valiant citizen of our community. All of us have been giving our praise and our commitment to the valiant troops who are now representing us, and we wish them well, we wish them a safe return, we wish for them the resources that they need to finish the job and to return to their families. But in our own communities we have valiant individuals who offer their lives so that we might be safe.

Today in Houston, Texas we laid to rest Charles Clark, Officer Charles Clark, an individual who was selfless in his commitment to our community, a member of the Houston Police Department who lost his life tragically in a brutal robbery that also saw the loss of Alfreda Jones, the mother of two children.

Officer Clark was born and raised in the community which he served: South Park, Texas. Married for 24 years, with a lovely wife by the name of Hilda, and he was almost about to see 20 years of service with the Houston Police department. He was known as the consummate police officer. He loved his job. We are told that he wanted to serve in the South Park community, where he did not live, because he had been born and raised there. The tragedy of his death is that he was rushing to the scene to help this young mother, a young mother who was working to support her children at a cash-checking place, when three or more brutal individuals who could find nothing in their life to do but to kill two innocent human beings on that day.

Mr. Speaker, we ask the question: Can we do better as Americans?

I believe this valiant soul should be laid to rest with our respect and admiration, Mr. Speaker. So I come to the floor today to pay tribute to Officer Charles Clark, to tell him that may he rest in peace and may he be considered forever and ever in the annals of the history of the Houston Police Department, our dear friend. I thank him for his service. May he rest with the angels.

#### HELPING FELLOW AMERICANS

Ms. JACKSON-LEE of Texas. Mr. Speaker, I would like to turn to another subject, and that is a cry that has been amongst us for a long time, and that is helping fellow Americans. Just recently we provided a bailout for our airlines. I am gratified that today we enthusiastically, although I wish it had been unanimous, voted to instruct the conferees to assist the airline employees. These are our neighbors, hard-working neighbors who have been laid off because of the tragedy of 9/11 and the war. I hope that the conferees will not ignore helping fellow Americans by providing them with the 26 weeks of extended pay. These are mothers and fathers, sisters and brothers, some of them single parents who are supporting their children, some of them going to school and, frankly, they are suffering. We can bail out the airlines, we can cause them to pay off some of their

debt, but that does not deal with the human failure or the human need, and that is those who are not working because of where we find ourselves.

So to the appropriators who may be listening to the sound of our voices: We have been trying to do this since 9/11, and it has gotten worse. Let us do something that is gratifying in helping our fellow Americans.

#### THE AFTERMATH OF WAR

Ms. JACKSON-LEE of Texas. Let me simply close by saying that as we wish well for our troops, we have something to deal with: the aftermath of war, Mr. Speaker. I intend to engage in a vigorous discussion so that we as Americans can pull together, so that the aftermath of this war can be one of reconciliation, working with our world allies.

I will be dropping legislation that deals with the putting back together of this Nation, but also putting back together the world feelings, relationships. I hope that we will work with NATO and the United Nations in a working group, if you will, scenario where we work together with the United States involved and all of those who are with us or against us, because, Mr. Speaker, that is the right thing to do. We must ensure that we reignite the war against terrorism where all of us were working together. We must re-insure that we work on the Mideast peace process, giving humanitarian aid, rebuilding families, helping schools and hospitals being built, as well as recognizing the needs in this Nation. We cannot do it unless we do it together.

I will be looking forward to dropping that legislation and having my colleagues go forward and not go backwards.

Mr. Speaker, also, we will be looking to give a briefing or to present a briefing with several of the caucuses in this Congress to deal with the aftermath of war, the plight of the children. We have not looked to the damage and the danger of children, not only of those in Iraq, but the children of our soldiers. What has been the damage? What can we do to assist or to help their lives be better?

So I hope this Congress will join together in a bipartisan manner, Mr. Speaker, to address the questions of the aftermath of war. Peace still is a possibility, that we may live in peace in this world.

#### REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1036, PROTECTION OF LAWFUL COMMERCE IN ARMS ACT

Mr. SESSIONS, from the Committee on Rules, submitted a privileged report (Rept. No. 108-64) on the resolution (H. Res. 181) providing for consideration of the bill (H.R. 1036) to prohibit civil liability actions from being brought or continued against manufacturers, distributors, dealers, or importers of firearms or ammunition for damages re-

sulting from the misuse of their products by others, which was referred to the House Calendar and ordered to be printed.

#### HONORING STUDENT DEMONSTRATORS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. DAVIS) is recognized for 5 minutes.

Mr. DAVIS of Illinois. Mr. Speaker, democracy is the cornerstone of our government. True democracy allows room for dissent, discussion, and demonstration.

□ 1845

Last week, students from around the country arrived in our Nation's capital to demonstrate in support of affirmative action in higher education. They actively participated in a peaceful way in our democracy. And I am sure that the founders of this Nation must have been as proud of them as I am of the students who participated.

Students marched, sang songs, prayed, and urged the Supreme Court to allow schools like the University of Michigan to continue the practice of allowing diversity in higher education. The students realize that in spite of the progress made over the last 40 years, minorities, women and people with disabilities, still face major barriers in education, business, and employment. They also realize that the prerequisite for change is struggle, and that without struggle there is indeed no progress.

Many people dismiss students because they are generally perceived as not actively engaged in the political process. In addition, others suggest that they are unwilling to sacrifice and do the things necessary for group liberation. The enlightened students I encountered at the Supreme Court represented America at its best. They represented America and its great diversity.

Their message was clear, strong, and compelling. It was a message that affirmative action is a powerful, proven, and effective tool for removing the remnants of prejudice and bias. It was a message that affirmative action capitalizes on the strength of our diversity and opens the doors for opportunities. I am proud of the students who sacrificed their sleep, their classroom work, to brave the cold weather and proclaim that affirmative action is relevant and needed in higher education. They realized that education is the great equalizer. It is the ladder to success.

The thousands of students who demonstrated came by train, car, bus and many on foot. The impressive gathering of college and high school students was reminiscent of some of the activities done to achieve fairness and equalities throughout the 1960's. Of course, the challenge for all of us now is to keep the momentum and the pressure on.

Again, I commend the students for standing for something as important as equal opportunity to higher education. I commend them for their efforts and remind them that the struggle must continue.

#### STRENGTHENING AMERICAN BORDERS AGAINST ILLEGAL IMMIGRATION

The SPEAKER pro tempore (Mr. PORTER). Under the Speaker's announced policy of January 7, 2003, the gentleman from Colorado (Mr. TANCREDO) is recognized for 60 minutes as the designee of the majority leader.

Mr. TANCREDO. Mr. Speaker, I come to the floor tonight to discuss the issue of immigration and immigration reform. It is a topic that I often take this floor in order to advance, and I have over the last several weeks chosen to separate the topic up into various component parts. And we talked about immigration reform and how much it was needed because of the dangerous situations that exist on our borders. That was the first week.

We talked about, the next week, I tried to address the issue of immigration and open borders and what that meant to the importation of drugs into the country and the impact that that is having on our land.

Today I am going to talk about another aspect of this subject that is seldom discussed. It is one that a lot of people do not want to really focus on because they are not sure how to deal with it. I think specifically of the people in, say, the Sierra Club, Friends of the Earth, and a variety of other environmental organizations that are out there and that focus in on matters that harm the environment; and they have constantly come to us, come to this body in the form of lobbying activity to tell us that we have to do more to protect the land and the environment, the water, the air, because of what man is doing to it. And yet there is almost a deafening silence, if you will, from the same people, the same organizations, when it comes to the degradation of the land that is as a result of the massive numbers of people coming across our borders illegally, the millions of people that are crossing these borders.

There is a great quote from a gentleman who is the program manager of something called the National Parks Conservation Association. His name is Randall Rasmussen. Mr. Rasmussen said, "Organ Pipe National Monument is becoming Organ Pipe National Catastrophe." I call it the Organ Pipe Cactus National Dump.

I have been down there several times in Arizona. Of course, that part of the country is beautiful. Arizona has a 372-mile border with Mexico and it ranges from very sandy deserts and lava flows in the West, where you get about 3 or 4 inches of rainfall in a wet year, to oak-dotted grasslands and mountain-top forests in the East, where snowfall

may be measured in feet. Really, few areas of the North American continent boast such natural beauty and such a great amount of diversity. Yet, cutting across that landscape is one huge problem.

The entire region is getting hammered by wave after wave after wave of illegal border crossers, by horse, by foot, by bicycle, motorcycle, all-terrain vehicles, cars, trucks, even ultralight gliders. They stream across the border every day and every night. They dump tons of trash and human feces in places that are set aside for their scenic beauty. They blaze hundreds of new roads and trails through fragile desert soils. They ruin habitats for endangered species and they start forest fires that consume hundreds of thousands of acres of forest and brush.

When I was visiting the Coronado National Forest not too long ago, I left there on a Sunday morning and a fire started by an illegal alien campsite had been left unattended after starting a warming fire in the evening, and then they walk on, and they leave the fire often times burning, it caught the rest of the brush on fire, and before I got back to Denver on the plane, before I got back to Denver, it had consumed 35,000 acres in the Coronado National Forest. We did not hear much about that. Even if we did, we probably only heard about the fire, but no one wanted to talk about how it started because this is a delicate subject. This is because people get very antsy, even here in this body, when we start talking about immigration and the impact of illegal immigration especially on the Nation.

The reason why I have divided this subject up into various component parts is because it is an enormous subject. It has enormous, massive implications, immigration, that is, for our Nation. I have often said that it will determine not just what kind of a Nation we will be in the future, that is divided and balkanized, it will determine whether or not we will be a Nation at all. And there are, as I say, implications of massive immigration into this country which are absolutely incredible and need to be talked about, need to be debated, even if it makes people uncomfortable. And certainly this is one part of it. This is just one part. That is the environment.

Mr. Speaker, I have been down to the border several times. I have been both to the northern and southern borders of the country. And the sites that I see are sites I wish many of my colleagues here on the floor would also see. Sites like this on Department of Interior wildland where new trails, abandoned vehicles, trash, and human waste are strewn. These are trails that you see all over that particular part of country. Trails like this. When you look on a trail map, by the way, there is no trail there on the map, because these are not official trails. These are all made by people walking through by the hundreds, by the thousands; in fact, by

the millions. Once they start these trails, they will use them for a couple of weeks, and then they think that we put sensors on them, and sometimes we do, the Border Patrol puts a sensor on there, so therefore what will happen is they will move over a little bit.

When you fly over this area, you look down and it looks like cobwebs that spread out from a particular area coming across the border, but it is really just the number of people that have come across by foot, by horse, even, as I say, bicycles sometimes, and often times by cars. Vehicles will be driving along a highway that is adjacent to a national park or some sort of protected site, we will say a national forest, and at some point in time they just decide this is it, and they will peel right off of the highway and start right through the forest. And so as you drive along that road, it may be a blacktop road, as you drive along you can see on both sides where people have simply driven off the road into the desert and, of course, are trying to take people into this country and drugs into this country illegally, and they have caused enormous damage to that environment.

They leave cars. Again, once they abandon the vehicle, once they take the drugs that they were carrying in or the people that they are carrying in and move them to a driven form of transportation, they usually abandon the vehicle. So if you fly over this area you will see literally hundreds and hundreds of abandoned vehicles in the desert rotting away. They leave clothes. They leave trash, water bottles like this in areas sometimes that encompass 50 or 60 acres and are knee-deep in trash. These are called pick-up sites. These sites are areas where people will come to on foot. They will come across the border on foot into the United States, and then they have been told where they should gather. And it is often on private land. It is often, however, in the middle of a national park or a national forest area. They gather and they wait to be picked up to be taken into the interior of the United States.

Sometimes these groups will be as large as several hundred. And over the course of about a month, many thousands will have gathered in one place, waiting for their transportation into the United States. And they are told by the people who bring them here, and often times we refer to these people as "coyotes," these are people paid by Mexican immigrants, primarily Mexicans, but certainly not entirely by Mexicans, paid by the immigrant coming into the country, the illegal, sometimes \$1,500, sometimes if the case is more difficult it gets more expensive, where in fact we have cases today where we are looking very carefully at people coming into the country from places like Iraq and Iran and all over the Middle East. These folks have to pay upwards of \$30,000 to have to be smuggled into the United States. So it has become a very big business.

Once they get them into these pick-up sites they tell them you have to discard everything you have got, everything you have been carrying, all the water bottles, all the trash, the food, the clothes, discard everything because we have to pack you into, well, they do not tell them why, they just tell them that they have to discard everything. Then they pack them so tight into the backs of cars and trucks and trailers and vans that many suffocate on the way up. But what they do, of course, is to make room for more people. That is why they tell them everything has to be abandoned here.

When you walk through these pick-up sites you will see literally tons and tons and tons of trash. You will be overcome sometimes by the smell because, of course, this is also a place where people deposit their own human waste. And so the feces by thousands of people in this area, this is certainly not a pleasant topic, I assure you, but it also is not just unpleasant from an olfactory sense, it does not just smell bad; when it does get a little bit of rain into this area, that is washed into some of the water supplies. We have had ranches down there where farm animals and ranch animals have stopped drinking in the wells. They have essentially been ruined by this kind of activity. It does seep, of course, into the ground, then, after it has been washed down into this arroyos. This is not the kind of area, this is not the kind of land where that kind of waste can be disposed of easily.

The rest of this stays in place. The Border Patrol is not going to pick it up. The ranchers try to pick it up because it becomes very dangerous, but they can spend their entire day, week, month, year, picking up trash on their land. Their cattle eat this trash, especially that black plastic that most of us have seen and we certainly use ourselves. It is strewn all over the desert and the cattle will eat that and die. We have had thousands of head of cattle here that eat this trash and that die as a result of it. These are just, as I say, some of the environmental problems that you have when you have got literally hundreds of thousands, in fact, millions of people coming across this land.

We have had archeological areas, areas of great archeological value destroyed. In Pinacate, which is also a national park, the Mexican soldiers destroyed some of the archeological areas, including one with a 100,000-year-old drawing on the wall. This was according to the Pinacate Park Director, Carlos Castillo.

In addition, the Mexican Army has dug deep trenches to destroy 19 clandestine airstrips which mar hundreds of acres of volcanic desert that took 4 million years to form.

□ 1900

These soldiers' markings could last for another 100 years.

Few parks really have taken a greater toll than the U.N.-designated bio-

sphere reserve El Pinacate and Arizona's adjoining Organ Pipe Cactus National Monument.

Last year, officials caught 200,000 migrants coming through Organ Pipe. Remember, we get one in five. That is a conservative estimate. I think it is closer to one in 10 we actually will try to interdict; 200,000 were caught in Organ Pipe last year; 700,000 pounds of drugs were confiscated in Organ Pipe last year.

The drug runners use every imaginable form of transportation: cars, trucks, ATVs. When they are chased, they throw these spikes out behind them, so that the border patrol, whoever may be chasing them, have their own tires blown out. This is something, of course, that our border police and law enforcement agencies use themselves, the spikes to stop people who are chasing. In this case, the trespassers, the people carrying either individuals or drugs, throw out these spikes to stop the people from chasing them.

Again, cars that are abandoned all over the forest, these kinds of roads that have been cut into the forest. Ruts that have been created by so many cars coming across this area; this will not go away for hundreds of years.

They cut down some of the cactus that actually grows in this area. I mean, actually Organ Pipe Cactus National Monument, that is why they call it that, that is why the park is there because it does not grow anywhere else. This is a unique form of cactus. They are cut down and saguaro cactus are cut down and laid across the roads as obstacles so people when they will be driving along the road they stop, their cars are carjacked. They are taken and used to transport drugs and/or illegals and then abandoned all over the area.

Meth labs, this is another interesting one. This is mostly on the northern border, but not exclusive to the northern border.

In Canada, there is a group in Calgary, about 25,000 actually; about 25,000 Muslims reside in the Calgary, Canada area. Strange as that may sound to some, that is the case. There are really several hundred thousand Muslims in Canada. They have been immigrating to Canada for the last several years. This one group in Calgary, according to the folks I talked to that work security for the national parks and the national forests, are telling me that this group is the one that is primarily responsible for the importation into the United States of millions and millions and millions of tabs that are the component parts for methamphetamine. They are shipped from Calgary into the United States. They are cooked at these meth labs that are out there in the national parks and then the proceeds from the sale of these methamphetamine go back up to the organization in Canada, the Muslim group in Canada; and they use that money to support the terrorist activities all over the world.

This particular site, this is a meth lab that is being cleaned up in a national park. People have to come in there with hazmat suits. It is a very, very dangerous area; and for every pound of methamphetamine, there are 6 or 7 pounds of this material that is left, and it is a very dangerous substance. It has to be treated like this, as I say, hazmat suits and very, very carefully.

The drug smugglers will use natural caverns and/or tunnels, caves to deposit this stuff. So we have got kids, we have got hikers, bikers, we have got people coming in walking through the national parks, legitimately walking through, legitimately trying to enjoy the scenery and will go down into these caverns and into these various caves and come in contact with this material and become quite ill.

The fact is that the animal life in most of our national parks have been damaged by so many people coming through. This is a pristine environment with a lot of people coming across the deserts. We find that some of the migration patterns for some of these animals are disrupted. They are kept oftentimes away from water because that is where these pick-up sites are. So some, like the Sonoran pronged horn, which is an endangered species, is becoming even more endangered as a result of this kind of activity in their environment. Take this cactus. As I said earlier, these are unique in the world, this kind of cactus, organ pipes. We can see here the graffiti that they have carved into it.

This goes on and on, and yet nothing is really said about this. Nothing is done about this part of it. It is fascinating to me, we actually send billions of dollars around the world to Third World countries, Mr. Speaker. We hear the discussion on the floor of the House. I hear it in the Committee on Resources.

We spend billions of taxpayers dollars in Third World countries because we say in these countries we have to do something to help them create an economic environment where they will stop degrading their own environment, where they will stop destroying the forests, where they will stop cutting down old-growth forests, where they will stop polluting because they are doing it because they are a Third World country, they are very poor; and so we have to come in there and try to help them.

We go to Africa. We spend billions of dollars in Africa and in Latin America trying to get them to change their economy, trying to do something to get them to stop doing what they are doing to their land, and we do this with great relish, and we do it in this way that makes us think and feel good that we have taken care of our land. We know how to deal with our problems. We know how to deal with the environment in the United States. We have passed law after law after law. We have slapped people into chains and sent

them off to jail. We have fined companies billions of dollars. We will pick a person up in certain States and arrest them for littering. I mean, we have got signs along the highway that says no littering. We do a lot of stuff in the United States, but we completely ignore these particular phenomena in our own country.

We have National Geographic specials, we see them all the time on television. They are documentaries talking about how we need to do things in countries around the world to address the problem of the degradation of our environment on a worldwide basis, but no one will talk about this.

No one will talk about the smugglers that have left 95 percent of their garbage and junk vehicles in our borders. At Cabeza Prieta National Wildlife Refuge, smugglers have made a 26-mile road into the Growler Valley that slices into protected wilderness. I saw that road. I have been down to Cabeza Prieta. Along the refuges is famed Camino del Diablo where crosses mark places where 19th century travelers paid for their ignorance of the area with their lives.

The dirt is now a dirt road. It features big pits of nearly impassable moon dust. Smugglers just drive around these areas, widening these pits a quarter mile into the wilderness. It is estimated to fix the dirt road up to \$30 million. That is if we can get down there to fix it, but they are probably not going to get appropriations for that purpose because why? Because that particular part of our environment, that particular problem was caused by illegal immigration, and we do not want to talk about that so we are going to ignore it.

As I mentioned earlier, there are cars all over. Officials estimate smugglers drove 5,000 cars through protected wilderness last year alone. Once that road is there, it will be there for 60 to 70 years, says Vergial Harper, the refuge's outdoor recreation planner. Seventeen abandoned vehicles now sit in the Growler Valley area. They probably have to be removed by helicopters to minimize further damage to the soil that serves as the skin of the desert, as they put it.

Do my colleagues know how much it costs to try and get one vehicle out of there by helicopter? It is a very expensive undertaking. There are thousands of vehicles all over the desert.

On a recent afternoon in Organ Pipe, discarded water bottles, backpacks, hot sauce containers, and Spanish-language comic books littered the ground around a sprawling ironwood tree estimated to be 1,000 years old.

Another endangered species' affected growth in Tucson, the Pima pineapple cactus, is also in the way of crossborder traffic. Just northeast of Nogales, fences meant to protect a patch of these cacti from being knocked down and allowing cattle to enter and possibly trample them, well, anyway, the fence is being destroyed.

The crossers, the horses and their vehicles, have also gone right through that same plot.

The tiny cacti "don't have any legs. They can't get up and move," Coronado national forest spokesman Gail Aschenbrenner said. At Leslie Canyon Wildlife Refuge near Douglas, areas thick with a particular kind of water umbel, an endangered plant, had been trampled to death by illegal immigrants waiting to be picked up, according to a congressional study. The plant has adapted to flood, draught and water fluctuation, said refuge manager Bill Radke, but not adapted to people squashing it.

So much of this has been documented by the kind of information that even the Congress has had at its disposal by hearings, by the CRS, the Congressional Research Service, and again, nothing, absolutely nothing, done.

Let us talk about fires for a moment. Illegal border crossers are suspected of causing eight major wild fires in southern Arizona in 2002 sticking taxpayers with \$5.1 million in fire fighting costs. These eight fires that charred 68,000 acres are nearly 108 square miles near the border according to the Arizona Daily Star. Only the fires bigger than 100 acres were included in that analysis, but officials say border crossers cause many smaller blazes that were quickly controlled. Food containers, juice cans, water bottles from Mexico were found at many of the fires' starting points.

The Ryan fire, a 38,000 acre fire that raced across grasslands toward Fort Huachuca in late April and early May. The Oversight fire burned 2,189 acres in the Huachuca Mountains. The Walker Community fire burned 17,000 acres west of Nogales in June. These were all started by illegal aliens.

When we were down there, it was fascinating to talk to the people, the forest service. They will tell you, they now have changed the way that they actually try to fight the fires because it has gotten so dangerous to go in there. There are so many people coming through those forests with guns protecting drug trafficking activities that they do not go into the forests at night even to fight the fire. So the fires are allowed to burn because we are afraid to send people in there. We are also afraid to dump the retardant on there because we are dumping it on a lot of people who are out there. These are illegal aliens, but there are so many in the forests that we cannot fight fires appropriately.

The whole area is susceptible to this kind of thing, and yet again, where are the environmental groups? I hear from them. I am sure every Member of this body hears from people in the Sierra Club and everybody else that are demanding that we do more to protect the environment. Where are the groups demanding that we do something to stop illegal immigration and the degradation to the land that occurs as a result of this policy of open borders?

Just considering the environmental damage alone, we can wonder why those dedicated to the protection of the land and its resources have never intervened forcefully in any way. For example, the County of Santa Barbara, California, where lawyers representing environmental groups are ever ready to go to court on behalf of possible damage to oaks, endangered species, habitat or wetlands, if they are disturbed in any way by the action of California ranchers or farmers on their own property. If there are similar organizations in Arizona, the vast environmental damage being done by hundreds of thousands of illegal immigrants does not seem to disturb them.

Evidently, political correctness demands that one first consider who is destroying the environment, not the extent of the destruction itself or whether it should be stopped. With environmental groups these days, social justice is in the form of immigrant rights; and it trumps concerns about overpopulation, damage to plants, land and wildlife; and those are the quality of life issues in the United States.

These priorities mirror those of the Ford and associated major charitable foundations from both the National Council of La Raza and the Sierra Club where they give their financial support.

□ 1915

Interestingly, the Sierra Club does have one part of its organization, maybe 30 or 40 percent of their membership, that have decided to start sort of a splinter group, I guess I would say, in the Sierra Club. And they in fact have actually done a pretty good job of trying to bring to the attention of the rest of the members of the Sierra Club the problems that are endemic with our national grasslands, our national parks, and our national forests as a result of our completely and totally abandoned borders.

This is from a report to the House of Representatives Committee on Appropriations on impacts caused by undocumented aliens crossing Federal lands in southeastern Arizona. It was a joint project by the Immigration and Naturalization Service, the Department of the Interior and the Environmental Protection Agency. It was completed on April 29, 2002. It has only recently been released. It constitutes an extensive and official documentation of the harm that migrant smuggling has done to the fragile ecosystems and natural resources in southeastern Arizona, and, one might reasonably conclude, other frequently traveled areas along the southern border.

Sometimes our environmentally based arguments fall on deaf ears because environmental effects are indirect or long term. I am reading from a report that was issued by FAIR, an organization devoted to immigration reform. Here are some of the quotes from the report to the House of Representatives Committee on Appropriations on

impacts caused by undocumented aliens. Here are some of the quotes.

Page 2: Undocumented aliens crossing Federal lands in southeast Arizona not only cause damage to natural and cultural resources, they impact Federal land visitors, public services, Federal employees working in the area, and residents and businesses located on Federal and reservation lands.

Impact visitors: Let me tell my colleagues what happens. Here is mom and dad out there in their Winnebago, camped out in any one of these different types of campgrounds in our national parks, and all of a sudden, and this has happened, all of a sudden they look out the window of the camper and there, coming across the camping ground, is a group being led by a guy with an M-16, a bunch of people carrying 60-pound backpacks carrying drugs, and a guy following them with another M-16. And I am sure they thought to themselves, this is a national park? This is a campground? Am I in the right place?

Well, yes, they are in the right place. They have been confronted, their vehicles have been vandalized and stolen by these people, and they have been threatened by folks smuggling drugs across that border and through our national parks. Yet nobody really seems to care.

Another quote: Certain Federal lands in southeast Arizona can no longer be used safely by the public. These are our public lands. This is where we want to go when we want to take the kids out hiking, camping, and fishing. Certainly Federal lands in southeast Arizona can no longer be used safely by the public or Federal employees due to the significance of smuggling of undocumented aliens and controlled substances into the United States. The mere number of undocumented aliens traveling in the border area intimidates legitimate visitors and creates a reluctance by some in the public to use the public lands.

I guarantee that is true. There are people who are afraid to actually go into our own public lands.

Another quote: Ranchers, farmers, miners, and other legitimate users of Federal lands are heavily impacted financially by smuggling operations that cut fences, break down or leave gates open, damage water supplies, steal or damage equipment, and disrupt grazing and irrigation schedules.

Every week I come on the floor with a picture of another person we are inducting into the Homeland Heroes Hall of Fame. These are primarily ranchers down along the Arizona border that are having their entire lives turned upside down. Their ranches are being destroyed, and their government does not seem to care one iota. They are not coming to help them, but they are facing the brunt of the invasion. And it is just that. It is an invasion. That is the appropriate word. Michelle Malkin, author, uses that word to describe her book. In fact, it is title of her book,

and it is about this phenomena. And it is absolutely accurate. It is an invasion, but we do not intend to address it.

We are fearful of actually trying to stop it for fear that there will be a political backlash here; for fear that some of the business interests that support our side of the aisle will say we need the cheap labor; for fear some of the immigrant and lawyer groups that support the other side of the aisle will say, look, these are all going to be voters sometime and they comprise a big chunk of our voter base, so let us not talk about illegal immigration. These are the reasons why we do not face the issue of invasion.

Going back to the report: Breaking and entering and burglaries along the border are common and include historic and government structures, employees, and private residences and businesses.

Another quote: Federal law enforcement officers assigned to land management agencies and tribal police often face situations where they are at personal risk and must deal with overwhelming odds.

In Arizona, on the reservation land that we refer to as the Tohono O'odham Indian Reservation, they have about 1,500 people a day coming in to their land, 1,500 a day coming in to that tribe's lands, coming across it and destroying the land and the life-style of the people who live there. Go down and talk to the Tohono O'odham Indians yourself. Talk to the people who try their best to maintain some degree of order on that reservation and they will tell you it is a madhouse. Life there is a nightmare for them. I have seen little children, 5 years old, walking around stoned. The drug smugglers have turned several small villages there into their encampments essentially, because they have been able to, both with drugs and money, entice people into participating in this activity.

Going back to the report: The character of congressionally designated wilderness areas have been reduced by the creation of unwanted trails and roads, damage to existing trails, and large amounts of trash. Encounters with large groups of undocumented aliens reduces the quality of the wilderness experience for many visitors.

I assure my colleagues that that is true. When someone comes across a bunch of people carrying drugs in and guns on their backs, it does have a tendency to, as they put it here, to decrease the quality of the wilderness experience.

Gates are rammed, security locks are cut, signs are driven over and heavy damage or destruction of water developments and other improvements by undocumented aliens traveling through the Federal lands and seeking drinking water in remote locations occur regularly. Some ranchers actually put out cups for these folks and say, look, do not destroy the well, do not break the pipeline, here is a cup, here is water. But they have disregarded it. There is

some animosity there. They break the pipeline, they pollute the well, and move on.

Recreational, cultural, and administrative sites are repeatedly vandalized and damaged, 1,000-year-old carvings destroyed.

Would that not have made the front page in most papers around the country if that had happened by a bunch of vandals destroying some pristine area, some prehistoric site, for instance, like that? That certainly would have made the news somewhere. But you did not see a word here. Why? Because it was done by illegals. In one case it was done by the Mexican Army coming across the border. Why were they in the United States? They were protecting a drug load; protecting drug traffickers coming into the United States.

Believe me, the Mexican Army, which is on the border to a large extent, is not there to protect the border. They are there essentially to provide cover for illegal drug activity on that border.

Going back to the report: Tons of trash and concentrations of human waste are left behind by undocumented aliens. This impacts wildlife, vegetation, and water quality in the uplands, in washes and along the rivers and streams. It also detracts from scenic qualities and can affect human and animal health from the spread of bacteria and disease.

We have not even gotten into the issue of disease tonight. We will talk about that more at a later time.

State, county, and local governments and private property owners experience most of the same problems caused by undocumented aliens crossing their lands as mentioned herein. Additionally, there is a significant increased workload on Federal and local court systems and increased costs to medical providers caring for the sick and injured. Health care providers especially are heavily impacted. Twenty-six percent of all the people in Federal prisons are illegal aliens, 26 percent in Federal prisons. We do not know how much it is in State and local prisons all over the Nation. Hospitals, especially their neonatal care units, are closing up all over. Douglas Hospital is going through bankruptcy. If it goes under, it is going under because of the care they provide to illegal immigrants, without of course reimbursement. If it goes under, there will not be a hospital around for 100 miles.

Back to the report: Literally hundreds, if not a thousand or more, of new trails have been created on Federal lands in southeastern Arizona by undocumented alien crossings. And more and more trails are being created by the hundreds of thousands that cross Federal lands in southeastern Arizona each year. This proliferation of trails damages and destroys cactus and other sensitive vegetation, disrupts and prohibits revegetation, disturbs wildlife and their cover and travel

routes, causes soil compaction and erosion, impacts stream bank stability, and oftentimes confuses legitimate uses of trails on Federal lands.

There are so many trails on lands that people that are out there legitimately are looking for a way to get around the land, and they take these trails that the drug users have created and, of course, go off into never-never land.

The impacts of such fragmentation are perhaps most severe to breeding birds, many of which nest directly on the ground in short shrubs and trees on or adjacent to the network of undocumented alien routes. The continual disturbance to nesting birds during day and night typically leads to direct nest failure or abandonment of breeding birds. That leads to increased predation on active nests and keeps birds from maintaining egg temperatures and adequately feeding any young that do hatch.

Again, let me suggest that if this were happening anywhere else in the world, especially anywhere else in our country, there would be an outcry on this floor. There would be an outcry heard by every news outlet in the Nation. They would interrupt the report about the war to talk about the fact that some bird has been removed from its nest, or its nesting area has been destroyed by some sort of action taken by man. In this case, however, because it is an illegal immigrant, we will not hear a word about it.

There are high concentrations of human fecal material in heavily used undocumented alien pickup points in and adjacent to washes, rivers, and streams and in other heavily traveled routes. This also impacts wildlife, vegetation, and water quality in the uplands, in washes, and along rivers and streams. The human waste presents a health risk to all people.

Now, this is in a report that is provided to this body and to the United States of America, to the people in this Nation. We provide this particular information. And what happens as a result of it? I wonder if any of my colleagues have ever read it. I wonder if any of the news media that so quickly uses this kind of thing to pick up on when they say a report delivered today to Congress talks about environmental damage, talks about global warming, talks about how the world is changing as a result of man's interference with nature. Usually, that just gets snapped up like that if there is one sentence in any Federal report, scientifically supported, that draws attention to some problem with the environment, especially some problem that we can attribute to mankind. Well, we certainly cannot attribute this to anything else.

There is no way to say that what I have talked about here tonight is not a problem created by human beings. What we can say, however, is that this problem is not being solved. It is not being solved because there is not some technical solution, or maybe we just do

not have the right kind of pollution control device and/or we have not come up with the correct mix for gasoline to remove some of the pollutants.

□ 1930

We cannot say that is why this pollution is occurring in our national forests. We can say it is occurring because we do not have the will to stop it. We are destroying this land. It will be gone. Our children will never be able to enjoy it. Certainly their grandchildren will not be able to, and how will we explain this to them.

Will we say it was because we just did not have the technology, but there was an argument about whether or not it was really caused by man's interference or whether it is natural. No, that is not an argument that we can use in this situation. We know what has created this. It is millions and millions and millions of feet across this land every year. It is hundreds of thousands of vehicles coming across this land every year. And for what purpose? To enter this country, to do so illegally, to bring human beings or drugs into the Nation. That is the purpose. Because we find that so sensitive, so off the charts when we are talking about issues, we refuse to deal with it. It is amazing. We cannot get an argument about what the cause is. Not a single soul will stand up and argue about the cause here for this pollution. We know exactly what creates it; but we categorically refuse to deal with it because the subject is difficult to deal with because it is not politically correct to talk about it as a result of human traffic, illegal traffic into this country.

There are huge, huge economic benefits that accrue to certain groups, to certain businesses, to certain individuals to have lots and lots of cheap labor. There are political advantages that accrue to others to have lots and lots of immigration into the country. These two things, the political advantage, the economic benefit of cheap labor and illegal immigration, stop this from being addressed. It is a shame at least. It needs to be addressed. It needs at least to be debated.

Maybe I am wrong, maybe I am 100 percent wrong about what is happening. Maybe this report is just fabricated, just a bunch of lies that somebody wrote down because they have it in for immigrants. Go there yourself if you think I am exaggerating this problem. I encourage Members to go there themselves and observe it, observe the Organ Pipe National dump and see whether Mr. Eggle, Mr. Robert Eggle whose son was killed at Organ Pipe a year ago August, his son was killed there by two people who had come through after killing four other people in Mexico, part of a drug deal. They came into the United States and they came up against Kris Eggle. He was a park ranger, and he was not trained and he did not have the equipment to deal with terrorists. That is who they

were. And they cut him down with an AK-47. We went to where he was killed, and Bob said the following: "If they do not get the crime situation under control, they are not going to have any resources left to protect." That was quoted in *Outside Magazine* February 2003. His son lies dead. The environment is being destroyed. Hundreds of illegals are dead in the desert, all because we do not have the guts in this body to take this issue on.

Americans do, I assure Members of that. Poll after poll after poll will tell us that Americans believe we have to do something to control our borders, something to reduce immigration to a manageable level. I have a bill that would reduce immigration, annual legal immigration into the United States to 300,000 a year. That is far more than came into the United States during the heyday of immigration of the early 1900s. I am accused of trying to build a Berlin Wall.

And how can we create a bill for guest workers to come into this country legally, how can we say we have some sort of legal immigration number by say 300,000 or 3 million, how can we say that if the borders are porous? It does not matter how many the government says we will allow in or how many workers we will take in as a temporary basis. As long as the borders are porous, they will come at their will, not according to what our needs are. And they will pollute.

The only way to defend this Nation against the danger that exists as a result of terrorist activity, the only way to defend this Nation in terms of the drugs that are imported across this border every single day, the only way to defend the environment in this Nation is to put the military on the border to augment our border patrol and our Forest Service personnel and stop this degradation of the land and stop the invasion. That is the only solution to the problem. The only one. Nothing else will work.

We must use the military to defend our borders against the invasion until the Department of Homeland Security can effectively control this problem. Until then, the invasion goes on. Our homes are threatened, our lives are threatened, our environment is being destroyed. Let us not shy away from that on the House floor. It is our duty, it is our sworn duty to take on these kinds of issues, and I urge Members to do just that.

#### CONCENTRATED ASSAULT ON ENVIRONMENTAL PROTECTIONS

The SPEAKER pro tempore (Mr. PORTER). Under the Speaker's announced policy of January 7, 2003, the gentleman from Oregon (Mr. BLUMENAUER) is recognized for 60 minutes as the designee of the minority leader.

Mr. BLUMENAUER. Mr. Speaker, I come to the floor this evening while there is a battle raging in Iraq, one

that is well known to the American public, and I want to spend a few minutes this evening dealing with another battle that is taking place, a battle that is raging in this country that has potential risks that are every bit as great as that of international terror for the safety, health, and well-being of our citizens and, indeed, the citizens of the planet.

I am talking about a concentrated assault on environmental protections in this country. I am deeply troubled by the gap between what we have seen growing in terms of the political process with some of my Republican Members and people in the administration in terms of what environmental protection means, where we are, and where we should go.

Now, I come from the perspective as someone who was part of an Oregon tradition of politics that was decidedly nonpartisan or, in fact, aggressively bipartisan when it came to environmental protection. My first assignment as a college student from a government official was from the legendary Republican Governor of Oregon, Tom McCall, who appointed me to his Livable Oregon committee. Throughout the years that I worked in Oregon politics on the State and local level, I was pleased to work hand in glove with a wide variety of people who put environmental protection first, and partisanship and special interests came later.

On the floor this evening, I must, I guess, acknowledge my dismay about the growing gap between the parties when it comes to environmental protection. I think this was crystallized for me when I received a copy of a widely circulated memorandum from the famous Republican pollster and political consultant, Frank Luntz, that was distributed to Republicans in Congress earlier this year. It was ironically entitled "Straight Talk."

Frankly, Mr. Speaker, I do not think this memorandum has been given enough attention, and I hope to do a little bit of that this evening because I think it is very important to understand the differences between the two parties as they relate to environmental protection; and this memorandum is revealing strategy where some of my Republican friends, people in the administration and Congress, are advised do not use your ingenuity to develop more environmental protection, do not use your creativity and political muscle to put the money behind enforcing our environmental laws to try to extend the boundaries. Instead, the approach of this memorandum is to put the time and the energy into how you describe what you are doing, try and feather the impact, try and obscure the real record. I think there is no place it is going to be more telling for the American public this week than to look at the energy bill that is on its way to the floor.

There we see instance after instance where the bill that has been passed by the Republican majority is going to

put off our energy problems into the future for the next generation or maybe even the generation that follows them to deal with. There is a refusal to deal with global climate change.

In committee, I am sorry that the Republicans rejected both the bipartisan language that had been passed unanimously in the Senate as well as even the President's woefully inadequate voluntary climate change initiative. We will not find these in the energy bill.

We will find that the critical area of transportation, which consumes 70 percent of the United States oil consumption, indeed just to provide fuel for our automobiles, takes for the United States just our cars, and we represent less than 5 percent of the world's population, that consumes 10 percent of the world's oil production. But amazingly, the bill that is coming before us does not act on efficiency standards. Indeed, they are giving additional tax breaks, and it seems that my Republican friends in committee have yet to find a problem in this country that is so great that it cannot be solved by another tax break, tax deduction, or tax benefit.

But these tax breaks do not go to the 99 percent of the American public that arguably if we can afford tax reductions, and this will be the first time in war that we are proposing not sacrifice but tax deductions for those that need it the least, these tax breaks and royalty relief are to the interest of oil, gas, coal, and nuclear energy. Indeed, some of the provisions incredibly at this time would take away the payments that are due to the American public, royalties for energy sources that are extracted from public lands at a time of skyrocketing energy prices. Well, the proposal there is to reduce the royalties that would otherwise be paid to the American taxpayers.

When we speak of the environment, one of the strategies that is being suggested by Mr. Luntz is to hug a tree, to support open space and parks. Well, by reducing the money that otherwise would go to the Federal Treasury to provide support for our public priorities, one of the most important sources of the revenue that comes from the royalties would go to the Land and Water Conservation Fund, which has been eviscerated under the President's budget.

Also in this legislation, there are proposals to again open the pristine lands in the Arctic Wildlife Refuge, a land that was set aside for all time by Republican pro-business President Teddy Roosevelt. Instead, it is proposed that we open up this area even though, and here I will show a little bit of hometown favoritism, I quote from the Portland Oregonian from earlier this month which I think says it as well as anybody: "The oil beneath the refuge would not lead America to energy independence.

□ 1945

It would not allow the country to recede from Mideast policies. It will have no impact on current gas prices or any shortage that is caused by the war in Iraq, and it will take 7 to 10 years even to get the first drop of oil from the refuge."

And I could not agree with my hometown newspaper more. The irony is that having visited the wildlife refuge, Mr. Speaker, having looked at that fragile Arctic environment and weighing the costs and consequences, it is clear to me that this ought to be the last place in America that we drill for oil, not the first. And I note that the American public in survey after survey has sided unequivocally with the protection of the wildlife refuge.

It is important, Mr. Speaker, that we spend a little time focusing on that energy bill, because I am afraid as it comes rushing to the floor it is unlikely that we are going to have adequate time and energy to devote to it.

But I would reference one other in these times of very difficult problems that are radiating out from our military action in Iraq. When people are looking at the tremendous stresses on our military, they are thinking about ways that we ought to protect the ability of our military to be able to maintain its position as the mightiest fighting force in the world. We are seeing that there has been under the guise of military exigency an attempt by the administration to exempt the Department of Defense from protection of the environment, using the rhetoric of defense to cover up environmentally destructive actions, to exempt the Department of Defense from some of the most environmental protections. These exemptions seek to address theoretical encroachments to military readiness. There is no evidence, no sound science, showing that our environmental laws have hampered our troops' ability to prepare for war. Instead, these laws actually protect the health of families living on or near military bases and actually support readiness by sustaining and extending the life of training ranges.

I would hope, Mr. Speaker, at a time when the Members of Congress are spending more time thinking about the condition of our military and how to maintain its effectiveness, that instead of attempting to eliminate these fundamental environmental protections that put our soldiers, their families, and surrounding communities at risk, we would think about being aggressive in terms of protecting the environment so that we actually coax more out of these resources.

I will be speaking more about that, Mr. Speaker, in the course of this hour. But I wanted, if I could, to take a moment to acknowledge that I have been joined by the gentlewoman from southern California (Ms. SOLIS), a woman I have known during her tenure in Congress to care passionately about the

environment, to work with her community at home dealing with issues of environmental integrity and environmental justice, working to try to make sure that the big picture is made. And, Mr. Speaker, I yield to my colleague to speak to these issues with me this evening.

Ms. SOLIS. Mr. Speaker, I thank the gentleman from Oregon (Mr. BLUMENAUER) for the opportunity to be here tonight to join him in helping the public better understand the decoding of the environmental rhetoric that we keep hearing from the other side. And for some time we suspected that the Republicans were speaking from the same talking points as we have on environmental policy issues. Now we have confirmation. The Republicans have been trained to use so-called straight talk; false language, distract people with personal stories, and muddy the issues with claims that the environment and the economy cannot coexist without measures that will cause dirtier water, fewer parks and polluted air.

In a memo that I saw recently circulated by the Luntz Research Company, Republicans are told that the environment is one of the most important issues that they are in fact very vulnerable on, and we know that. Some of us here in the House know that, and out there in our communities, and in order to combat this vulnerability, the Luntz memo, to use buzz words in their arguments, words like, for example, "safer," "cleaner," and "healthier." They are told to avoid the economic arguments first so that personal stories can be shared. The Luntz memo notes that Republicans should stay away from big words and provide examples about how Federal agencies are not protecting our natural resources. And we can see this rhetoric being used every day in policies that the GOP is offering.

In fact, I brought a copy of the memo that was outlined. It was circulated by the Luntz Research Group, and if I start reading from it, my colleagues would be amazed by what they would see.

And if I could maybe share of some of that, on page 132, Overview: The environment is probably the single issue on which Republicans in general and President Bush in particular are most vulnerable.

Secondly, indeed it can be helpful to think of the environment and other issues in terms of a story, a compelling story, even if factually inaccurate, and I underscore that, factually inaccurate, can be more emotionally compelling than a dry recitation of the truth. So here we are talking about falsehoods.

Let me go on, Mr. Speaker. This week we are going to be debating the energy bill, and this is a good example of how using rhetoric can be made publicly available to folks, but it is a bad policy for people and consumers and especially those that I represent in the State of California. The Republicans

claim that the bill is a fair balance between the environment and the economy, but the bill encourages our continued dependence on fossil fuels; drilling in the Arctic, the National Wildlife Refuge, and other ecologically sensitive areas; and it fails to create a comprehensive plan for renewable alternatives. My goodness.

And last year, as my colleagues know, California faced blackouts and price gouging. My constituents faced energy bills that rose upwards of 300 percent in a short 4-year span.

This bill that is being proposed will provide very little relief for the constituents that I represent, and I do not think it is a fair and balanced approach, and I believe that the Republicans claim that they are supporting development and advancement of technology. At least that is what they are representing. Yet the bill is loaded, loaded, with subsidies to the oil and gas industry, subsidies that do not necessarily require research and development, subsidies that reward pollution instead of innovation and technology and efficiency. These industries that the Republicans are subsidizing often put their plants in the center of districts like mine, in low-income, economically underprivileged communities. And I know that, because they believe that our community is not paying attention and that they can get away with planning and siting projects that are harmful to our water, to our air, to the environment, and to the people that we represent.

This is the case in the San Gabriel Valley, and I say that because many of these folks come into our district promising jobs, redevelopment, cleaning up the blight, giving jobs to poor people, and then they leave us with a blank check, nothing there, no jobs, pollution, and, in my district, four Superfund sites and little enforcement by EPA at this point to really do a better job of cleaning up the environment.

So I have a lot of questions about the message that the other side is using to say that they are now on the side of the consumer and the population about cleaning up the environment.

One last item I would like to talk about also is on the budget. Another example of effective messaging and lax policy is the Bush budget. The President and his supporters claim that the budget will create a "safer" and "cleaner" and "healthier" Nation. However, the budget uses creative accounting to raid the Land and Water Conservation Fund, a fund that has impacted hundreds of communities as they try to protect their natural resources through restoration and clean-up projects, projects that are directly linked to the health of our families, because we are talking about the very water that they drink.

And President Bush claims that he "preserves and protects" the environment; however, his budget request for the environment is slated for a \$1.6 billion reduction compared to fiscal year

2002, falling from \$29.6 billion to \$28 billion.

Projects on the chopping block, for example, are dealing with environmental education like lead-poisoning prevention, a serious concern in our district where many young children are affected by this particular additive that is very harmful to the development and puts many children, millions of children younger than 6 years of age, at risk for intelligence, behavior, and physical disparities that they will be affected by if they are exposed to lead. And we all know that but we are not doing enough to help address this. We are actually cutting back in that area.

And I say that it is time to do a better job. It is time to look at why water quality investments are also falling short. For example, in this budget, \$2.7 billion in FY 2002 to only \$1.8 billion in 2004, a loss of \$861 million, or more than a 32 percent cut. What in the world are the Republicans really saying? We want to protect the environment, we want to protect families and consumers, but at the same time they keep chopping, chopping, chopping.

So that is what the message, I think, tonight has to be, Mr. Speaker; that we clarify what our agenda is and whom we are standing up for. And I am very proud to represent the district that I come from, the San Gabriel Valley, where now people are having hardships. We have unemployment rates upwards of 11 percent, and this has gone on for more than 2 years.

People want clean drinking water. They do not want to be notified in the mail that their drinking wells have to be closed because they found rocket fuel in their water. We need to have more tools to do the cleanup. We need to go after the responsible parties, and we cannot afford to let people off the hook who are the polluters. That is what the Superfund law was all about, and that is what we should be here to enforce tonight and every single day that we are here fighting for our communities.

I would just say, lastly, that it is a privilege to be here as a Member of the House advocating for environmental issues, in particular environmental justice activities that affect not just my area but many corners of our country. And people need to better understand that environmental justice issues are issues of better health care, better education, and an opportunity to begin to clean up their communities and enhance economic development in a positive way so that everybody can grow and prosper, and children, whether they are rich or poor, can live in a clean environment.

I thank the gentleman from Oregon (Mr. BLUMENAUER) for the opportunity to speak tonight on this very important message regarding the truth about the environment and who is sticking up for environmental justice.

Mr. BLUMENAUER. Mr. Speaker, I thank the gentlewoman from California (Ms. SOLIS). I appreciate her zeroing in on the notion of how to interpret, read between the lines. We have joked a little bit about having a decoder ring so that people can understand what is being offered, and her points about the disconnect between the budget, which really is a tangible expression of priorities; that is, a budget submission that is antienvironmental and has actually been made worse by the Republican budget resolution; the simple notion accepted by the American public to aid environmental cleanup by having the polluter pay that has been suspended, and abandoning the Superfund, making it very difficult to be able to continue the notion of environmental justice where we have put such a burden on people who often have no alternatives, who are unaware of what is happening, and how the administration is suggesting that we not initiate new activities but, in fact, we pull back from what we are doing now that is, in fact, inadequate. I appreciate her forthright expression of that.

I think it is important that we work together to have that decoder ring to understand. I hope that we are able to deal with the advice that Mr. Luntz has given to the Republicans. I think it is important that he points out that scientific consensus is against them, that the public is suspicious, but we hope that instead of trying to deal with semantics, rhetorical cover-up, that we can encourage people to go back to what we started with in terms of the Clean Water Act, which was actually from the Nixon Administration, to have an opportunity where people are embracing environmental values.

□ 2000

We have been joined this evening by the distinguished gentleman from New Mexico (Mr. UDALL). I have been pleased to work with the gentleman on the floor of this House. I have been very impressed in my visits to his district, as the gentleman reflects the strong environmental values of the people of New Mexico, and we are honored the gentleman will join us this evening to join in this discussion.

Mr. UDALL of New Mexico. Mr. Speaker, I thank the gentleman very much and thank the gentleman from Oregon for that very kind introduction.

Let me also say about our colleague, the gentlewoman from California (Ms. SOLIS), who has been a real champion on environmental issues in California, she served in the California legislature and I think has been at one point written up as a Profile in Courage on environmental issues because she took on an environmental racism issue in her community and fought it for a number of years and passed a significant piece of environmental legislation. So what the gentlewoman says about these issues, I think she has lived and walked the walk.

The gentleman from Oregon (Mr. BLUMENAUER) has also been a key environmental leader on many, many issues here in the Congress, including energy, which we are talking about tonight. The gentleman has pushed for livable communities. The gentleman has tried to make sure that the Federal Government does everything it can to be a good partner in communities.

One of the things we see is the Federal Government owns a lot of the landscape; and because of one of the gentleman's pieces of legislation, we are trying to make sure that the Federal Government in fact is a good neighbor, and when they locate buildings or relocate buildings, that they visit with the locals in addition to going through the normal planning processes.

The gentleman has been to my community. I know many of the people very much appreciate the gentleman's efforts in terms of transportation and trying to make sure that we develop sensible transportation alternatives in our communities: allow people to bike to work, have mass transit, have alternatives that make sense from the perspective of energy, which is one of our big topics tonight.

I know that the gentleman mentioned earlier the Arctic National Wildlife Refuge. Rather than go directly into my comments, I wanted to say a few things about what the gentleman was talking about, because the gentleman said he has been there.

I have also been there. I just wanted to talk a little bit about how that is a very special place, and I think anybody that is going to vote in this body on this issue ought to take the opportunity to try to go up and visit it. When I say go up and visit it, I do not mean go to Kaktovik, the little village up on the very upper end, which is a community that has a lot of problems but does not represent at all the environment in the Arctic National Wildlife Refuge.

What I did was I spent a week in this whole area, floating on a river by the name of the Hula Hula River, named after the whalers that came in the area hunting down whales, Hawaiian whalers; and they called the river the Hula Hula. In the course of floating out of this river, it floats out of the Brooks Range. It is probably one of the clearest, most pristine streams you have ever seen. We took the opportunity to stop and fish in the Hula Hula River for Arctic char. We saw a variety of wildlife. We saw grizzly bears, musk oxen, herds of caribou.

Coming back from that trip, and after experiencing that and camping in this area, I cannot think of any area that is more deserving of being a wilderness area than the Arctic National Wildlife Refuge.

The argument is that we need to raid the oil that is there. In fact, what the situation is on the whole coastal area in Alaska is that 97 percent, 97 percent of that coast is open to exploration, is

open to oil production, and just a little part of it we are trying to preserve as a wildlife refuge.

It has been a wildlife refuge, it was put in many years ago under a Republican President, and we do not see that bipartisanship today on the environment, by the way. So I think the gentleman's remarks are right on point when it comes to the Arctic National Wildlife Refuge.

I also would like to say a few words about the energy bill that we are going to start debating this week, the Energy Policy Act of 2003. During the last Congress, the House spent countless hours debating a similar bill.

Unfortunately, one of the major provisions in the last energy bill on which Members could not agree was renewable energy. As my colleague, the gentleman from Oregon, has said earlier, the Republicans are putting off dealing with our Nation's energy dependence problem and leaving it to legislators of a future generation. Their theme seems to be, "Why do today what we can leave for the next generation to deal with in the future?"

Last month I introduced legislation that establishes a Federal renewable energy portfolio and establishes standards in that area for certain retail electric utilities. There are some who say that a long-term sustainable energy plan is impossible, or that renewable energy and energy efficiency are just dreams and that the U.S. will never be able to break its reliance on traditional energy sources, like oil and coal.

I disagree, and I know the gentleman from Oregon disagrees; and now, in the post-September 11 world, as we are in the midst of a war with Iraq, the renewed conflict in the Middle East shows us that we cannot continue to rely on imported oil from that region.

When my father, Stewart Udall, was Secretary of the Interior, and this shows the dramatic change in our society, what happened in the last generation, the U.S. imported when he was Secretary of the Interior in the 60s 20 percent of its oil. My father argued that we should not import more than 20 percent because this was a national security issue if we were relying too much on one area of the world.

Our people may not know it, but today we import 53 percent of our oil, 47 percent which comes from the OPEC countries; and by 2020, the United States will import 62 percent of its oil unless we change the way we are doing business here in the United States.

Even more concerning, world oil production is expected to peak sometime in the next few decades, even some say as early as 2007. That means as energy demand increases more and more rapidly, the world's oil supply will be proportionately diminished.

Energy production has brought tremendous prosperity and allowed us to grow our economy at unprecedented rates. However, nonrenewable forms of energy are responsible for many of the greatest environmental threats to America's well-being.

For these reasons, I am particularly interested in a renewable portfolio standard. I believe that an RPS paves the road for development and investment in clean energy technologies and local economic development. RPS, in my mind, clearly serves as a model for tomorrow's small and medium businesses to draw a profit from their own environmental responsibility.

As a Nation of what I call "petroholics," we claim only 2 percent of our electricity is generated by non-traditional sources of power, such as wind, solar and geothermal energy. Instead of pushing for the exploration of oil development and contributing to this country's addiction to oil, we should be pushing for the exploration of renewable energy development. I believe this bill goes a long way to develop a strategy for putting renewable energy into place.

With that, let me just say to the gentleman from Oregon that I think we need to focus as a country on renewable energy. We obviously need a strong domestic industry, the production of oil. But as many of us know, that peaked in the 1970s; and we are headed down. The rest of the country and the rest of the world, in particular the rest of the world, are going to be going after more and more limited supplies of oil. So the further we can get ahead of that curve, the better off we are going to be.

Mr. Speaker, I thank the gentleman from Oregon for providing leadership on this, for being on the floor and fighting for these issues; and I hope that on some of these battles we can be victorious in the coming weeks.

Mr. BLUMENAUER. Mr. Speaker, I thank the gentleman for his comments. I am pleased to be a cosponsor of the gentleman's, I think, really far-seeing bill on renewable energy; and I am hopeful that the leadership in this Congress will have the foresight to allow it to come to the floor and to allow a spirited debate. I am convinced that if we put it to the Congress and to the American public that that legislation will pass.

As I was listening to the gentleman describe the experience we both have shared in the Arctic wilderness, I had in the back of my mind, I think I said Teddy Roosevelt designated it. It was another Republican President, President Eisenhower, who made the designation.

If I said Roosevelt, I was there dealing with the pristine jewel, Yellowstone, which was the creation of then-President Teddy Roosevelt, which we are now seeing under assault, where the administration is proposing that the place in America with the worst air, not L.A., not Houston, it is in Yellowstone Park, where we see park rangers forced to wear gas masks because of the pollution, and we see the rule on restricting the use of snowmobiles being rescinded. I guess I got a little ahead of myself. I apologize if I said that.

I appreciate the gentleman focusing on the opportunity to truly make us energy independent, dealing with renewable energy sources, particularly the nontraditional: the fuel cells, wind, geothermal. As we look at how these will be treated in the energy bill that will find its way to the floor, we will find that there is but a tiny fraction of the attention, the resources, to be able to accelerate those developments. Again, it is a disconnect between the "green" rhetoric that is being couched by the Republican pollsters and pundits and what could have been actual accomplishment.

The bill will fall terribly short, as the gentleman mentions, in terms of environmental stewardship. It will fall short in terms of our meeting our international obligations and opportunities, and it will be a fiscal disaster. It is interesting, the Taxpayers for Common Sense and others in the Green Scissors Coalition are going to come forward to point out how this is a lost opportunity that is going to cost the American taxpayers billions and billions of dollars.

It is sad that a country with less than 3 percent of the recoverable supply of the world's oil, and as we have talked about, much of it in ecologically important areas, we are going to be focusing on trying to extract every last drop and avoiding things that will put us in a positive position.

I would like to acknowledge that we have one of our other colleagues who is with us here this evening. Time is winding down, but we could not not acknowledge the leadership and advocacy of our colleague, the gentleman from the Puget Sound area of Washington (Mr. INSLEE), from the Seattle area, a gentleman with whom I was pleased to take a tour of the Arctic, as we saw what was on the line.

I say to the gentleman, welcome. I would yield to the gentleman for some comments about this critical area that I know the gentleman has spent so much time and effort to provide better alternatives for the people on this floor.

Mr. INSLEE. Mr. Speaker, I appreciate the opportunity to briefly talk about the Arctic, because we were on the banks of the Ivishak a couple summers ago. I have been to Yellowstone, I have been to Glacier, I have been to the Grand Canyon; and this area is the most biologically dynamic place I have ever been, one of the most beautiful places I have ever been in my life, and certainly it will not solve our energy needs.

People sort of feel about the Arctic the way they feel about the Mona Lisa. They may not get to see the Mona Lisa. The advocates of drilling are saying it is going to be a small footprint, just a relatively small oil production facility. I think that is a little bit like putting a small mustache on the Mona Lisa.

□ 2015

It is small, but it is still disfiguring, and Americans do not want it.

I hope that we will have an opportunity to offer a new approach to energy in this year's debate that is akin to a new Apollo energy project for America that will be as bold as the Apollo project that John F. Kennedy stood in this Chamber in 1961 and challenged America to go to the Moon in 10 years. We think the U.S. Congress ought to be challenging America to go to a future of self-reliance in energy to break our addiction on Middle Eastern oil, to adopt and embrace a goal of reducing our global warming gas emissions and, in fact, grow jobs in America.

That is what we need, a visionary, bold, creative energy policy; not one that relies just on the technologies of the past, but one that will, in fact, engage the American talent and that can-do spirit.

We know that Americans have the most creative talent in the world. We have created most of the technologies of the last century. Now it is time for us to create the energy technologies of the next century. We know the world will beat a path to the door of the country that does this. We do not think we should give these markets of wind turbines to Denmark, or the market for fuel-efficient vehicles to Japan, or the market of solar power to Germany. We believe those jobs should be right here in the United States.

So we hope to offer, and in fact, we will be going to the Committee on Rules tomorrow, to offer America a new Apollo energy project which will, in fact, attempt to use all of our sectors in a creative way; to do research on coal to see if we can find a way to sequester the climate-changing gases of coal emissions; to help both consumers in the auto industry to get more fuel-efficient cars; to help our local domestic auto manufacturers with tax breaks for the retooling expenses they are going to need to make fuel-efficient vehicles; to help improve some of the productivity of some of our oil wells in our domestic facilities now. Because we believe that America ought to adopt the can-do spirit of a new vision of energy, rather than simply relying on the old, the old types of technologies that we have used.

So I appreciate the opportunity to talk with the gentleman. In fact, we may be back tonight or tomorrow to talk some more about that.

Mr. BLUMENAUER. Mr. Speaker, I hope we are able to. I appreciate the gentleman focusing on the fact that we have had a tremendous technological series of advances in this country, and it is time, first of all, to make sure that we do not lose control of some of those, and that we blaze a trail for the future. It is stunning to me that we have an opportunity to give a little nudge to some of the promising technologies, some of the fledgling enterprises, all across the country. And I know the gentleman has been visited by people from our own Pacific Northwest who are on the cutting edge of

being able to give a little bit of a push, a little bit of incentive, to have the government step up and lead by example.

Our Department of Defense, for instance. I had been talking earlier about my personal dismay that this administration is bent on somehow exempting the Department of Defense, the largest manager of infrastructure in the world, and, sadly, the source of some of the most serious pollution. Rather than encouraging, rather than giving the resources to clean up after themselves, they are talking about exempting from the Clean Air Act, the Clean Water Act. I know the gentleman from Washington has given thought to the notion of what will happen if we gave a little bit of the money we are giving now to the Department of Defense, almost \$1 million a minute, if a little of that were devoted to making sure that we had the most energy-efficient military in the world.

Mr. INSLEE. Mr. Speaker, if the gentleman will yield for a minute, I am glad he brought this point up, because we out in Washington State think the administration's effort to essentially gut, and it really is gutting, five major environmental bills for the Department of Defense activities is seriously misguided. The reason I say that is out in Washington, we have a whole host of military establishments. We have the Akamai Firing Center in eastern Washington. In my district we have the Bangor Nuclear Submarine Facility. We have the Puget Sound Naval Shipyard. And at every single one of those sites, we have had the Department of Defense work with our local communities and we have solved some of the environmental challenges without any great failure of training or security.

The Department of Defense has worked with these local communities to solve a problem with the sage grouse at the Akamai, to solve the problem of water quality in the Puget Sound Naval Shipyard, to solve a salmon habitat issue at the Bangor facility. And this proposal to gut these environmental protections is really a solution looking for a problem, because the Department of Defense in the State of Washington, one of the most heavily defense-oriented places in the country, has not experienced any particular qualm or difficulty in solving this problem.

Mr. BLUMENAUER. Mr. Speaker, I think that is telling. There is already, as the gentleman well knows but unfortunately the public is not aware, there are opportunities in the case of national defense exigency for the suspension of this legislation. But the gentleman raises a point that mirrors my experience time and time again. The characteristics, the leadership, the training, the commitment, that makes our men and women in the Armed Forces the finest fighting force in the world also makes them uniquely qualified to solve problems. And when they are given an opportunity, whether it is

building a green building, whether it is solving an environmentally difficult problem, if we give them the order, the resources, the clearance, I am stunned at the progress that can be made.

I am likewise troubled, and the gentleman comes from the State that probably more than any in the country bears the scars of past shortcuts environmentally. We could talk about an area the gentleman is well aware of in terms of the Hanford Nuclear Reservation where we were in a rush to develop nuclear weapons before the Nazis, but now we are spending billions of dollars a year to clean it up.

Mr. INSLEE. Mr. Speaker, if the gentleman will yield, that is true. And the Hanford site, this is going to be a 50-year recovery effort.

But some of the problems in the State of Washington, perhaps less known, but every bit as concerning, are water quality issues now, of some of the toxic chemicals that have been, by necessity, associated with the Department of Defense sites. And I can say without hesitation that the people of Tacoma and Federal Way and Paulsville, Washington do not believe it is necessary to allow a degradation of their drinking water standards in their kids' drinking water in order to have the most secure Nation we have. And the reason they are confident of that is they have seen the dedicated men and women of the Army and Navy work with these communities to solve these problems.

So they cannot understand why this administration would come in for what appears to be simply ideological reasons and gut the protections that have assured citizens that their Federal Government is not going to let tetrachloride or some of these other heavy metals get into their drinking water. It just does not make any sense to them when we have been able to solve these problems because of the flexibility that the gentleman alluded to.

So we hope that this effort will be beaten back and that the common sense that has been used, both by the Department of Defense and our local towns around this country, will prevail.

Mr. BLUMENAUER. Mr. Speaker, the gentleman raises very important points from his own experience.

I had been working on areas of military toxins and unexploded ordnance, and have been frankly amazed at the breadth of the problem, in every State in the Union, coast to coast, areas right here in the District of Columbia. Eighty-five years after the conclusion of World War I, there are still cleanup operations taking place on the American University campus, which was the site of American chemical weapons production and testing during World War I. We have yet to clean that up, not because the men and women in the military do not know how to do it, but it has been a failure of commitment on behalf of several administrations, including this one. Congress has been

missing in action. At the rate we are going right now, it is going to take potentially 500 to 1,000 years or more to clean up from the problems of the past.

We have some signature areas. The Massachusetts Military Reservation, there is water pollution that threatens all of the water for the Martha's Vineyard area, but it is almost every district, every single State. Right now, we do not even know how many million acres are polluted, for instance, with unexploded ordnance.

I think the gentleman's point is well taken. I am hopeful that we do not suspend these five critical environmental laws. Not only will it put the health of the American public at risk, but it also threatens the men and women in the military who are around these areas.

And, last but not least, we face a situation now where there are some problems of military readiness. There are fewer and fewer areas that the military can train by going in, treating them right, cleaning them up, solving environmental problems. It is going to save the military problems in the long run, and it is going to extend the life of these scarce areas where important training takes place that is critical to military readiness.

Mr. INSLEE. Mr. Speaker, if the gentleman will yield, he just prompted a thought.

One of the problems on this sort of assault on environmental protection by this administration is that it is not just one front, it is a multifront assault on environmental protection. One that the gentleman just alerted me to is the attempt to weaken our ability to successfully prosecute Superfund toxic waste dump cleanups, and the gentleman may have talked about this this evening, I do not know. But in my district, I live right across the harbor from a site called the Waco Creosote Plant. It was an old creosote plant, where a lot of the lumber they brought in, in fact some I think may have gone to the Panama Canal construction project, was created there. Creosote is really effective at killing little bugs that might get into your pilings, but it is very, very toxic. It has some very, very nasty chemicals in it.

That stuff is on a point at a harbor right across the bay from where I live on a little island just west of Seattle. That Superfund site now, to clean it up, is costing tens of millions of dollars to successfully clean up that creosote, because it is leaking into Puget Sound now, and that stuff is a carcinogen and we believe it has caused some pretty awful things to happen to the fish that a lot of people like to eat. In fact, the shell beds, the shell beds are closed around this area. You cannot eat the clams and oysters and the like.

But the administration, despite the ongoing demand to clean up not this one, but thousands of toxic waste dumps around the country, has decided not to fund those by canceling the tax that would pay for this cleanup. That are now paid by the polluters. Before

we have had a policy that the polluters will pay to clean up this pollution, rather than John Q. Citizen. This administration wants to take the cost of the cleanup of this creosote toxic waste dump, and there are thousands arose the country, and take it off of the polluters who put the creosote in the ground, who should be morally, ethically, and legally responsible for that, and put it over on the taxpayers, so the taxpayers have to pay for this cleanup.

Well, I can tell the gentleman that my neighbors do not think it should be their job to clean up the creosote that these companies put in the ground, because they were not following the law for decades. And we believe the administration is flat wrong in trying to take care of these special interests by putting that enormous cost of these cleanup efforts on to people who are playing by the rules, earning a paycheck, paying their house payment, and they are now having to pay their taxes for that Superfund cleanup.

Mr. Speaker, it is one manifestation of how special interests here in this Chamber have got their way when they should not get their way. These cleanups ought to be borne by the polluters. Not only is it an equity issue, but the clear fact of the matter is that because of the costs associated, these are billions and billions of dollars, one little cleanup on my little island, it is about 16 acres, is going to cost something like \$20 million or \$30 million, and we need to repeat that across the country to keep this stuff out of our water. If we do not keep that polluter-pays concept, these jobs are not going to get done.

So this is related to the issue, and I just want to point out that it is not the only assault that we suffer.

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Mr. BLUMENAUER. Mr. Speaker, I appreciate the gentleman's comments. I appreciate his leadership and look forward to working with him on energy, on defense, and on the areas generally of making sure that we are strengthening, not weakening, our environmental protections.

In conclusion, Mr. Speaker, I know the time is about up, I know you will be disappointed, but I want to summarize because it is important for us to be working with friends like the gentleman from Washington (Mr. INSLEE) and others to focus on actions, not just rhetoric.

And one of the things that I have found most disconcerting as I have watched what this administration has done is taking Mr. Luntz's advice to not be rolling back regulations but, as they call it, updating Washington's rules on the environment. Now, he has been encouraging Republicans not to attack the principles behind environmental protections, but to try and shift things around in terms of the regulatory configuration. Well, the Bush administration has made significant and far-reaching changes to environ-

mental protections since the President assumed office. But not through outright legislation, not putting it before the American public and having a discussion about what our values are, what we are trying to protect and how best to encourage more environmental protection.

We have been having a series of late Friday afternoon rule changes and clarifications at a time when asthma and cancer rates are on the rise. When people in Alaska are seeing tropical insects, when we are having roadways buckle, permafrost is disappearing, the public knows that we should be strengthening, not weakening, environmental laws. We are not just seeing a broad depth and breadth of changes, but we are seeing them done under the radar screen. For example, we have seen a series of rollbacks occurring on Friday afternoons, during the holiday season, when Congress is not in session and when the public's attention is diverted. For example, the EPA announced its biggest rollback of the Clean Air Act since its inception on the afternoon before Thanksgiving and another on New Year's Eve calculated to try and shield the action from the public.

Three of the most egregious rollbacks occurred first earlier this year when we had proposed changes to the Clear Water Act that will have sweeping impacts on 20 million acres of wetlands across the country. Now, these rules changes were in response to a Supreme Court decision that very narrowly interpreted the Clean Water Act and brought attention to what bodies of water the act should apply to.

Now, instead of advancing clarifying legislation that would make clear we want to protect these precious wetlands, half of which are gone already, some communities have lost 90 percent of their wetlands, deteriorating the quality of water, increasing threats to flood, instead they have proposed leaving out lots of, these appear to be de minimis efforts, they want to talk about creeks, small streams, natural ponds, types of wetlands like bogs, marshes, prairie potholes. These will all be waterways no longer protected by the Clean Water Act. They sound de minimis, but they are part of the critical green infrastructure that has protected our communication for generations. Now they will all be vulnerable to dredging, filling, and waste dumping.

I mentioned earlier the confusion surrounding the snowmobiles in some of our country's most beautiful national parks. During his Presidential campaign, candidate Bush spoke of protecting national parks as an ongoing responsibility and a shared commitment of the American people and their government. The budgets, I will mention, cut funding to this ongoing responsibility. And even though the public has spoken out again and again in favor of banning snowmobiles from areas like Yellowstone, the administra-

tion announced last November a proposal to increase the number of snowmobiles in both Yellowstone and Grand Teton National parks by 35 percent.

Now, against the wishes of the American public, the EPA, the National Park Service, the administration has decided to jeopardize the health of the park's ecosystem and employees in areas that President Bush in the campaign referred to as "silent places unworn by man."

Finally, I want to mention, Mr. Speaker, the environmental rollback that will have a significant impact in my community in the Pacific Northwest, the national roadless policy. Near the end of his term, President Clinton restricted logging and road building in almost 60 million acres of national forest. This was after the most extensive public input process in the history of our national park system. There were over a million and a half public comments. Over 600 public hearings. Well, a district judge in Idaho placed an injunction on the rule. The Bush administration did not choose to contest it. Luckily, in one of the few victories that those of us who care about the environment have had recently, the 9th Circuit Court has upheld the roadless rule, which will effectively protect it for the time being. But this reckless degradation of our Nation's air, water, forest, and soil protection will have a severe and long-term impact on the planet, leave a far greater legacy of environmental problems that our children, not us, our children will be left to manage.

And I hope that the American public will focus on what Republican consultants like Frank Luntz are suggesting, understand the significant impacts of environmental rollbacks proposed, and understand that there are significant opportunities, not just for the American public and the environmental community, but significant environmental opportunities like I mentioned this evening in terms of environmental clean up with the Department of Defense that will save tax dollars, that will protect the environment for generations to come, that will improve military readiness, and not be at the expense of the health of our communities or our men and women in the fighting forces.

I hope that instead of greenwash, instead of rhetorical flourishes, instead of dodging the issues and obscuring the record, I hope that the administration will join with people on both sides of the aisle who care about the environment and give the American public what they request in terms of livable communities, protected open space, clean air, and clean water. It is within our grasp. It is within our budget. I hope that it is within our will before we adjourn.

#### WHY WE NEED AFFIRMATIVE ACTION

The SPEAKER pro tempore (Mr. KLINE). Under the Speaker's announced

policy of January 7, 2003, the gentleman from Florida (Mr. MEEK) is recognized for 60 minutes.

## GENERAL LEAVE

Mr. MEEK of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the subject of the Special Order today.

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

There was no objection.

Mr. MEEK of Florida. Mr. Speaker, every week the Congressional Black Caucus comes together here for an hour on the floor to not only speak of events that took place in the Congress but also in our Nation. And this week we are coming together as a caucus and to be able to share with Americans and those that came to Washington, DC, on April 1 of this month to march in front of the Supreme Court on the march on Washington.

We rise today to commend the courage of these college students and young adults that participated in the march, held forums and also held workshops on affirmative action and the positive benefits of it.

While the marchers were assembled in front of the Supreme Court, men and women of every color, every nationality stood together in front of the Supreme Court, whether it be in front of the bench as proponents or opponents of affirmative action or behind the bench with the responsibility to uphold the Constitution.

Students came from far and wide, from as far as California, as close as here, right here in Washington, DC, to be able to speak on behalf of those who did not have the opportunity to speak for themselves on that day. 250 colleges, universities, high schools, middle schools, and other community organizations mobilized themselves for this national march on Washington with thousands attending.

Today we commend them, today we commend them for fighting for our children. I commend them personally for standing for my 5-year-old and 8-year-old son and daughter. These students participated for equal justice. They marched for equal opportunities. They stood for equal protections side by side, men and women alike. So they have come without any reservations. Some stayed out overnight in front of the Supreme Court just to hear, just for a moment or two the arguments that were argued on that day.

Some did not get an opportunity to go in. Some traveled all night. Some students missed class and had to go back and make those classes up or exams. Some had to ask their loved ones to take other loved ones to the doctor, to feed their children, to be able to do things that they would ordinarily be doing if they did not have to come to Washington. But that is all part of our democracy that we cherish and that we love.

Tonight you will be hearing from members of the Congressional Black Caucus commending these students and other Americans for participating in this democracy, standing on behalf of equal opportunity, standing on behalf of fair play for all that makes America great.

We want to make sure that organizers and those individuals that came to march here on Washington know that not only are Members of the Congress but members of the military are supporting them 110 percent for standing for what they believe in. And tonight, Mr. Speaker, I would like to recognize some Members to be able to speak before us and share some comments as we go to not only commend but also talk a little bit about the importance of affirmative action.

Our chairman, the distinguished Member from Maryland (Mr. CUMMINGS), Mr. Speaker, I would like to recognize at this points.

Mr. CUMMINGS. Mr. Speaker, I thank the distinguished gentleman for yielding, and I also will take a moment to thank him for organizing this Special Order on behalf of the Congressional Black Caucus.

Mr. Speaker, I rise to applaud the young Americans of our time who by the tens of thousands are standing up for what Dr. King dreamed about. They stood on the streets of our Nation's capital as my colleague, the gentleman from Florida (Mr. MEEK) said, many of them sleeping in the cold of night, trying simply to make a difference.

Last week, lawyers argued in the Supreme Court debating the merits of the University of Michigan admissions case. As the justices pondered the constitutionality of policies of inclusion in America's great public universities, young Americans of every racial background marched for justice on the streets of Washington, D.C. These young people filled my heart with hope and pride, Mr. Speaker. They fully understand, as Dr. King often declared, that to change America for the better we must be prepared to exercise the full measure of our citizenship. And they also understand that their acts of citizenship are inextricably intertwined with universal educational opportunities.

I should also note, Mr. Speaker, that last week America marked the anniversary of that tragic moment in 1968 when Dr. King was killed while standing up for what is simply right. A growing number of young Americans are honoring that sacrifice in our time. They are determined, as members of the Congressional Black Caucus are, to realize Dr. King's dream for America now, not in some distant time. They understand that a dream deferred is indeed a dream denied. They care about somebody other than themselves. But more than caring, they were willing to share their time, their convenience, and their efforts to speak out.

It has often been said that so many people measure their responses to a cri-

sis by the level of their inconvenience. In other words, if they are going to be inconvenienced, they do not do anything. And it is so pleasing to see these young people know that they were going to be inconvenienced but still stand up.

Mr. Speaker, those who cite Dr. King's dream to support their assertion that this Nation must be color blind to the racial exclusion that continues to plague America should take the time to read what Dr. King actually had to say. I recall for you and for this House that Dr. King once wrote a book entitled "Why We Can't Wait."

Anyone who reads his words will understand that the unwaivering focus of Dr. King's life was his unrelenting struggle for universal justice and inclusion in every important area of American life.

Mr. Speaker, the peaceful demonstrators out there on the Capital's streets last week were advancing a simple, eloquent, and peaceful demand for more justice and opportunities in their lives and, yes, for generations yet unborn. They were marching in the footsteps of heroes like our good friend and colleague, the gentleman from Georgia (Mr. LEWIS), and the recently departed Reverend Josiah Williams.

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JOHN LEWIS' contribution to America reminds us that the men and women who led that 1965 "Bloody Sunday" march for voting rights across Selma, Alabama's Edmund Pettus Bridge were also young and brave.

So I rise today, Mr. Speaker, to declare that the young Americans of today are determined to change our future for the better. They have the seed of greatness within them. They believe that they too can change the course of history and change the course of destiny. They are justified in this faith. Principled acts of citizenship convinced Virginia Tech's Board of Regents just last week to restore that university's policy of inclusion.

Mr. Speaker, from their college dormitories and homes throughout the United States, the young people of America are watching what we say and do in this great chamber of democracy tonight. They have sent us a powerful message and they are waiting to see how we respond. Their message is the same challenge Dr. King delivered in the years of my youth when he said, "Now is the time for all of us to move forward, not retreat, on the road toward a more just society." Dr. King declared, "Now is our time. We cannot wait."

Today, our young people are reminding us that their lives are moving forward in time. They are telling us that they deserve justice and opportunity now. And we who hold national positions of trust should be listening to what these young Americans are saying, Mr. Speaker. We must listen and we must act accordingly and we must synchronize our conscience with our conduct.

As I bring these brief remarks to a close, permit me to recall for you what Dr. King declared during a freedom rally in St. Louis back in 1957. He said, "The destiny of our Nation is involved. We can't afford to slow up. The motor is now cranked up." Dr. King went on to say, "we are moving up the highway of freedom toward the city of equality. We can't afford to slow up because our Nation has a date with destiny."

I was a small child when Dr. King spoke in St. Louis about our national date with destiny, Mr. Speaker. Now our own children's shared destiny is at stake, whatever the color of their skin may be. And we are the ones to whom they are looking for a renewed America of universal opportunity.

We must do what is required, Mr. Speaker. America's young people cannot wait, and we thank them for being impatient.

Mr. MEEK of Florida. Mr. Speaker, I just want to, number one, commend the gentleman from Maryland as not only chairman of the Congressional Black Caucus, but being a part of this, how should I say, coalition of not only Members of Congress, not only black Members of Congress or women of Congress, but Members of Congress that commend the organizers for bringing forth a march to be in support of affirmative action. Even though it was being argued in the courts, as we know, and as I mentioned that the retired military generals filed a brief in this case, I am looking forward to talking a little more about this tonight and also about the U.S. corporations as it relates to the diversity of what Dr. King talked about so long ago which has made America what it is.

But I just want to congratulate the gentleman on behalf of myself, this Member from the 17th Congressional District in Florida, with regard to what the Congressional Black Caucus is doing in relation to sticking with this issue in the halls of Congress and also encouraging those to do what they are doing now.

Mr. CUMMINGS. Well, I thank the gentleman for his comments, Mr. Speaker. As we engage in this dialogue this evening, I cannot help but think about the mayor of Detroit. I shall never forget when he won, a young man who had been prepared for that. He had had an opportunity to get the kind of education that he needed to run a city, and a major city. It is just amazing to me that so often our young people are at the point of taking and grabbing ahold of opportunity, but they have to be equipped to do it.

So this is what this is all about. These young people were not out there partying, they were out there trying to cut a path and say, look, we are going to make sure in our time and in our space we make a difference for those future mayors of Detroit, so that people so often overlooked will have opportunities to lead and inspire others.

So I think this is one of the greatest things that our caucus could do to lift

up our young people and salute them for all that they are.

Mr. MEEK of Florida. Mr. Speaker, I am going to yield now to a distinguished gentlewoman who is a member of the Committee on Appropriations, the gentlewoman from the 13th Congressional District of Michigan (Ms. KILPATRICK).

Ms. KILPATRICK. Mr. Speaker, to our fine colleague, the former State Senator and now Congressman from Florida, for coming in and taking the mantle of leadership by the hand and helping to move our country forward, I want him to know he is to be admired. He is certainly a fine symbol for young people all over this world to know that when we speak up and have a conscience about what we believe, our families are better, our people are better, and our countries are better. So I thank the gentleman for coming here. He really had big shoes to fill, but I want Mrs. Carrie Meek to know that he is doing a wonderful job and we are very proud of him.

I am honored and privileged to be here with my colleagues tonight for what I consider to be one of the most important issues we will ever consider during my stay here in this United States Congress. The young people of America and the citizens across this country by the tens of thousands came to Washington, D.C. last Tuesday, April 1, to speak out and to demonstrate, to assemble, as our Constitution allows, to say to the world that we do not want our country to go back. We want to go forward. We are the sons and daughters of this civilization, and we believe that if we can go to war, we can also go to the universities, and that the doors of the American universities funded by public dollars must stay open.

It was wonderful to see all the people there. And I want to particularly talk about the young people, the young faces that were there last week. I am a graduate of the University of Michigan, Ann Arbor, Michigan. I was born and raised in Michigan all my life. I think it is not coincidental that this case being heard is from the University of Michigan. This university of over 35,000 students for many years has produced leaders for this country, and has produced fine scientists and teachers and engineers and other kinds of people, like so many other universities around this country.

This is not the time to wipe out opportunity. It is a time to expand opportunity so that all God's children can have a higher education experience. I believe that education is the key to a person's life. The more of it that one gets, the more interaction one has with people like oneself, but also people who are different than we are, who come from different backgrounds, this prepares us to be the kind of citizen who can lead anything, who can make this country move forward, and can even, yes, serve in this United States Congress.

So the young people who came, my colleagues, and I know we all saw them from all walks of life, from universities all over this country, they came to say to this Supreme Court, please do not shut the door of opportunity now. We are ready. We have been raised, we have excelled, and we need you to keep the doors of our public universities open.

Now, this case at the University of Michigan not only affects that university, as my colleagues know, but educational institutions all over America. Over 100 businesses have filed amicus briefs with the court. General Motors, headquartered in my district; Microsoft, and many other corporations in this country have filed briefs to say that a diverse workforce not only strengthens our companies and helps to increase the bottom line, but allows our workers to have the mix and experiences of not only their own ethnicity but those of others. So this is not the time, the corporations are saying, to turn the clocks back.

As my colleague mentioned earlier, General Schwarzkopf and others, the highest elements in our military commands, have supported the university's admission policy. They are saying do not go back. The beauty of our Armed Forces, yes, as we fight today in two foreign lands, in Afghanistan and also in Iraq, keep the doors of opportunity open. These are generals, former generals in our armed services, who know that a diverse military is what best serves our country and they are supporting the University of Michigan's policy.

We all need to be aware, too, that not only the young people who were here from all over the country, but the young students at the University of Michigan raised \$50,000 themselves, sent 12 buses of their children, young people, to this Capitol of our United States. After the march, at noon, they had another rally where thousands of young people came and said, Congresswoman, we are here because we want the court to hear us. We want the court to know that we will do whatever is necessary to be the best that we can be, and we want the court to keep the opportunity for doors to be open so that we can raise our children to have the best opportunities in life, so they can be the best citizens they can be, and we believe an education is the key to that.

As was mentioned, I am a graduate of the University of Michigan. The two cases before the Supreme Court, one for the undergraduate school, talks about a point system. There is a base of 150 points that can be had. A student needs 100 points to be considered for admission. At least 80 of those points they get from scholastic ability, from middle school right through high school, with the SAT scores. So 80 points of that 150 can come from the academic achievements from middle school right through the high school experience. Then there are about 15

other categories, my colleagues, where other points can be had. For instance, if someone had a father or a grandfather go to the university, they get what is called legacy points. If a student is from Michigan and they live in the upper peninsula, they get a certain number of points. If they are from a socioeconomic background that is low and they need help, they get points. If they are an athlete, they can also get points to add to that. If they are from a minority class, African American, Asian American, Latino American, or Native American, they can get points.

It is amazing to me, with those few that I mentioned and at least 10 others, why are we singling out the ethnicity of that category? Why not the legacy points? Why not if a student lives in an underrepresented county, like the upper peninsula? This is not the time now to put the race card in American society. We have our hands full just keeping the doors of opportunity open for all our institutions of higher learning. This is not a time to confuse our young people by telling them, yes, you can go fight on the front line, but, no, you cannot go to the university. Something is inherently wrong with that.

And what those beautiful students and young people said last Tuesday was, no, America, no, Supreme Court, do not take our country back. Let us move forward in the greatness that this country is.

I had an opportunity to sit in the Court last Tuesday. It was a wonderful experience. The young people were also there in the Court, those who could get in, and we heard the arguments on both sides. We know now that the Supreme Court will be deliberating, some say June, some say right through the end of this session, which will be later on in October-November when the Court is finished before we get our decision. What we need people to do now, who believe that America should be open for its citizens, for all citizens, that the public universities of this country should not be closed, that the military opportunities should not be shut down, that corporate America continues to grow and expand and create work environments that all people from all backgrounds can participate in, if they believe in a just and open America, we need them to fax, to e-mail, to write and to call the nine justices of the Supreme Court.

Those nine justices will be determining in the next several months whether the admissions policy should be upheld or if it should not be. So those who are listening tonight, and we are happy that we are able as the Congressional Black Caucus to bring the information to them, they should let their voices be heard. They need to speak out through fax, e-mail, writing or calling and let the justices know. This is the greatest country in the world. We want to maintain that. Education is the key to that.

Young people have stood up to say that we are here on the steps of the Su-

preme Court to ask our Court, our justices, to keep justice in America. Keep the doors open. I am very proud of the young people. I want them to know that many years ago, during the 1960s civil rights movement, I was one of those students.

□ 2100

Speak out against injustice. Our Constitution allows us to demonstrate and to assemble when we think something is wrong. Some countries do not have that opportunity. The University of Michigan is a fine university, as are universities all over the country. What happens with this decision in the Supreme Court will determine what kind of country we live in in the next 10, 20, 30 years of this country. Stand up America. I thank the young people, and continue the struggle because it is young people who must keep America strong, and it is you who must have the opportunity to raise, defend, and build your families. God bless you. We are so proud of you.

Mr. Speaker, it is indeed an honor and privilege to address the floor this evening and acknowledge the efforts of the young people from throughout our Nation who mobilized to travel to Washington, DC to demonstrate in support of the ideals associated with affirmative action and the historic cases being considered by the Supreme Court regarding the University of Michigan admission policies for the law school and the undergraduate program.

I am especially pleased to commend the efforts of the students who traveled from Michigan to demonstrate their support for, and commitment to the University's affirmative action policies. The efforts of U of M were particularly gratifying to me. I am an alumnus of the University. I am a witness to the virtues of affirmative action policies enacted by U of M.

On April 1, on the steps of the Supreme Court, I was also a witness to the assemblage of people from around the country, but especially from the great State of Michigan who braved the elements and other obstacles to form a coalition believers and supports of affirmative action.

I am personally aware of the sacrifices the students made to come to Washington, DC. The students were responsible for raising over \$50,000 and bringing 12 buses of students. The shining faces and fervent voices of the students were a sight to behold. Their efforts were a testament to the importance of preserving affirmative action, and a message to the Supreme Court Justices to do the right thing. I salute the students and pledge to them I will continue to fight on behalf of affirmative action. Finally, I offer my heartfelt thanks to each and everyone of them for joining the coalition of black, brown, yellow, red and white supporters of affirmative action.

Mr. MEEK of Florida. Mr. Speaker, I thank the gentlewoman for assisting in the organizing and assisting young people coming to Washington, and also the pride and energy that I hear in her voice of this generation and generations after this particular generation to be stimulated and motivated to continue to struggle in the fight for equal opportunity. We appreciate the entire

State of Michigan, the Motor City for what they did, and the corporations for standing for what is right in this country.

Ms. KILPATRICK. Mr. Speaker, let me add that the mayor of the city of Detroit was here representing the young people. He is 32 years old and attended a historically black college; he is now a lawyer. It just demonstrates we can be anything that we want to be if we just rise up and speak out and be the very best that God asked us to be.

Mr. MEEK of Florida. Mr. Speaker, I yield to the gentlewoman from the District of Columbia (Ms. NORTON), who has appeared before the Supreme Court as a lawyer many times.

Ms. NORTON. Mr. Speaker, I thank the gentleman for his leadership this evening. I want to say to the gentleman that his leadership is especially appropriate because this Special Order is devoted to actions inspired by young people, many of the age or close to the age of the gentleman who leads this Special Order. He well may be the youngest member of the Congressional Black Caucus, one of the youngest Members of Congress; and what we are here to talk about tonight has everything to do with young people and what they themselves initiated on April 1, first by some of them staying up all night in order to prepare for the rally and to get into the Court, others coming to go to a town meeting at Howard University convened by the Chair of the Congressional Black Caucus at a wind-up rally.

Now April 1 is April Fool's Day. That is not why we are going to remember it this year. We are not even going to remember it first and foremost because the University of Michigan case was argued on that day. The University of Michigan case is largely to be remembered by the date it is decided, not the date it is argued. That is how we remember Supreme Court cases; but even that is not how we are going to remember April 1, 2003.

I think we are going to remember April 1, 2003, as the day that gave birth to a new American civil rights movement, a second American civil rights movement. This is not my characterization. This is how these young people title themselves, and if I may say what their long title is, Coalition to Defend Affirmative Action, Integration and Fight for Equality by Any Means Necessary, which they have boiled down to the acronym BAMN. They came from everywhere. They came from every college and university in the District of Columbia, and they came from as far west and as far north as we can go. It is amazing that these students poured in from all over the country. Why were the students here?

There is the stereotype the courts read the newspapers, and the courts read the election returns. We all know that courts are independent and that even rallies cannot and must not decide how courts rule. Black people know that most of all because if rallies

or public opinion could have decided how courts rule, we would never have gotten *Brown v. Board of Education* in 1954 when the majority of American people in the South were not for integration of public schools. Courts are independent branches of government which must rule by the rule of law.

So why were the students here? The students are very sophisticated. That is why they did not call themselves the students to influence the University of Michigan case before the Supreme Court of the United States. They have called themselves the second civil rights movement. They knew they were bigger than this case, and they knew that the Court when it raises its hand must rule on the law as they see the law. I think this Court has been real wrong on the law, but they knew that they were not going to essentially affect this Court, even those who argued the Court are trying to affect one justice in a closely divided Court where frankly we have lost most of these cases 5-4, not won them. They knew by what they called themselves, which did not even have "Supreme Court" in the title that what they were doing on April 1 was much bigger and more important than any single case in 25 years since the *Bakke* case was decided. They knew that they could be in worse shape than their parents were because many of their parents were like the Member, the gentlewoman from Michigan (Ms. KILPATRICK), who went to the University of Michigan, and here she is with grandchildren who may not be able to enter the University of Michigan on that same basis.

It took 100 years after the Civil War to get to the enforcement of the Civil War amendment, so the notion of getting as far as we have gotten, which is not even halfway home, is not what this generation is about. This generation has been touched finally by this issue, affirmative action, as they have not been touched by any other issue.

I am not critical that they have not been touched by any other issue because these are the beneficiaries of the civil rights movement. They mean to see that they continue to be beneficiaries of the civil rights movement and that they are not the generation that lost the benefit of the civil rights movement.

My generation, and I see the gentleman from Georgia (Mr. LEWIS), who I know from the Nonviolent Coordinating Committee, and back then the entire spectrum of discrimination and segregation was here. I went to segregated schools in the District of Columbia. Black people in the South could not vote, equal opportunity and employment was not available north, south, east or west, and housing discrimination was the order of the day. Inside of 15 years, a combination of court suits and Federal laws changed that, at least as a matter of law. As we know today, not entirely as a matter of practice, but as a matter of law.

*Brown v. Board of Education* began it all, and then there was the 1964 Civil

Rights Act, and it was my great privilege to enforce title 7 and a number of other statutes under that act. Then there was the 1965 Voting Rights Act, the 1968 Fair Housing Act. Here is the work of one generation, the so-called civil rights generation. Over. Done. Even we were not naive enough to believe that, but we did think that we would continue to move forward and would not be pushed back. But the only way not to be pushed back is to produce a new generation of freedom fighters, to produce what these young people tell us they are, a new civil rights movement; and that is who came to Washington on April 1.

These folks came to Washington. They did not go to where the gentleman from Georgia (Mr. LEWIS) went to Alabama or Selma, or to where I went, to the delta in Mississippi. They came to Washington. We went South because that is where we saw the threat to be. They came to Washington because they know that it is here that the threat is now. They know it because they see a President of the United States who has filed on the wrong side of a civil rights case, and that has not happened in a very long time. That has not happened in my lifetime. That President has placed himself on the wrong side of history, and they saw it and saw what kind of act it was.

They saw the threat at the Supreme Court which has already taken down affirmative action as far as it could go. Interestingly, and I want to praise and thank my colleagues, my colleagues have not passed a single bill that has taken down affirmative action. All of the problems have come from the Supreme Court, the 5-4 Supreme Court with us on the 4 end and they on the 5 end, and a lot of it has been in areas like contracting with implications for affirmative action and every other area as well.

These students from every college and university in the metropolitan region and in the country saw that the threat could well be in this Congress if the Congressional Black Caucus and its allies on both sides of the aisle did not continue to stand fast and say look, do not even go there. My colleagues know that we have had to say that. In the 1990s, we had to say do not even go to the floor with an amendment to take back affirmative action. We are going to close down this House if that is what you are going to do.

I will not say that is the reason that it did not happen; there were Members on the other side of the aisle who believed that was the wrong thing to do. I want to go on record right now paying tribute to my colleagues on the other side of the aisle that have kept that from happening.

Nevertheless, the threat is here. It is not where it was for the last civil rights generation. The threat is here that can carry us back to *Brown v. Board of Education*. Yes, they say that because that is the effect and could

carry us back to where most higher education in the United States of America was for whites only, and that is what it was for when I went to college.

Mr. Speaker, these students from colleges and universities around the United States simply put America on notice. They say, Court, do what you will and we hope you do the right thing; but whether you do or not, America be on notice there is a new civil rights movement in this country, and we are determined to finish the job that the gentleman from Georgia (Mr. LEWIS) and his colleagues in the civil rights movement began. We are determined to finish the work begun with the march on Washington, and we are determined to finish the work still unfinished. And as long as we need affirmative action and affirmative action is a remedy, it is temporary, it goes away when the job is done, the numbers are built in the system, they are there so long as it takes to get and keep a critical mass of the excluded coming in.

They say we are there as long as we see other indications of inroads into the work of the last generation, such as the judges that this President has continuously put forward. As long as he puts forward a Priscilla Owens, this generation says we will be there. Or as long as he puts forward a Charles Pickering, we will be there because the courts are the last great hope of any excluded people, or of any people treated unjustly.

They say, look, we see a whole new species of intentional segregation with racial profiling which largely affects the younger generation, young black people on the streets subject to being stopped because of their race, color, or ethnicity. As long as that is there, this generation has stepped up and said I do not know where my parents are, but I have not gone away. We are still here.

We come to simply thank these young people tonight and to encourage them to continue to take up the mantle and to say that we are going to do whatever we can to be with them and behind them. We have asked only one thing of this generation. We noted that they are underregistered, and we know if you are underregistered and if you do not vote, the powers that be will walk all over you because people pay attention to people who vote. We have asked them to make sure that their movement begins by getting every young person at their university registered to vote and out to the polls.

□ 2115

We recognize that the incentives that their parents had to vote, the New Deal generation, the World War II generation, the civil rights generation, the Vietnam War generation, are not there for this generation, but they have found their incentive in the University of Michigan's case. We applaud them for using that case as the catalyst to move forward with a new civil rights movement. We applaud them for making April 1 a memorable and historic

date for the people of the United States of America.

I thank the gentleman for yielding to me.

Mr. MEEK of Florida. Mr. Speaker, I thank the gentlewoman from the District of Columbia (Ms. NORTON) for her outstanding comments, and I want to thank those institutions of higher learning in the D.C. area that took just such a vital part in playing host to so many of these marchers.

Mr. Speaker, I yield to the gentlewoman from Texas, Ms. SHEILA JACKSON-LEE.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the distinguished gentleman for his kindness for yielding, and I likewise, Mr. Speaker, want to thank you for your leadership because you are presiding over, I believe, one of the more instructive hours that we have engaged in in terms of speaking to our colleagues and providing a history for this House, a history that has been painful, but I would admit a history that has seen bipartisan collaboration and recognition that this Nation is a much better place for correcting its ills.

Mr. Speaker, I serve on the House Committee on the Judiciary, and the experience has been both good and bad. I view it as one of the nobler committees in this House because it is a committee that cherishes the Constitution. But we have had our moments, and we have even had a moment when discussions of eliminating the desegregation orders to remove orders from districts that were engaged in busing was discussed prematurely. We even had amendments proposed to eliminate affirmative action. It was the wisdom of this House and the other body that saw fit to join with those of us to recognize that the time was not yet that we then were able to turn those amendments back.

Mr. Speaker, I think it is important to chronicle the history of African Americans in this Nation. Obviously slavery is well known, but out of slavery came emancipation. Those of us in Texas heard of it 2 years later, reconstruction that was short-lived in this Nation, and then the ugly head of Jim Crowism raised its head in the early 1900s. In fact, Mr. Speaker, George White stood in the well of the House after he was drawn out of this august body by segregationist legislators who drew out the last African American and said that the Negro would rise like the phoenix. I can see him right now, with a little suitcase and rope tied around it, in his eloquent voice suggesting that it may not be now but that the Negro would rise as a phoenix.

We went through the 1900s experiencing the tragedies of the deep South, the hanging trees as known to many of us. We saw our young men go off to both World War I and World War II but come back to a segregated America. Members of my family fought in World War II but, Mr. Speaker, came back to a segregated America. Korean War.

Vietnam War. We began to see changes when Thurgood Marshall argued before the Supreme Court. Then we moved with Rosa Parks who refused to stand up on a crowded bus in Montgomery, Alabama, and a young man named Martin Luther King took her cause. We came through that era, Mr. Speaker, and we had the Voting Rights Act of 1965 and the Civil Rights Act of 1964. We might be able to call that the second reconstruction. And it continued, Mr. Speaker, to the executive signing by Richard Nixon, bipartisan, a Republican, of affirmative action.

As we moved through the second reconstruction, many of us, the doors being opened, going into white institutions, thought for a moment that we would be able to lay our burdens down, that we would be able to find a resting place in this Nation where all of us could be treated equally. The Declaration of Independence says with certain inalienable rights of life and liberty and the pursuit of happiness.

But lo and behold, Mr. Speaker, we come to the 21st century, the age of technology, the age of promoting young people for all that they can be, and find ourselves in the Supreme Court. And might I just say today that all might hear, Mr. Speaker, I want all or nothing. I do not want a bifurcated hybrid decision. I will not accept it. I will not recognize it. My pronouncement will be, whatever the Supreme Court says in a hybrid decision, that this United States of America has denied me and the young people of America their civil rights. Frankly, Mr. Speaker, I believe that we have a unique chance in the world to show that America is better than that.

So let me thank the wonderful thousands of bright stars, by any means necessary, who I had the pleasure of speaking before them at the Lincoln monument. What an enormously powerful scene. I did not organize it. School presidents did not organize it. Congress people, Senators did not organize it. They organized it. And I want to thank them, and they will go down in history.

I would like to acknowledge, likewise from Houston, Texas, the Shrine of the Black Madonna and Reverend Fana; the NAACP, local chapter, the regional chapter; the Houston Area Urban League. I would like to acknowledge Reverend James Dixon, Community of Faith Church, as well as Carmen Watkins with Sunday Morning Live. All of this in Houston, by the way; 95.7 Power Radio and the Box 97.9, Ada Edwards. All of these were local people who were promoting the idea that we are Americans, too. Texas Southern University, holding a very unique Sunday town hall meeting, very difficult to do that, Mr. Speaker.

But what I would say is that our work is not done. For if the Supreme Court rules that affirmative action is unconstitutional, Mr. Speaker, all of what we built up in openness of contracting, in openness of creating oppor-

tunities to small and minority businesses and women-owned businesses and opportunities for education will be null and void, and we will be back in the history of the beginning of the 20th century when the ugly head of Jim Crowism raised its head. What a tragedy to be here in the 21st century when the ugly head of Jim Crowism will raise its head again.

Allow me to close, Mr. Speaker, with a slight bit of history. Right now the State of Texas is making noises about redrawing these voter rights districts. Here I go again. I believe I have run about six or eight times in the course of being elected to this Congress, because someone believes that the opportunity for many of us to select the person of our choosing is discriminatory, protected by the Voter Rights Act of 1965. It was in our State that the Solicitor General first came, not as a Solicitor General, to argue the Hopwood case and slashed the coattails of equal opportunity in the State of Texas. For the last 5 years or so, we have seen droves of our young people leave the State because of the inability to get into State institutions that they have paid taxes for.

The tragedy is, to the distinguished gentleman from Florida, who I join in his courageous effort to turn back the Jim Crowism in the State of Florida when 25,000 people marched against eliminating affirmative action, and we can claim victory in their presence, but the Solicitor General was the lawyer who argued Hopwood. Gratefully, that case went only to the Fifth Circuit, but it destroyed the institutions of higher learning in Texas for a number of years when they sent Hispanics and African Americans fleeing from the State. The tragedy is that this same gentleman became the Solicitor General, and rather than recusing himself because of the potential of bias, engaged in the discussion at the White House, creating, I think, a bias to go and have the United States of America, my tax dollars, the young men and women of years past, who served in wars past, who never reached their full promise because they came back to a segregated America, never reaching their dream, this United States of America went into the courthouse, Supreme Court on April 1, 2003, and argued against our interests. The first time, I think, in the last 50 years of civil rights litigation that the United States did that.

So, Mr. Speaker, as I close let me say, because I see such warriors on the floor like the gentleman from Georgia (Mr. LEWIS) and the gentleman from Louisiana (Mr. JEFFERSON), my good friend who was with me in Texas, many of us had the pleasure of being in some way affiliated with these civil rights movements, obviously some more at the forefront, but our histories are intertwined with the visions of these outstanding individuals and their leadership and their power. I simply say that I stand here broken-hearted but

not without strength, broken-hearted because my Nation failed me on April 1.

And so that is why, Mr. Speaker, in saying to these young people and encouraging them for providing this kind of leadership, applauding them and joining with them and suggesting that we will never go back, never turn the clock back, it is my pronouncement today that I will accept nothing but a full vindication of affirmative action in this Nation to the Supreme Court. Whatever hybrid they decide to give would be unacceptable and we will march on to victory and we shall overcome.

Mr. MEEK of Florida. Mr. Speaker, I thank the gentlewoman from Texas (Ms. JACKSON-LEE), and I want to commend her not only on behalf of Americans but also on behalf of myself and members of the Congressional Black Caucus for the workshop that she had in her district dealing with affirmative action prior to the Supreme Court hearing and commitment of those universities and individuals that she mentioned and those that went yet unmentioned, their contributions. So we thank her.

Mr. Speaker, at this time I can say that this is one of these moments that I am glad that God allowed me to live long enough for this moment to be able to have such a soldier on behalf of fair opportunity, equal treatment for all, someone that had marks on his body on behalf of this country, with many other patriots that are here and that have gone on.

I yield to the gentleman from Georgia (Mr. LEWIS), Member from the Fifth District, distinguished member of the Committee on the Budget and the Committee on Ways and Means.

Mr. LEWIS of Georgia. Mr. Speaker, I want to thank the gentleman from Florida (Mr. MEEK), my friend and colleague, for holding this Special Order, and I want to thank all of the members of the Congressional Black Caucus for participating in this order tonight.

I want to be very brief. I had gone home and I turn on C-SPAN, and supper was happening, and I was deeply moved to come to the House floor and to say something. So I want to thank him again for doing what he is doing because I think it is important that we take time to salute and pay tribute to the young people who came here on April 1. By coming here and standing at the steps of the Supreme Court, they were standing up for what is right, for what is fair, for what is just. They were standing up for the very best in America.

I remember when I first came to Washington many, many years ago in 1961, I was 21 years old, had all of my hair, and I was a few pounds lighter, to go on something called the Freedom Ride during those days in Washington, but throughout the American South, segregation was the order of the day. We saw those signs that said white waiting, colored waiting, white men,

colored men, white women, colored women. There was so much violence, so much fear, so much hate, and it was the students following in the tradition of Martin Luther King, Jr., in the tradition of Gandhi. So sitting in, going on the Freedom Ride, marching all over the country, and by marching, by sitting in or sitting down, really they have created the climate, the environment, to get the Civil Rights Act of 1964, the Voting Rights Act of 1965.

□ 2130

Nothing but nothing, I tell you, nothing moved me more in the last 50 years, or maybe in the last 40 years, than to see these hundreds and thousands of students really marching, protesting, exercising their constitutional right. In America we have a right to protest, as Dr. King would say, protest for what is right. This type of protest helped move our country to the point to get people to say yes, when they may have a desire to say no.

These young people believe in the Constitution. They believe in America. They, like many of us, believe in affirmative action. It is the affirmed inclusion, the participation of people, where they are left out and left behind. I like to think these young people were touched by the spirit of history. Sometimes there comes a time when you have to be moved by the spirit of history.

In 1960, 1961, 1962, and 1963 we did not have a fax machine, we did not have a Web site, we did not have a cellular telephone. We had the Constitution. We had our bodies. And that is what these young people had. They had ideas; they had the Constitution.

I think when historians pick up their pens and write about this period, Mr. Speaker, they will have to say that these young people that came to Washington on April 1, not just college students, high school students, elementary school students, by the hundreds and thousands, they started, as the gentlewoman from the District of Columbia (Ms. NORTON) said, a new civil rights movement.

I say to them tonight, and to young people and students all over our country, we will not go back, we will not stand still. We will go forward. We will create a truly interracial democracy in America. We will create a beloved community in America. For we are one people, we are one Nation. I say to all of these young people, keep the faith; do not give up, do not give in, do not give out, keep your eyes on the prize.

Mr. MEEK of Florida. Mr. Speaker, I thank the distinguished gentleman from Georgia for his contributions, not only in the past but in the present. We commend you.

Mr. Speaker, I yield to the gentleman from Louisiana (Mr. JEFFERSON).

Mr. JEFFERSON. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, we are witnessing today the best of the leadership of the civil rights movement, that of the past and

the present, and that of the present and the future, in JOHN LEWIS and in KENDRICK MEEK, a young Congressman who envisioned this hour for America.

Mr. Speaker, I rise to honor the many students that traveled all over the country to rally in support of affirmative action. Particularly I would like to acknowledge the many students from my own State, Louisiana, who made the journey. Students from Xavier, Southern, Grambling, Dillard, and throughout Louisiana, let me say I am very proud of you.

Martin Luther King, Jr., said, "Everyone can be great because everyone can serve." It is in this spirit that I have dedicated much of my life to public service, and I found it very encouraging that on April 1, 3 days before the anniversary of Dr. King's death, thousands of students honored him and all that he fought for by actively getting involved and actively serving as well.

Mr. Speaker, it is shocking to observe that 141 years ago, virtually every African American in this country would be somebody else's property. Just think about that: unable to earn, unable to learn, unable to hold wealth. It is this legacy of subjugation, of discrimination, of denial, over 400 years of segregation, that justifies affirmative action today.

If the government, and it did, took race into account to create this legacy of disabilities, then it is the government's responsibility today to take race into account to obliterate them. So it is particularly disappointing that 40 years later, after Dr. King's historic march to Washington, that we as a democratic Nation are still struggling to realize his dream; and 140 years after the emancipation of slavery, there still exists two Americas, separate and unequal, one black and one white. As one student's sign read: "Surely 400 years of slavery is worth 20 points."

Without affirmative action, these disparities will likely widen, not only in education, but also in employment and property ownership and income levels. Yet, as Dr. King noted, "Whenever the issue of compensatory treatment for the Negro is raised, some of our friends recoil in horror, because while they agree that the Negro," as he said, "should be granted equality, they believe that he should ask for nothing more."

I cannot tell you how proud I am of all our young men and women who have worked tirelessly in participating in efforts to demonstrate supports of the University of Michigan. Students of all races around the country have worked in some capacity to protest this attack on equal opportunity, realizing that any successful attempt would be a major setback for our society as a whole.

Numerous other students took action and demonstrated and spoke out on their respective college campuses, such as my daughter Akilah and other young people at her college who did not travel to Washington.

I was especially pleased to join the Black Law Students Association from my alma mater, Harvard Law School, as one of several counsel on an amicus brief. This brief was submitted on behalf of the Harvard Black Law Students Association, as well as those from Yale and Stanford.

As I stated then, I believe that we live in a country that affords us great liberties. However, for some Americans, the pursuit of these freedoms is hindered by tremendous barriers. Opportunities for some are limited because of America's sins of the past. Therefore, it is incumbent upon us to make conscious attempts to right these wrongs. Hence, initiatives like affirmative action.

Affirmative action in education programs, such as the one at the University of Michigan, looks beyond students' limitations and sees their potential, potential that may be realized if presented the opportunity. More importantly, affirmative actions, like the one at the University of Michigan, benefits not just African American students, but all students.

Mr. Speaker, it promotes a diverse student body, which provides an education that equips our future leaders, both black and white, with the capabilities to successfully function in a diverse society.

Mr. Speaker, it was our hope during the civil rights movement many years ago that we were fighting this battle now so that our sons and daughters would not have to fight it later. And though I am dismayed that still this fight goes on, even today, I am heartened by the tremendous number of fresh soldiers for civil rights, eager, active and capable of engaging in the battle and winning the struggle. I commend them all.

I thank the gentleman from Florida (Mr. MEEK) for yielding to me.

Mr. MEEK of Florida. Mr. Speaker, I thank the gentleman. His comments were very appropriate for the moment and the time.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I would like to commend all those who participated in last week's protest of the University of Michigan's admission's policies.

Many students from institutions across this great nation traveled to the nation's capitol to have their voices heard on this issue. Thousands of students from Howard University to Harvard University, walked from the Supreme Court to the Lincoln Memorial chanting, "Saving Affirmative Action."

Affirmative action ensures that all people have all equal rights. Affirmative action is one of the most effective solutions to diversifying a historically unfair society.

Mr. Speaker, I would like to take a moment to say "thank you" to the countless students, volunteers, and workers who believe in this historically significant effort. It is vital that America's higher education system continue the critical role in preparing our students to be leaders in business, law, medicine, education, and other pursuits that affect public interest.

Societal discrimination has adversely affected institutions of higher education since

the founding of this country. Affirmative action programs have helped to desegregate America. Racial and societal discrimination is not just limited to higher education. It also exists in voting, housing, employment, and many other sectors of modern day society.

Equal rights in higher education must start somewhere. I agree that the University of Michigan's policy is clearly and rightfully designed to attempt to make up for discrepancies that do not afford minorities and the economically deprived access to quality education.

Mr. Speaker, I ask my colleagues in the House of Representatives to join me in extending my appreciation to all the students who participated in last week's demonstration in support of equality and justice at America's institutions of higher learning.

Ms. CARSON of Indiana. Mr. Speaker, I rise to pay tribute to the thousands of Americans who voiced their support for affirmative action admissions policies at colleges and universities on April 1, here in Washington, DC.

For twenty five years the affirmative action policies at our nation's colleges and universities have produced a stronger and better educated America. We must not turn the clock back now when so much is at stake for the future of America.

Mr. Speaker, I am proud that 25 Indiana University School of Law-Indianapolis students journeyed to Washington last week to say that affirmative action policies strengthen not weaken this nation.

Vanessa Villegas-Densford was one of those law students. Vanessa, the daughter of Puerto Rican immigrants, arrived in this country when she was 8 years old. She didn't speak English and was placed in classes for learning-disabled students. She worked hard to overcome so many obstacles and her dream is to practice law and serve the Hispanic American community. Her dreams, determination and drive to serve, balanced an average law school test score and won her acceptance at 9 of the 12 law schools to which she applied. She attends Indiana University School of Law-Indianapolis.

Without affirmative action, the Hispanic community, Indiana and America may well have missed the bright promise that Vanessa offers in spite of her average law school test score.

Gerald Bepko, interim President of Indiana University School of Law-Indianapolis is quoted in a recent Indianapolis Star article saying, "You cannot rely on numbers (test scores and grades) alone. You need to know the person."

I'm proud that Indiana University supports an affirmative action admissions program.

It's sad, Mr. Speaker, when our young people can see this nation embroiled in conflict in the highest court of the land, not about the athletic factor or the alumni factor or the legacy factor in college admissions, but race.

The case against affirmative action is weak, resting, as it does so heavily, on myth and misunderstanding.

One myth, "The only way to create a color-blind society is to adopt color-blind policies." The facts show that a so-called color-blind system tends to favor White students because of their earlier educational advantages. Unless preexisting inequities are corrected or otherwise taken into account, color-blind policies do not correct racial injustice—they reinforce it.

Another myth is "Affirmative action may have been necessary 30 years ago, but the playing field is fairly level today." Not true, despite the progress that has been made, the playing field is far from level.

Women continue to earn 76 cents for every male dollar. African Americans continue to have twice the unemployment rate, twice the rate of infant mortality, and make up just over half the population of people who attend four years or more of college. In fact, without affirmative action the percentage of African American and Hispanic students at many selective schools would drop to minuscule percentages of the student body.

That decline would effectively choke off African American and Hispanic access to top universities and severely restrict progress toward racial equality.

Mr. Speaker, this is America and we can do better than that. So I commend the advocacy and passion of those who marched last week. I have no doubt that they understand what could be lost if this precious opportunity is eliminated.

#### IN SUPPORT OF AFFIRMATIVE ACTION

The SPEAKER pro tempore (Mr. BURGESS). Under a previous order of the House, the gentleman from Georgia (Mr. LEWIS) is recognized for 5 minutes.

Mr. LEWIS of Georgia. Mr. Speaker, I yield to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentleman very much. I will not take all the time. I would like to be able to yield to the gentleman and to a number of our colleagues on the floor, but I note that we are blessed by the presence of some of the warriors that were engaged in the heroic and historic day on April 1, 2003.

What I wanted to encourage with the chairman of our august body here is to restate I believe the willingness of members of this caucus and Members of this House to be able to be on the campuses of these outstanding students who have taken up the challenge, the bloodstained banner, if you will, to be able to be on their campuses, pronouncing our commitment that we will never go back, and to restate what has been stated by all of you, that affirmative action is not a handout, it is a hand up, and to clearly indicate that what we have occurring to us, meaning opportunities, is not to deny others.

So I hope that we will be able to, if you will, make it very clear tonight that this is not the last time that we will be engaged in this discussion, debate, but that we will be out at the campuses surrounded by or hand in hand with these outstanding new civil rights activists of the 21st century.

I want to thank the distinguished gentleman and thank the distinguished gentleman from Georgia and would be happy to yield to the distinguished gentleman or yield to the gentleman from Florida to comment.

Mr. LEWIS of Georgia. Mr. Speaker, reclaiming my time, I thank the gentlewoman for her comments.

Mr. Speaker, I yield to the gentleman from Maryland (Mr. CUMMINGS).

Mr. CUMMINGS. Mr. Speaker, I want to thank the gentleman for yielding.

Mr. Speaker, let me just say in regards to what the gentlewoman from Texas (Ms. JACKSON-LEE) just said, just this evening, Mr. Speaker, we held a conference, a teleconference, with student leaders from all over the country. And it was such an exciting event. We have already come to an agreement that we are going to take all of that energy that they had back here on April 1 and we are going forward.

As our first Vice Chair has said, we will be traveling from campus to campus and organizing here in Washington and across the country, because we realize that all of our young people, that one day it should not end there, but it must go forward. So we will be doing that.

Mr. LEWIS of Georgia. Mr. Speaker, reclaiming my time, I would say to the gentleman from Maryland (Mr. CUMMINGS), Mr. Chairman, I want to thank you for what you are suggesting, your recommendation and your plan of action. It reminds me of another period in our history when we just got out there and did what we had to do.

Mr. CUMMINGS. Mr. Speaker, if the gentleman will allow me, there is a saying I love. It says, "In our time, in our space, we will make a difference, with God's grace."

Mr. LEWIS of Georgia. Mr. Speaker, I thank the gentleman.

Mr. Speaker, I yield to the gentleman from Florida (Mr. MEEK).

Mr. MEEK of Florida. Mr. Speaker, I just wanted to say that not only all of the Members here, but the Members who could not be here that did place information in the RECORD, it is such an honor to be here, coming from Florida. So many of you were involved in that effort there to save and work towards a better affirmative action in Florida and this country.

Words are inadequate to even describe the kind of work that is going to have to be done for the understanding of this country of how important affirmative action is. I tell every American, if you have a daughter and a mother, and obviously we all do, you are for affirmative action.

I commend those individuals that came before us, and the NAACP and other organizations that organized to get them here. I look forward to working with the gentleman and the members of the Congressional Black Caucus as we continue to work with these young people and younger people that have done so well for us.

Mr. LEWIS of Georgia. Mr. Speaker, reclaiming my time, we will work together and pull together and push together to make it all happen.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. EVERETT (at the request of Mr. DELAY) for April 7 on account of attending to district business.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. HOEFFEL) to revise and extend their remarks and include extraneous material:)

Mr. LIPINSKI, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. HOEFFEL, for 5 minutes, today.

Mrs. CHRISTENSEN, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. INSLEE, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

(The following Members (at the request of Mr. NORWOOD) to revise and extend their remarks and include extraneous material:)

Mr. PENCE, for 5 minutes, today.

Mr. GUTKNECHT, for 5 minutes, today.

Mr. MCCOTTER, for 5 minutes, April 9.

Mr. JONES of North Carolina, for 5 minutes, April 9.

The following Members (at their own request) to revise and extend their remarks and include extraneous material:

Mr. DAVIS of Illinois, for 5 minutes, today.

Mr. LEWIS of Georgia, for 5 minutes, today.

#### SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 164. An act to authorize the Secretary of the Interior to conduct a special resource study of sites associated with the life of César Estrada Chávez and the farm labor movement; to the Committee on Resources.

S. 212. An act to authorize the Secretary of the Interior to cooperate with the High Plans Aquifer States in conducting a Hydrogeologic Characterization, Mapping, and Modeling Program for the High Plans Aquifer, and for other purposes; to the Committee on Resources.

S. 278. An act to make certain adjustments to the boundaries of the Mount Naomi Wilderness Area, and for other purposes; to the Committee on Resources.

S. 328. An act to designate Catoctin Mountain Park in the State of Maryland as the "Catoctin Mountain National Recreation Area", and for other purposes; to the Committee on Resources.

S. 347. An act to direct the Secretary of the Interior and the Secretary of Agriculture to conduct a joint resource study to evaluate the suitability and feasibility of establishing the Rim of the Valley Corridor as a unit of the Santa Monica Mountains National Recreation Area, and for other purposes; to the Committee on Resources.

#### ENROLLED BILLS SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 397. An act to reinstate and extend the deadline for commencement of construc-

tion of a hydroelectric project in the State of Illinois

H.R. 672. An act to rename the Guam South Elementary/Middle School of the Department of Defense Domestic Dependents Elementary and Secondary Schools System in honor of Navy Commander William "Willie" McCool, who was the pilot of the Space Shuttle Columbia when it was tragically lost on February 1, 2003.

#### ADJOURNMENT

Mr. LEWIS of Georgia. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 44 minutes p.m.), the House adjourned until tomorrow, Wednesday, April 9, 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:

1702. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Lactic acid, ethyl ester and Lactic acid, n-butyl ester; Exemptions from the Requirement of a Tolerance; Technical Correction [OPP-2002-0-217; FRL-7298-4] received April 1, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1703. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Modified Acrylic Polymers; Revision of Tolerance Exemption [OPP-2003-0079; FRL-7297-8] received April 1, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1704. A letter from the Under Secretary, Department of Defense, transmitting the Department's report for purchases from foreign entities for Fiscal Year 2002, pursuant to Public Law 104-201, section 827 (110 Stat. 2611); to the Committee on Armed Services.

1705. A letter from the Deputy Secretary, Department of Defense, transmitting the Department's report regarding assured access to space for the United States; to the Committee on Armed Services.

1706. A letter from the Under Secretary, Department of Defense, transmitting a report entitled, "Development of Research, Development, Test, and Evaluation Programs and Activities Beginning in FY 2004"; to the Committee on Armed Services.

1707. 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 Contract Goal for Small Disadvantaged Businesses and Certain Institutions of Higher Education [DFARS Case 2002-D038] received April 3, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

1708. A letter from the Secretary, Department of Defense, transmitting notification that the President approved changes to the 2002 Unified Command Plan; to the Committee on Armed Services.

1709. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Foreign Acquisition [DFARS Case 2002-D009] received April 3, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

1710. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Rhode Island; One-hour Ozone Attainment Demonstration for the Rhode Island Ozone Nonattainment Area [A-1-FRL-7476-7] received April 1, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1711. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Standards of Performance for Stationary Gas Turbines [OAR-2002-0053, FRL-7476-5] (RIN: 2060-AK35) received April 1, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1712. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's report on nuclear nonproliferation in South Asia for the period October 1, 2002 to March 31, 2003, pursuant to 22 U.S.C. 2376(c); to the Committee on International Relations.

1713. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Manufacturing License Agreement with Jordan [Transmittal No. DTC 005-03], pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

1714. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Manufacturing License Agreement with Germany [Transmittal No. DTC 011-03], pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

1715. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report required by Section 301 of the United States Macau Policy Act, covering the period from April 2, 2001, to April 1, 2002; to the Committee on International Relations.

1716. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report required by Section 301 of the United States-Hong Kong Policy Act of 1992, pursuant to 22 U.S.C. 5731; to the Committee on International Relations.

1717. A letter from the Chief Financial Officer and Assistant Secretary for Administration, Department of Commerce, transmitting the Department's inventory of functions pursuant to the Federal Activities Inventory Reform Act of 1998; to the Committee on Government Reform.

1718. A letter from the Attorney-Advisor, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

1719. A letter from the Attorney/Advisor, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

1720. A letter from the Assistant Secretary for Fish, Wildlife and Parks, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants: Endangered Status and Designation of Critical Habitat for *Polygonum hickmanii* (Scotts Valley polygonum) (RIN: 1018-AH76) received April 2, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1721. A letter from the Assistant Secretary for Fish, Wildlife and Parks, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants: Designation of Critical Habitat for the Kauai Cave Wolf Spider and Kauai Cave Amphipod (RIN: 1018-AH01) received April 2, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1722. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's Annual Report On Child Welfare Outcomes 2000, pursuant to Public Law 105-89, section 203(a) (111 Stat. 2127); to the Committee on Ways and Means.

1723. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Fellowships [FRL-7476-2] (RIN: 2030-AA77) received April 1, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Education and the Workforce, Transportation and Infrastructure, and Agriculture.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. THOMAS: Committee on Ways and Means. H.R. 1528. A bill to amend the Internal Revenue Code of 1986 to protect taxpayers and ensure accountability of the Internal Revenue Service; with an amendment (Rept. 108-61). Referred to the Committee of the Whole House on the State of the Union.

Mr. SMITH of New Jersey: Committee on Veterans' Affairs. H.R. 1297. A bill to require the construction at Arlington National Cemetery of a memorial to the crew of the Columbia Orbiter (Rept. 108-62 Pt. 1). Referred to the Committee of the Whole House on the State of the Union.

Mr. OXLEY: Committee on Financial Services. H.R. 658. A bill to provide for the protection of investors, increase confidence in the capital markets system, and fully implement the Sarbanes-Oxley Act of 2002 by streamlining the hiring process for certain employment positions in the Securities and Exchange Commission; with an amendment (Rept. 108-63 Pt. 1). Ordered to be printed.

Mr. SESSIONS: Committee on Rules. House Resolution 181. Resolution providing for consideration of the bill (H.R. 1036) to prohibit civil liability actions from being brought or continued against manufacturers, distributors, dealers, or importers of firearms or ammunition for damages resulting from the misuse of their products by others (Rept. 108-64). Referred to the House Calendar.

#### DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XII the Committee on Science discharged from further consideration. H.R. 1297 referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

#### REPORTED BILLS SEQUENTIALLY REFERRED

Under clause 2 of rule XII, bills and reports were delivered to the Clerk for printing, and bills referred as follows:

Mr. TAUZIN: Committee on Energy and Commerce. H.R. 1644. A bill to enhance energy conservation and research and development, to provide for security and diversity in the energy supply for the American people, and for other purposes, with an amendment; Rept. 108-65, Part I; referred to the Committee on Judiciary for a period ending not later than April 9, 2003, for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(k), rule X.

#### TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

H.R. 658. Referral to the Committee on Government Reform extended for a period ending not later than June 2, 2003.

H.R. 1297. Referral to the Committee on Science extended for a period ending not later than April 8, 2003.

H.R. 1644. Referral to the Committees on Science, Resources, Education and the Workforce, and Transportation and Infrastructure for a period ending not later than April 9, 2003.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. NUNES:

H.R. 1659. A bill to ensure regulatory equity between and among all dairy farmers and handlers, including producers also acting as handlers, for sales of packaged fluid milk into certain non-federally regulated milk marketing areas from federally regulated areas; to the Committee on Agriculture.

By Mr. WICKER (for himself, Mr. HINOJOSA, and Mr. MCKEON):

H.R. 1660. A bill to amend the National Apprenticeship Act to provide that applications relating to apprenticeship programs are processed in a fair and timely manner, and for other purposes; to the Committee on Education and the Workforce.

By Mr. RANGEL (for himself, Mr. STARK, Mr. MATSUI, Mr. LEVIN, Mr. CARDIN, Mr. MCDERMOTT, Mr. KLECZKA, Mr. LEWIS of Georgia, Mr. NEAL of Massachusetts, Mr. McNULTY, Mr. JEFFERSON, Mr. BECERRA, Mr. DOGGETT, Mr. SANDLIN, and Mrs. JONES of Ohio):

H.R. 1661. A bill to provide balanced taxpayer protections in tax administrations, including elimination of abusive tax strategies, simplification of the earned income tax credit, and taxpayer protections; to the Committee on Ways and Means.

By Mr. WALDEN of Oregon (for himself, Mr. HUNTER, Mr. GIBBONS, Mr. HERGER, Mr. SIMPSON, Mr. HASTINGS of Washington, Mr. OTTER, Mr. PEARCE, Mr. PAUL, Mr. CANNON, Mr. MCINNIS, Mrs. CUBIN, Mr. STENHOLM, Mr. NETHERCUTT, Mr. REHBERG, Mr. DOOLITTLE, Mr. RENZI, and Mr. BRADY of Texas):

H.R. 1662. A bill to amend the Endangered Species Act of 1973 to require the Secretary of the Interior to give greater weight to scientific or commercial data that is empirical or has been field-tested or peer-reviewed, and for other purposes; to the Committee on Resources.

By Mrs. JONES of Ohio (for herself, Ms. NORTON, Mr. CUMMINGS, Mr. CLAY, Mr. PAYNE, Mrs. CHRISTENSEN, Ms. MILLENDER-McDONALD, Mr. DAVIS of Illinois, Mr. TOWNS, Mr. JACKSON of Illinois, Mr. FATTAH, Mr. CLYBURN, Ms. LEE, Ms. KILPATRICK, Mr. GUTIERREZ, Ms. KAPTUR, Ms. SCHAKOWSKY, Mr. SANDERS, Ms. BERKLEY, Mr. RYAN of Ohio, Mr. JEFFERSON, Mr. LEWIS of Georgia, Mr. CONYERS, and Ms. JACKSON-LEE of Texas):

H.R. 1663. A bill to protect home buyers from predatory lending practices; to the Committee on Financial Services.

By Mr. THOMAS:

H.R. 1664. A bill to amend the Internal Revenue Code of 1986 to provide a special rule for

members of the uniformed services in determining the exclusion of gain from the sale of a principal residence and to restore the tax exempt status of death gratuity payments to members of the uniformed services, and for other purposes; to the Committee on Ways and Means.

By Mr. BOYD:

H.R. 1665. A bill to modify certain water resources projects for the Apalachicola, Chattahoochee, and Flint Rivers, Georgia, Florida, and Alabama; to the Committee on Transportation and Infrastructure.

By Mr. BOYD:

H.R. 1666. A bill to amend title 38, United States Code, to provide that discontinuance of veterans' disability compensation upon the death of a veteran shall be effective as of the date of death of the veteran rather than the last day of the month preceding the veteran's death; to the Committee on Veterans' Affairs.

By Mr. BURNS:

H.R. 1667. A bill to provide an additional opportunity for administrative or judicial relief for socially disadvantaged farmers and ranchers who were discriminated against by the Department of Agriculture in farm credit and benefit programs; to the Committee on Agriculture, 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. CARSON of Oklahoma:

H.R. 1668. A bill to designate the United States courthouse located at 101 North Fifth Street in Muskogee, Oklahoma, as the "Ed Edmondson United States Courthouse"; to the Committee on Transportation and Infrastructure.

By Mr. CRANE (for himself, Mr. RAMSTAD, Ms. DUNN, and Mr. SOUDER):

H.R. 1669. A bill to amend the Internal Revenue Code of 1986 to provide tax treatment for foreign investment through a United States regulated investment company comparable to the tax treatment for direct foreign investment and investment through a foreign mutual fund; to the Committee on Ways and Means.

By Mr. GUTKNECHT (for himself, Mr. SABO, Mr. PETERSON of Minnesota, Mr. RAMSTAD, Mr. KENNEDY of Minnesota, Ms. MCCOLLUM, and Mr. KLINE):

H.R. 1670. A bill to amend the Internal Revenue Code of 1986 to establish a pilot program to encourage the use of medical savings accounts by public employees of the State of Minnesota and political jurisdictions thereof; to the Committee on Ways and Means.

By Mr. HERGER (for himself, Mr. POMEROY, Mr. ENGLISH, Mr. GRAVES, Mr. HULSHOF, Mr. RAMSTAD, and Mr. MCCREERY):

H.R. 1671. A bill to amend the Internal Revenue Code of 1986 to permit cooperatives to pay dividends on preferred stock without reducing patronage dividends; to the Committee on Ways and Means.

By Mr. KOLBE (for himself and Mr. KNOLLENBERG):

H.R. 1672. A bill to amend the Internal Revenue Code of 1986 to provide a credit for charitable contributions to fight poverty; to the Committee on Ways and Means.

By Mr. KUCINICH (for himself, Ms. WOOLSEY, Mr. CONYERS, Mr. OBERSTAR, Mr. ABERCROMBIE, Ms. BALDWIN, Mr. BROWN of Ohio, Ms. CARSON of Indiana, Mr. CLAY, Mr. CUMMINGS, Mr. DAVIS of Illinois, Mr. DEFAZIO, Mr. EVANS, Mr. FARR, Mr. FILNER, Mr. GRIJALVA, Mr. GUTIERREZ, Mr.

HINCHEY, Mr. HONDA, Mr. JACKSON of Illinois, Ms. JACKSON-LEE of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. JONES of Ohio, Ms. LEE, Mr. LEWIS of Georgia, Mrs. MALONEY, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. MEEKS of New York, Mr. GEORGE MILLER of California, Mr. NADLER, Mr. OLVER, Mr. OWENS, Mr. PAYNE, Mr. RAHALL, Mr. RANGEL, Mr. RYAN of Ohio, Mr. SANDERS, Ms. SCHAKOWSKY, Mr. SCOTT of Virginia, Mr. SERRANO, Ms. SOLIS, Mr. STARK, Mr. TOWNS, Mr. UDALL of Colorado, Ms. WATERS, and Ms. WATSON):

H.R. 1673. A bill to establish a Department of Peace; to the Committee on Government Reform, and in addition to the Committees on International Relations, the Judiciary, 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. LEWIS of Kentucky:

H.R. 1674. A bill to amend the Internal Revenue Code of 1986 to provide that the vaccine excise tax shall apply to any vaccine against hepatitis A; to the Committee on Ways and Means.

By Mr. MORAN of Kansas (for himself, Mr. POMEROY, Mr. WALDEN of Oregon, Mr. STENHOLM, Mr. PETERSON of Pennsylvania, Mr. BERRY, Mr. KIND, Mr. MCHUGH, Mr. SANDLIN, Mr. EVANS, Mr. DAVIS of Alabama, and Mr. CASE):

H.R. 1675. A bill to amend title XVIII of the Social Security Act to protect and preserve access of Medicare beneficiaries to health care provided by hospitals in rural areas, and for other purposes; 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. ROGERS of Michigan (for himself, Mrs. JO ANN DAVIS of Virginia, and Mrs. EMERSON):

H.R. 1676. A bill to amend chapter 55 of title 5, United States Code, to exclude availability pay for Federal criminal investigators from the limitation on premium pay; to modify levels of special pay adjustments for Federal law enforcement officers in certain areas, and for other purposes; to the Committee on Government Reform.

By Mr. SANDERS (for himself, Mr. GEORGE MILLER of California, Mr. VISCLOSKEY, Mr. EMANUEL, Mr. SERRANO, Mr. ENGEL, Mr. GRIJALVA, Mr. ORTIZ, Mr. BROWN of Ohio, Mr. PETRI, Mr. OBERSTAR, Mr. TAYLOR of Mississippi, Mr. HINCHEY, Mr. TOWNS, Mr. ROSS, Mr. DELAHUNT, Mr. OLVER, Mr. PAYNE, Mr. ANDREWS, Mr. WYNN, Ms. SCHAKOWSKY, Mr. STRICKLAND, Mr. GUTIERREZ, Ms. NORTON, Ms. SOLIS, Mr. WEXLER, Mr. SCHIFF, Ms. SLAUGHTER, Mr. MEEHAN, Mr. NADLER, Mr. RAHALL, Mr. GOODE, Mr. BACA, Mr. KUCINICH, Mr. COSTELLO, Mr. MARKEY, Ms. KILPATRICK, Ms. LEE, Mr. OBEY, Mr. GREEN of Texas, Mr. DEUTSCH, Mr. MICHAUD, Mrs. JONES of Ohio, Mr. UDALL of New Mexico, Mr. WEINER, Mr. DEFAZIO, Mr. PALLONE, Mr. MCGOVERN, Mrs. NAPOLITANO, Mr. THOMPSON of Mississippi, Mr. JEFFERSON, Mr. REYES, Mr. CUMMINGS, Mr. OWENS, Ms. HOOLEY of Oregon, Ms. MILLENDER-MCDONALD, Mr. DOGGETT, Ms. WOOLSEY, Mr. PASCRELL, Ms. BALDWIN, Ms. BORDALLO, Mr. RYAN of Ohio, Ms. DELAURO, Mr. FRANK of Massachu-

sets, Mr. ABERCROMBIE, Mr. RODRIGUEZ, Ms. JACKSON-LEE of Texas, Ms. CARSON of Indiana, Mr. DAVIS of Illinois, Mr. FILNER, Mr. HOFFEL, Mr. LANGEVIN, Mr. LYNCH, Mr. HASTINGS of Florida, Mr. SCOTT of Georgia, Mr. CAPUANO, Mr. BISHOP of New York, Mr. DINGELL, Ms. MCCOLLUM, Mr. TIERNEY, Mr. KENNEDY of Rhode Island, Mr. RUSH, Mr. SPRATT, Mr. KILDEE, Mr. BERRY, Mr. LAMPSON, Mr. SCOTT of Virginia, Ms. KAPTUR, Mr. CROWLEY, Ms. ESHOO, Mrs. MALONEY, Mr. UDALL of Colorado, Mrs. MCCARTHY of New York, Mr. INSLEE, Mr. CONYERS, Mr. LANTOS, Mr. MCINTYRE, Mr. HOLT, Mr. BLUMENAUER, Mr. MEEK of Florida, Mr. BOEHLERT, Mr. FARR, Mr. HOLDEN, Mr. ACKERMAN, Ms. LINDA T. SCHNEZ of California, Mrs. CHRISTENSEN, Mr. ROTHMAN, Mr. MURTHA, Ms. MCCARTHY of Missouri, Mrs. DAVIS of California, Ms. VELAZQUEZ, Mrs. CAPPAS, Mr. DOYLE, Mr. MENENDEZ, Mr. CASE, Mr. ALLEN, and Mr. BERMAN):

H.R. 1677. A bill to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to protect pension benefits of employees in defined benefit plans and to direct the Secretary of the Treasury to enforce the age discrimination requirements of the Internal Revenue Code of 1986; to the Committee on Education and the Workforce, 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. SMITH of Texas (for himself, Mr. SCHIFF, Mr. BRADY of Texas, Mr. GREEN of Wisconsin, Mr. KELLER, Mr. OXLEY, Mr. WOLF, and Mr. FERGUSON):

H.R. 1678. A bill to amend title 18, United States Code, with respect to false communications about certain criminal violations, and for other purposes; to the Committee on the Judiciary.

By Mr. TANCREDO:

H.R. 1679. A bill to repeal the so-called Forest Service Appeals Reform Act and to authorize the Secretary of Agriculture to develop an administrative appeals process for the Forest Service in the same manner as other Federal land management agencies; to the Committee on Agriculture.

By Ms. WATSON (for herself and Mr. BURTON of Indiana):

H.R. 1680. A bill to prohibit after 2007 the introduction into interstate commerce of mercury intended for use in a dental filling, and for other purposes; to the Committee on Energy and Commerce.

By Mr. KINGSTON:

H. Con. Res. 141. Concurrent resolution expressing the sense of the Congress that the Internal Revenue Code of 1986 should be fundamentally reformed to be fairer, simpler, and less costly and to encourage economic growth, individual liberty, and investment in American jobs; to the Committee on Ways and Means.

By Mr. WALSH (for himself, Mr. QUINN, Mr. BOEHLERT, Mr. MCHUGH, and Mr. HINCHEY):

H. Con. Res. 142. Concurrent resolution congratulating the Syracuse University men's basketball team for winning the 2003 NCAA Division I men's basketball national championship; to the Committee on Education and the Workforce.

By Mrs. CAPITO:

H. Res. 182. A resolution commending Private First Class Jessica Lynch, United States Army, the special operations forces

who on April 1, 2003, rescued her from captivity by Iraqi forces, and all United States and coalition forces in Iraq; to the Committee on Armed Services, and in addition to the Committee on International Relations, 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. FLAKE:

H. Res. 183. A resolution commending Mohammed, an Iraqi lawyer, for his fearless and courageous actions in helping to save the life of an American soldier; to the Committee on International Relations.

By Mr. WYNN:

H. Res. 184. A resolution expressing the sense of the House of Representatives that a postage stamp should be issued in commemoration of Diwali, a festival celebrated by people of Indian origin; to the Committee on Government Reform.

#### MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

10. The SPEAKER presented a memorial of the Senate of the State of Wisconsin, relative to Senate Resolution No. 4 memorializing the United States Congress to urge the President and the Wisconsin congressional delegation to support the reauthorization of the existing Community Services Block Grant and its funding to community action agencies; to the Committee on Education and the Workforce.

11. Also, a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 10 memorializing the United States Congress to enact legislation to give states the authority to ban importation of out-of-state solid waste; to the Committee on Energy and Commerce.

12. Also, a memorial of the House of Representatives of the State of New Hampshire, relative to House Concurrent Resolution No. 16 memorializing the United States Congress to urge increased diplomacy to achieve a just, peaceful, and rapid resolution of the conflict between India and Pakistan relative to the state of Jammu and Kashmir; to the Committee on International Relations.

13. Also, a memorial of the House of Representatives of the State of Michigan, relative to House Concurrent Resolution No. 5 memorializing the United States Congress to enact legislation to provide that all states receive a minimum of 95 percent of transportation funds sent to the federal government; to the Committee on Transportation and Infrastructure.

14. Also, a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 9 memorializing the United States Congress to enact legislation to provide that all states receive a minimum of 95 percent of transportation funds sent to the federal government; to the Committee on Transportation and Infrastructure.

15. Also, a memorial of the Senate of the State of Michigan, relative to Senate Concurrent Resolution No. 1 memorializing the United States Congress to establish a minimum rate of return of 95 percent of Michigan's federal transportation funding for highway and transit programs; to the Committee on Transportation and Infrastructure.

16. Also, a memorial of the Senate of the State of Michigan, relative to Senate Resolution No. 21 memorializing the United States Congress to enact legislation to provide for the United States Coast Guard to transfer ownership of the decommissioned Coast Guard Cutter *Bramble* to the Port

Huron Museum of Arts and History programs; to the Committee on Transportation and Infrastructure.

17. Also, a memorial of the Senate of the State of Michigan, relative to Senate Resolution No. 6 memorializing the United States Congress to establish a minimum rate of return of 95 percent of Michigan's federal transportation funding for highway and transit programs; to the Committee on Transportation and Infrastructure.

18. Also, a memorial of the Senate of the State of New Jersey, relative to Senate Resolution No. 71 memorializing the United States Congress to direct FAA to include noise reduction as major goal of redesign of aircraft traffic patterns over New Jersey; to the Committee on Transportation and Infrastructure.

19. Also, a memorial of the House of Representatives of the State of Kansas, relative to House Resolution No. 6005 memorializing the United States Congress to enact financially sustainable, voluntary, universal and privately administered out-patient prescription drug coverage as part of the federal Medicare program; jointly to the Committees on Ways and Means and Energy and Commerce.

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to the public bills and resolutions as follows:

H.R. 20: Mrs. LOWEY, Mr. ALLEN, Mr. KUCINICH, Mr. FERGUSON, Mr. LARSON of Connecticut, Mr. DICKS, and Mr. UDALL of Colorado.

H.R. 25: Mr. KINGSTON.

H.R. 44: Mr. BLUNT.

H.R. 49: Mr. BURNS.

H.R. 83: Ms. LINDA T. SANCHEZ of California.

H.R. 84: Ms. LINDA T. SANCHEZ of California.

H.R. 85: Ms. LINDA T. SANDHEZ of California.

H.R. 100: Ms. HEFLEY, Ms. CARSON of Indiana, and Mr. KILDEE.

H.R. 111: Mr. BARRETT of South Carolina, Mr. TIERNEY, Mr. HOEFFEL, Mr. THOMPSON of Mississippi, and Mr. PAYNE.

H.R. 205: Mr. MANZULLO.

H.R. 218: Mr. PETERSON of Minnesota, Mr. YOUNG of Alaska, and Mr. DEAL of Georgia.

H.R. 240: Ms. CORRINE BROWN of Florida.

H.R. 245: Mr. SCOTT of Georgia.

H.R. 273: Mr. VITTER.

H.R. 284: Mr. ENGEL, Mr. WEINER, Ms. LEE, Mr. SOUDER, and Mr. BURR.

H.R. 292: Mr. SIMMONS.

H.R. 307: Mr. PLATTS.

H.R. 315: Ms. GRANGER.

H.R. 340: Ms. HART.

H.R. 344: Mr. TAYLOR of Mississippi.

H.R. 359: Mr. HINOJOSA.

H.R. 384: Mr. MILLER of Florida and Mr. PAUL.

H.R. 401: Mr. ROTHMAN and Mr. ENGEL.

H.R. 419: Mr. GONZALEZ.

H.R. 440: Mr. BACA.

H.R. 463: Mr. ACEVEDO-VILA, Mr. UDALL of Colorado, Mr. BISHOP of New York, Mrs. JONES of Ohio, Mr. PRICE of North Carolina, Mr. OWENS, Mr. LEVIN, and Mr. GORDON.

H.R. 466: Mr. MILLER of North Carolina, Mr. HALL, and Mr. ORTIZ.

H.R. 490: Mr. FRANKS of Arizona.

H.R. 501: Ms. SLAUGHTER.

H.R. 502: Mr. SULLIVAN.

H.R. 527: Mr. MCHUGH.

H.R. 528: Mrs. MALONEY.

H.R. 571: Mr. UPTON, Mr. RYAN of Wisconsin, Mr. WICKER, Mr. FRANKS of Arizona, and Mr. STEARNS.

H.R. 584: Mr. OWENS.

H.R. 594: Mr. ALEXANDER, Mr. BARTLETT of Maryland, Mr. NEY, Mr. DICKS, Mr. FOLEY, Mr. CASE and Mr. BURNS.

H.R. 660: Mr. BURNS.

H.R. 687: Mr. WILSON of South Carolina and Mrs. JO ANN DAVIS of Virginia.

H.R. 715: Ms. MCCOLLUM.

H.R. 727: Mr. KUCINICH.

H.R. 728: Mr. SOUDER and Mr. STEARNS.

H.R. 734: Mr. FRANK of Massachusetts.

H.R. 756: Mr. MILLER of Florida.

H.R. 776: Mr. ABERCROMBIE.

H.R. 784: Mr. NEAL of Massachusetts.

H.R. 785: Mr. GRIMALVA.

H.R. 806: Mr. LEACH.

H.R. 813: Mr. STRICKLAND.

H.R. 818: Mr. KUCINICH and Ms. HART.

H.R. 833: Mr. BROWN of South Carolina and Mr. WELLER.

H.R. 847: Mr. GUTKNECHT.

H.R. 850: Mr. GILLMOR.

H.R. 854: Mr. HOLT.

H.R. 876: Mr. SOUDER, Ms. HART, and Mr. WALDEN of Oregon.

H.R. 879: Mr. SMITH of Michigan, Mr. MCINTYRE, and Mr. ROSS.

H.R. 898: Mr. HINOJOSA.

H.R. 930: Mr. MCINTYRE.

H.R. 934: Mr. GARRETT of New Jersey.

H.R. 935: Ms. JACKSON-LEE of Texas, Mr. KUCINICH, and Mr. ACKERMAN.

H.R. 953: Mr. HASTINGS of Florida.

H.R. 955: Mr. LAMPSON, Mr. HOLT, Mr. GREENWOOD, Mr. LAHOOD, Mr. DAVIS of Tennessee, Mr. PETERSON of Minnesota, Mr. SHAYS, Mr. LEACH, Mr. BURGESS, Mr. DINGELL, Mr. PASCRELL, Mr. SERRANO, Mr. GARRETT of New Jersey, Mr. ISRAEL, Mr. BLUMENAUER, and Mr. SNYDER.

H.R. 973: Mr. RAMSTAD, Mr. QUINN, and Mr. HOEKSTRA.

H.R. 977: Mr. MEEK of Florida, Mr. RADANOVICH, and Mr. GILCHREST.

H.R. 983: Mr. ACKERMAN, Mr. BOEHLERT, Mr. ENGEL, and Ms. ROYBAL-ALLARD.

H.R. 1008: Mr. PLATTS.

H.R. 1033: Mr. YOUNG of Alaska.

H.R. 1043: Mr. THOMPSON of California.

H.R. 1056: Mr. MICHAUD, Mr. BISHOP of New York, and Mr. PUTNAM.

H.R. 1068: Mr. RUSH, Mr. MORAN of Virginia, Mr. PORTER, Mr. COLE, Mr. CANTOR, Mr. FROST, and Mr. KLINE.

H.R. 1070: Mr. ACKERMAN.

H.R. 1075: Mr. TIBERI.

H.R. 1077: Mr. KUCINICH.

H.R. 1093: Mr. BOEHLERT.

H.R. 1098: Ms. HART.

H.R. 1102: Mrs. TAUSCHER.

H.R. 1105: Mr. ENGEL and Mr. LEWIS of Georgia.

H.R. 1114: Mr. BEAUPREZ.

H.R. 1146: Mr. MILLER of Florida.

H.R. 1154: Mr. CALVERT.

H.R. 1163: Mr. BARTLETT of Maryland.

H.R. 1169: Mr. RAMSTAD.

H.R. 1170: Mr. PAUL.

H.R. 1179: Mr. MCHUGH and Mr. MILLER of Florida.

H.R. 1191: Mr. MOORE and Mr. ALLEN.

H.R. 1214: Mr. KING of New York, Mr. OSBORNE, Mr. INSLEE, and Mr. WATT.

H.R. 1222: Mr. CANTOR and Mr. DUNCAN.

H.R. 1235: Mr. TANCREDO, Mr. HAYWORTH, Mr. CALVERT, and Mr. SOUDER.

H.R. 1244: Mr. BLUMENAUER, Mr. MARKEY, Ms. MILLENDER-MCDONALD, and Ms. NORTON.

H.R. 1245: Ms. LEE, Mrs. LOWEY, and Ms. LOFGREN.

H.R. 1252: Mr. MILLER of Florida.

H.R. 1272: Ms. WATSON.

H.R. 1294: Mrs. LOWEY, Mr. SABO, Ms. WATSON, and Mr. FILNER.

H.R. 1297: Mr. BOOZMAN, Mrs. DAVIS of California, and Mr. SNYDER.

H.R. 1301: Mr. LUCAS of Kentucky, Mr. HAYWORTH, and Mr. SOUDER.

H.R. 1309: Mr. KILDEE.  
 H.R. 1342: Mr. FROST.  
 H.R. 1345: Mr. OWENS.  
 H.R. 1349: Mr. WEXLER and Mr. LIPINSKI.  
 H.R. 1350: Mr. EHLERS, Mr. LATOURETTE, Mr. PUTNAM, Mr. KENNEDY of Minnesota, Mr. GILLMOR, and Mr. BURGESS.  
 H.R. 1355: Mr. HASTINGS of Florida, Mr. BISHOP of New York, Mr. ALLEN, and Mr. LEVIN.  
 H.R. 1359: Mr. ALLEN.  
 H.R. 1372: Mr. HERGER, Mr. MOORE, Mr. KIND, and Mr. SIMPSON.  
 H.R. 1374: Mr. MILLER of Florida.  
 H.R. 1377: Mr. GREEN of Wisconsin, Mr. CUMMINGS, Mr. DOYLE, Mr. PALLONE, Mr. HOEFFEL, Mr. KILDEE, Mr. OWENS, and Mr. MCHUGH.  
 H.R. 1388: Mr. ENGLISH, Mr. McNULTY, and Mr. HOEFFEL.  
 H.R. 1392: Mr. OWENS.  
 H.R. 1408: Mr. BURR.  
 H.R. 1415: Mr. SOUDER and Mr. SMITH of New Jersey.  
 H.R. 1421: Mr. REHBERG.  
 H.R. 1422: Mr. BISHOP of New York, Mr. BRADLEY of New Hampshire, Mr. CAPUANO, Mr. CUMMINGS, Mr. JENKINS, Ms. CARSON of Indiana, Mr. DAVIS of Tennessee, Mr. ACKERMAN, Mr. LANGEVIN, Mr. FORD, Mr. DUNCAN, Mr. LEACH, and Mr. POMEROY.  
 H.R. 1442: Mr. HOLDEN, Mr. RANGEL, Mr. JOHN, Mr. McNULTY, Mr. RENZI, and Mr. PEARCE.  
 H.R. 1451: Mr. LEACH and Mr. COLE.  
 H.R. 1462: Mr. BISHOP of Georgia, Mr. GEORGE MILLER of California, Mr. WAXMAN, and Mr. KUCINICH.  
 H.R. 1470: Ms. SLAUGHTER, Mr. WAXMAN, Mr. CLAY, Mr. BISHOP of New York, and Ms. KAPTUR.

H.R. 1472: Mr. BERMAN, Mr. LEVIN, Mr. TIBERI, Ms. DELAURO, and Mr. GEORGE MILLER of California, Mr. INSLEE, Ms. LEE, Mr. DICKS, and Mr. BACA.  
 H.R. 1480: Mr. CASE and Mr. ALLEN.  
 H.R. 1483: Mr. FILNER and Mr. FARR.  
 H.R. 1508: Mr. KUCINICH.  
 H.R. 1510: Mr. KUCINICH.  
 H.R. 1511: Mr. McNULTY, Mr. BARRETT of South Carolina, Mr. ENGLISH, Mr. SKELTON, and Mr. GILCHREST.  
 H.R. 1519: Mr. GARRETT of New Jersey.  
 H.R. 1534: Mr. ALLEN, Mr. OWENS, and Mr. KLECZKA.  
 H.R. 1536: Mr. ENGLISH and Mr. LEVIN.  
 H.R. 1565: Mr. KILDEE.  
 H.R. 1568: Mr. CROWLEY, Mr. DAVIS of Tennessee, Ms. KAPTUR, Mr. SCOTT of Georgia, Mr. SABO, and Mr. MURTHA.  
 H.R. 1576: Mr. KUCINICH.  
 H.R. 1584: Mr. SMITH of New Jersey.  
 H.R. 1605: Mr. SHAYS.  
 H.R. 1634: Mr. BLUNT, Mr. RENZI, and Mr. DOYLE.  
 H.J. Res. 44: Mr. SHAW and Mr. HAYWORTH.  
 H. Con. Res. 50: Mr. GRAVES.  
 H. Con. Res. 56: Mr. MILLER of Florida and Mr. FILNER.  
 H. Con. Res. 99: Mr. WEINER, Mr. OWENS, Mr. MEEKS of New York, Mr. LATOURETTE, Mr. ABERCROMBIE, Mr. FATTAH, Mr. WEXLER, Mr. KENNEDY of Rhode Island, Ms. BALDWIN, Mr. MCDERMOTT, Mr. WAXMAN, Mr. HOEFFEL, Mr. DAVIS of Illinois, Mrs. CHRISTENSEN, Mr. SCHIFF, Mr. DEFAZIO, Mr. PALLONE, Mr. LANGEVIN, Mr. NADLER, Mr. PAYNE, Mr. HINCHEY, Mr. ENGEL, Mr. BROWN of Ohio, and Ms. JACKSON-LEE of Texas.  
 H. Con. Res. 111: Mr. MCGOVERN, Mr. STARK, and Mr. KENNEDY of Rhode Island.

H. Con. Res. 130: Mr. CUMMINGS and Mr. ABERCROMBIE.

H. Con. Res. 136: Mr. HOEFFEL and Mr. BERMAN.

H. Res. 60: Mr. TURNER of Ohio, Mrs. JO ANN DAVIS of Virginia, Mr. ENGEL, Mr. RAMSTAD, Mr. JEFFERSON, Mr. HAYWORTH, Mr. JOHN, Mr. BOUCHER, Mr. DOGGETT, and Mr. MCCREERY.

H. Res. 140: Mr. DEUTSCH and Mr. SOUDER.

H. Res. 157: Mr. CAPUANO and Ms. LORETTA SANCHEZ of California.

H. Res. 173: Mr. KIND and Ms. DELAURO.

H. Res. 179: Mr. FEENEY, Ms. HARRIS, Mr. ANDREWS, Mr. FOLEY, and Mr. BLUNT.

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#### DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolution as follows:

H.R. 1036: Mr. FLAKE.

H.R. 1119: Mr. SIMMONS.

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#### PETITIONS, ETC.

Under clause 3 of rule XII,

8. The SPEAKER presented a petition of the Council of the County of Maui, Hawaii, relative to Resolution No. 03-14 petitioning the United States Congress to designate the Paia Post Office Building in honor of the late United States Representative Patsy Takemoto Mink; which was referred to the Committee on Government Reform.