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House of Representatives

The House met at 9 a.m.

The Reverend Joseph A. Darby, Pastor, Morris Brown African Methodist Episcopal Church, Charleston, South Carolina, offered the following prayer:

Gracious, merciful and omnipotent Creator, we thank You for this new day, for Your grace, for Your wisdom, and for Your mercy. We thank You for the blessing of democracy and for bringing us safely to this hour.

Bless and guide all that is said and done in this deliberative body. Bless the Members of the House with Your judgment, Your strength and Your compassion, so that they will make decisions with an eye not towards what is politically convenient, but towards what is right for all Americans.

Bless our world and keep all nations in perfect peace. Bless our Nation so that what Lincoln called ''the better angels of our nature'' will prevail. Bless our leadership at all levels so that public policy will be made in the light of truth that shall indeed make us free.

Have mercy upon us and help us to celebrate the diversity of our unity and the unity of our diversity. Let the words of Your servant Amos be reflected in the decisions made here, so that justice will roll on like a river, so that righteousness will flow like a never-failing stream, so that we can really become one Nation, under God, with liberty and justice for all. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from South Carolina (Mr. CLYBURN) come forward and lead the House in the Pledge of Allegiance.

Mr. CLYBURN 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.

WARM WELCOME FOR THE REVEREND JOSEPH A. DARBY

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

Mr. CLYBURN. Mr. Speaker, I rise to thank my pastor, the Reverend Joseph Darby of Morris Brown A.M.E. Church, for gracing us with his presence here today and for leading this august body in the invocation.

I said to Reverend Darby just before he came in, I think he may have lucked out today because this is the day the former Members will be meeting, and he will have the opportunity to send the invocation to some warm bodies on the floor. And so I wanted to thank him for being here, thank him for his leadership.

Reverend Darby is more than the pastor of Morris Brown A.M.E. Church. He is the first vice president of the South Carolina branch of the NAACP. He has a leadership style that endears him to those of us who find ourselves in public service. It is one thing to go to church on Sunday and to be a part of a congregation; it is something else to be able to turn to your pastor for the kind of strength that David and Daniel showed as they carried out their good works.

So, Mr. Speaker, I want to welcome not just my pastor, but my good friend, Reverend Darby, here today and thank him for gracing us with his presence and thank him for the leadership he gives to his church, to his State, to his Nation.

RECESS

The SPEAKER. Pursuant to the order of the House of Friday, May 9, 2003, the House will stand in recess subject to the call of the Chair to receive the former Members of the Congress.

Accordingly, (at 9 o'clock and 8 minutes a.m.), the House stood in recess subject to the call of the Chair.

RECEPTION OF FORMER MEMBERS OF CONGRESS

The Speaker of the House presided.

The SPEAKER. On behalf of the House of Representatives, I am happy to welcome to this Chamber very good friends of this institution, former Members of Congress.

You are not only friends of this institution; you are also friends of ours. As we make our way in governing this Nation, we stand on your shoulders. Your contributions to this House will not be forgotten.

Every one of the Members here has spent precious years of their life in this Chamber. Some of the best years of their lives were spent in this Chamber working to represent the needs and the concerns of the American people.

Your commitment to your Nation did not end when you left Congress.

Many of you went on to do other things in public service. Many of you excelled in the private sector. And many of you have continued to serve our Nation in many other honorable ways.

Bill Archer is one of those people. He is certainly an ideal and worthy choice to receive the Distinguished Service Award that this body, your group, is about to give.

As chairman of the House Committee on Ways and Means, Bill Archer was known as a fair, judicious, and effective leader. He called them like he saw them. He believed that the Tax Code needed fundamental reform, and he carried that message throughout this country.

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He was known then as he is known now, as a true gentleman in the best sense of the word.

Finally, I would like to take this opportunity to thank all of you, all of you, the former Members. Thank you for being here and for your continued effort, both home and abroad.

Your outreach to college campuses throughout the country helps to strengthen the work of our government and encourage public service. Your support to the parliaments around the world is invaluable, and I want to thank you for those efforts.

At this time I would request that the gentleman from Missouri, Mr. Buechner, vice president of the Former Members Association, please take the chair.

Mr. BUECHNER (presiding). The Chair directs the Clerk to call the roll of former Members of Congress.

The Clerk called the roll of the former Members of the Congress, and the following former Members answered to their names:

ROLLCALL OF FORMER MEMBERS OF CONGRESS ATTENDING 33RD ANNUAL SPRING MEETING, MAY 15, 2003

Hon. Bill Archer (Texas)
Hon. Robert E. Bedham (California)
Hon. J. Glenn Beall, Jr. (Maryland)
Hon. Clarence L. Brown (Ohio)
Hon. James T. Broyhill (North Carolina)
Hon. John H. Buchanan, Jr. (Alabama)
Hon. Jack Buechner (Missouri)
Hon. Richard R. Chrysler (Michigan)
Hon. Bob Clement (Tennessee)
Hon. Joseph J. Dioguardi (New York)
Hon. James W. Dunn (Michigan)
Hon. Thomas S. Foley (Washington)
Hon. Robert Garcia (New York)
Hon. Benjamin A. Gilman (New York)
Hon. Robert Hanrahan (Illinois)
Hon. Ralph Harding (Idaho)
Hon. Dennis M. Hertel (Michigan)
Hon. Peter Hoagland (Nebraska)
Hon. Marjorie Sewell Holt (Maryland)
Hon. William J. Hughes (New Jersey)
Hon. Robert W. Kastenmeir (Wisconsin)
Hon. David King (Utah)
Hon. Ernest Konnyu (California)
Hon. Steven T. Kuydendall (California)
Hon. Peter Kyros (Maine)
Hon. Lawrence P. LaRocco (Idaho)
Hon. Greg Laughlin (Texas)
Hon. Jim Lloyd (California)
Hon. Cathy Long (Louisiana)
Hon. Manuel Lujan, Jr. (New Mexico)
Hon. Romano L. Mazzoli (Kentucky)
Hon. Lloyd Meeds (Washington)
Hon. Robert H. Michel (Illinois)
Hon. Abner Mikva (Illinois)
Hon. Clarence E. Miller (Ohio)
Hon. Dan Miller (Florida)
Hon. Constance A. Morella (Maryland)
Hon. John Myers (Indiana)
Hon. Dick Nichols (Kansas)
Hon. Stanford E. Parris (Virginia)
Hon. Toby Roth (Wisconsin)
Hon. Ronald A. Sarasin (Connecticut)
Hon. Bill Sarpalius (Texas)
Hon. David E. Skaggs (Colorado)
Hon. Jim Slattery (Kansas)
Hon. Lawrence Jack Smith (Florida)
Hon. Robert Tallon (South Carolina)
Hon. R. Lindsay Thomas (Georgia)
Hon. Peter G. Torkildsen (Massachusetts)
Hon. Harold L. Volkmer (Missouri)
Hon. Charles W. Whalen, Jr. (Ohio)
Hon. Leo Zeferetti (New York)

□ 0915

Mr. BUECHNER (presiding). At this time the Chair recognizes the gentleman from Idaho, the Honorable Larry LaRocco, President of the Former Members of Congress Association.

Mr. LAROCCO. Mr. Speaker, I want to thank the Speaker pro tempore and to all of you for being with us this morning. We were especially grateful to the Speaker, the gentleman from Illinois (Mr. HASTERT), for taking time from his busy schedule to greet us and for his warm welcome.

Speaking personally, I can say that it is always a privilege to return to this institution which we revere and where we shared so many memorable experiences. Service in Congress is both a joy and a heavy responsibility, and, whatever our party affiliation, we have great admiration for those who continue to serve the country in this place. We thank them all once again for giving us the opportunity to report on the activities of our Association of Former Members of Congress.

This is our 33rd annual report to Congress, and I ask unanimous consent that all Members be permitted to revise and extend their remarks.

The SPEAKER pro tempore. Without objection, so ordered.

Mr. LAROCCO. Our association is nonpartisan. It has been chartered, but not funded, by the Congress. We have a wide variety of domestic and international programs, which several other Members and I will discuss briefly.

Our membership numbers approximately 550; and our purpose is to continue in some small measure the service to this country that we began during our terms in the House and the Senate. I must add that we have about 90 Members of the association who served in the United States Senate.

Our most significant domestic activity is our Congress to Campus Program. This is an effort on a bipartisan basis to share with college students throughout the country our insights on the work of the Congress, and the political process more generally. A bipartisan team of former Members, one Republican, one Democrat, spend up to 2½ days on college campuses in colleges in the United States meeting formally and informally with students, but also with members of the faculty and local communities. That is great experience for our Members, but our primary goal is to generate a deeper appreciation for our democratic form of government and to encourage young people to participate actively in public service.

Since the program's inception in 1976, 145 former Members of Congress have reached more than 150,000 students through 301 visits to 207 campuses in 49 States and the District of Columbia. In 1996, the Stennis Center for Public Service at Mississippi State University became a partner with the association in the program. Since 2002, the association has been conducting this program in partnership with the Center for Democracy and Citizenship and the Stennis Center. The former Members donate their time to this program. Transportation costs are paid by the Stennis Center and other donors; and the host institutions provide room and board and, if possible, a contribution based on student population.

At this point, I would like to yield time to David Skaggs, the gentleman from Colorado, who currently serves as executive director for the Center for Democracy and Citizenship, to discuss the new administration and endeavors of and his participation in the Congress to Campus Program.

Mr. Speaker, I want to thank the gentleman from Colorado for his leadership.

Mr. SKAGGS. Mr. Speaker, I thank the gentleman for yielding me some time.

I am pleased to report to the Members and the body about the Congress to Campus Program. As the gentleman from Idaho has indicated, this has the purpose of teaching our young people about government and how this institution really works, as well as carrying a message on a bipartisan basis encouraging public service and public service careers.

We instituted last fall a new partnership for these purposes with the Stennis Center and the association and the Center for Democracy and Citizenship, which I had here at the Council for Excellence in Government.

I want to pay tribute to our colleagues at the Stennis Center who are not able to be here this morning, Rex Buffington and Brother Rogers, who are absolutely vital to the success of this program. We have undertaken a major expansion of Congress to Campus over the last year and the year ahead, having grown from about 9 visits, I think, in the previous academic year to almost 20 this year, and we are on course to more than doubling the program for the next academic year, expecting in the 2003–4 year to visit about 50 colleges and universities and community colleges around the country.

Obviously, this would not be possible without the enthusiastic participation of our colleagues here in the Chamber and others who cannot be with us this morning. And I certainly want to issue a renewed invitation for those that have participated to do so again, and those of you who may not, to consider spending a couple of days on a college campus in this very worthy purpose.

We have only been able to effect this growing program through the assistance of several very important funders including the Pew Charitable Trusts, the Carnegie Corporation of New York and the National Cable and Telecommunications Association, as well as contributions from some of our host schools. And Members will be happy to know that we have been collecting data from our students over this last year and analyzing that, and it indicates that there is a very real, measurable, positive impact of this program in the attitudes that our students who are exposed to our former Members have both about public service careers and about government officials and politics. So the mission is being accomplished, and I hope you will help us carry it on into the future.

I had a wonderful experience myself this spring with my friend, Dan Miller, as we visited Mississippi State University and had a terrific time there visiting with students and faculty and the local community.

I would like to yield now for a couple of minutes to the gentleman from California, Mr. Kuykendall, who had a similarly positive experience at Emory University down in Atlanta.

Mr. KUYKENDALL. I thank the gentleman for yielding to me.

I did have the good fortune earlier this year. In fact, it was the time period when we began the attack in Iraq, and I showed up on the Emory University campus with Andy Jacobs from Indiana. Now, Andy and I had one thing in common. For those of you who know Andy and for those of you who know me, it is not our politics, but it was we were both marines, and to have ourselves on that campus when that activity occurred was extraordinary.

We were put through a series of groups, small groups, individual one-on-one meetings with students and also with the administration. We sat us down with a group of leadership, with the people that run the campus, and I found it very rewarding, quite frankly, to know that those folks still valued our opinion. Sometimes you think when you leave this place, you left all your valuable tools right here on this floor some days. But the things we have learned from being in this House and the service we provided are things that young people do not ever get a chance to see unless they get a chance to talk to us, and so many of us realized that from when we campaigned, but now we are not campaigning anymore. And now here is a chance to go out and touch a young person.

I will mention just one young lady that I met there. A very attractive little blond. She came over to us during the time when we were having one-on-one meetings, and she came up, and she just did not know what possibly the government would do with her services, but she had an interest in working for the government. And then she told me she was going to be like a cum laude graduate in chemistry, and she was bilingual, and she wondered if the CIA would have an interest in her talents. And I said, by all means; if they do not, there are many other places in the Federal Government that would have an interest in your talents.

But it was that fresh and just unvarnished exposure to these young people that made it very worthwhile. For me, I would encourage any of you to take a couple of days of your time and donate that in exchange for maybe changing some young people's lives as they see what Congress people look like up close and personal with opposite ideologies, but able to still talk to each other and carry on a conversation about issues of importance to the world.

Mr. SKAGGS. I thank the gentleman for his comments.

I ask unanimous consent to submit a full copy of the report on the Congress to Campus Program for the RECORD.

The SPEAKER pro tempore. So ordered.

CONGRESS TO CAMPUS PROGRAM—REPORT TO THE ANNUAL MEETING OF THE U.S. ASSOCIATION OF FORMER MEMBER OF CONGRESS, MAY 15, 2003

INTRODUCTION

The Congress to Campus Program is designed to address several aspects of the civic learning and engagement deficit among the country's college-age young people, combining traditional educational content with a strong message about public service. The Program sends bipartisan pairs of former Members of Congress—one Democrat and one Republican—to visit college, university and community college campuses around the country. Over the course of each visit, the Members conduct classes hold community forums, meet informally with students and faculty, visit high schools and civic organizations, and do interviews and talk show appearances with local press and media.

In the summer of 2002, the Board of Directors of the U.S. Association of Former Members of Congress (USAFMC) engaged the Center for Democracy & Citizenship (CDC) at the Council for Excellence in Government to help manage the Congress to Campus Program (Program) in partnership with the Stennis Center for Public Service (Stennis). CDC and Stennis, with the blessing of the USAFMC, agreed to undertake a number of initiatives to greatly increase the number of campuses hosting Program visits each year, expand the pool of former Members of Congress available for campus visits, develop new sources of funding, raise the profile of the Program and its message in the public and academic community, and devise methods of measuring the impact of the program at host institutions. [See Attachment 1—Program Description.]

INCREASED QUANTITY AND QUALITY OF PROGRAM VISITS

In the 2002–2003 academic year, the Program sponsored visits to eighteen schools around the country—double the number for the 2001–2002 academic year. [See Attachment 2—Roster of '02–'03 Academic Year Visits & Participants.] These visits took former Members to universities, service academics, colleges and community in fifteen different states.

This year is the first of a two-year expansion of the program. The goal is to have fifty Congress to Campus school visits in the 2003–2004 academic year and the years thereafter. This is probably near the limit the Program can sustain with available Member participation, staff support and funding. While this is an ambitious undertaking, at this early date over thirty schools have already signed up to host a 2003–2004 Congress to Campus visit or are engaged in serious discussions with staff about sponsoring a visit. [See Attachment 3—Preliminary Roster for '03–'04 Academic Year Visits.]

In addition to an increase in number of visits, each school visit now lasts longer—typically two to two-and-a-half days. This enables a greater range and depth of activities by Members and means that the considerable investment in the logistical arrangements for each trip results in more productive time on campus.

The Program asks host schools to insure contact with at least 250 students over the course of a visit, and that number is usually greatly exceeded. For the past academic year, approximately 6000 students heard Members' unique story about representative democracy and their special call to public service.

A draft schedule of events is prepared in advance of each campus visit and reviewed by staff to assure variety as well as the substance. There is a conference call before each trip with Members and the responsible campus contact person to review and revise schedule and iron out any remaining problems. Members also receive CRS briefing materials on current issues and background information on government service opportunities prior to each visit.

RECRUITING MEMBER VOLUNTEERS FOR CAMPUS VISITS

The success of the Program obviously depends on Members' participation. With travel back and forth, Members end up devoting three or more days to each campus visit. That is a priceless contribution of an extremely valuable resource.

All members of the USAFMC were sent a survey last summer to solicit information regarding their availability for and interest in a Program campus visit. Using responses to these surveys and direct contact with a number of former Members, CDC developed a pool of nearly one hundred available former Members, and some thirty-six participated in visits this year. A ''bench'' of one hundred was certainly deep enough to fill the openings during the current academic year, but many more will be needed to meet the demands of the expanded schedule for 2003–2004 and beyond. All USAFMC members are encouraged to complete and return the survey they will receive in a few weeks and then to be ready to accept assignments to one of the fine institutions of higher education the program will serve next year.

NEW FUNDING SOURCES

Expanding the Congress to Campus Program required finding sources of funds in addition to the generous contribution of money and staff time made each year by the Stennis Center for Public Service. Several organizations agreed to help fund the program through most of next academic year. In addition to Stennis, the Pew Charitable Trusts, the Carnegie Corporation of New York, and the National Cable & Telecommunications Association (NCTA) have contributed substantially to the Program. [See Attachment 4—Funding and Contributions.]

Host schools have always been expected to cover the cost of Members' on-site accommodations and travel. For the first time this year, host institutions were also asked to make a contribution to cover a portion of the cost of administering the Program. A suggested amount of contribution is determined by a sliding-scale based on an institution's expenditures per pupil [see Attachment 5—Application Form], and a waiver is available to schools that are not able to pay

the scale amount. Several schools received a full or partial waiver in 2002–2003, and several other schools had been accepted for Program visits before the contribution system was put in place. Still, school contributions produced several thousand dollars in support of the program. [See Attachment 4.] All host institutions will be asked to contribute in 2003–2004, subject to the ability-to-pay waiver.

The expansion of the Program—clearly justified by the interest expressed by schools seeking to host a first or a repeat visit and by the assessment of its positive effects (see below)—will require a significant further increase in funding.

PROGRAM OUTREACH AND PUBLICITY

The increased number of institutions hosting and applying to host a Congress to Campus visit is the result of an aggressive outreach effort. Association leadership and numerous former Members, as well as staff at CDC and Stennis, have made many personal contracts on behalf of the Program. In addition, there has been a sustained, large-scale promotional effort over the past nine months.

Articles about the Program have appeared in the newsletters of the Political Organizations & Parties Section of the American Political Science Association (APSA) and the Federal Relations section of the American Association of Universities. CDC Executive Director and former Member David Skaggs made presentations in behalf of Congress to Campus to the APSA at its August, 2002, meeting in Boston, and will do so again in August, 2003, in Philadelphia. William ''Brother'' Rogers, Assistant Director for Programs at Stennis, promoted the program at the 2002 annual meeting of the National Associations of Schools of Public Affairs and Administration in Los Angeles. Informational material has been emailed directly to the Chairs of all relevant APSA Sections, all members of the APSA Legislative Studies Section, as well as to many other college and university contacts.

In addition, NCTA arranged for a short interview about the Program with David Skaggs. That interview has been distributed by Comcast Cable and aired by various Comcast outlets after CNN Headline News at the bottom of the hour.

In the past, local and campus press and media have often covered Congress to Campus school visits. In addition to continuing that coverage, the Program encourages each host institution to make commercial print and broadcast media interviews a part of each Congress to Campus visit's schedule. The Program also is working with the NCTA to make available for cable broadcast many of the schedule campus events. While this effort is in its early stages, local television has broadcast events from at least two Congress to Campus visits this year.

MEASURING THE PROGRAM'S IMPACT

Over the years, anecdotal information has tended to validate the basic premise of the Congress the Campus Program—that these visits by former Members of Congress positively affects students' views of public service and government officials. To meet funders' requirements to demonstrate efficacy, and to try to confirm this anecdotal information, the Program this year asked host schools to have students complete one-page surveys. The surveys elicit students' views on public service careers and feelings about different categories of public officials and are to be completed by a group of students who attended sessions with the former Members and by a control group of similar students who did not have contact with the former Members.

While all schools hosting a visit this year did not return the surveys, the data that is available from several schools shows that the underlying goals of the Congress to Campus program are sound. Those students who have contact with former Members during their Congress to Campus visits have a measurably more favorable view of public servants and of public service as a career option than similar students who do not have the opportunity to interact with the visiting former Members. [See Attachment 6—Student Survey Results.] Program staff are still processing survey data, and it has not yet received a rigorous statistical analysis. However, it appears from a preliminary analysis that even the relatively brief time Members have with most of the surveyed students produces a consistent, measurable and positive effect on their attitudes when compared to the views of students at the same schools who did not have a chance to participate.

The Program also requests the principal contact at each sponsoring school to submit an evaluation of the visit. We receive valuable feedback on various aspects of each visit and try to incorporate sessions learned and helpful suggestions in the on-going effort to improve the Program. The best indication of satisfaction with the Program is the fact that every school visited this year has said it wants to do a Campus Program visit again.

Likewise, Members complete evaluations of their experience. These, too, are the source of constructive counsel and have been quite positive. It is clear that Members generally want a challenging schedule that puts them back in ''campaign mode.''

CONCLUSION

The Program has made significant progress toward achieving its new goals. The number of campus visits has been increased 1005 this year and is well on its way to a 200 percent increase over that for the 2003–2004 academic year. While Program funding remains a matter requiring attention, important sources of additional funding for the program have emerged during the 2002–2003 academic year. Efforts to raise the public profile of the Program have met with some success, but are still in the early stages. Finally, preliminary objective data collected this year supports the basic premise of the Congress to Campus Program: that campus visits by Members are effective in raising interest in public service careers and in improving attitudes about public officials among the students who participate in Program events.

ATTACHMENT 1—PROGRAM DESCRIPTION

The Congress to Campus Program was founded by the U.S. Association of Former Members of Congress in 1976 and reaches a wide audience of students, faculty and college communities with its unique story about representative democracy and its special call to public service. Over the years, the Association has entered into strategic alliances with the Stennis Center for Pubic Service (1996) and the Center for Democracy and Citizenship (2002) to strengthen and expand the Program.

Democratic government in the United States depends on an educated citizenry and on a stock of well-informed leaders who are willing and able to fill the many elected and appointed positions at all levels of government. Much has been said and written lately concerning the unhappy state of civic literacy among America's young people. With the drop in participation in politics and voting even among the college-educated portion of the young adults, not only is the breadth and depth of the electorate in decline, but the source of informed leaders for the future is in some jeopardy.

The Congress to Campus Program is designed to address several aspects of the civic learning and engagement deficit among the country's college-age young people, combining traditional educational content with a strong message about public service. The Program sends bipartisan pairs of former Members of Congress—one Democrat and one Republican—to visit college, university and community college campuses around the country. Over the course of two-and-a-half days, the Members conduct classes, hold community forums, meet informally with students and faculty, visit high schools and civic organizations, and do interviews and talk show appearances with local press and media.

The Program provides a distinctive and powerful means to educate the next generation about American government, politics and public affairs. The sponsoring school is expected to develop a schedule of events for each visit (with guidance from Program staff), cover on-site costs, and contribute to general program costs (adjusted to reflect the school's financial resources). The Members provide solid content, discussing how Congress and the government really work and relating their experience as candidates and politicians, all combined with an appeal to public service and an important message about bipartisan cooperation.

Typically, the visiting Members will share their real life experiences of both achievement and occasional frustration—bringing to life for their young audiences the theory and the practice of democracy and explaining the sometimes arcane ways of Congress and Washington. They present a living, bipartisan demonstration of what ought to typify our representative system: decent people with different points of view, who are able to discuss constructive ways to work through their differences to solve public problems. They give students and faculty an authentic and candid ''insiders'' look at the workings of American government and politics. This is a story of government and politics—positive but not unblemished—told in the compelling voice of those who have lived out the democracy's promise and met its challenges in the tough world of national politics.

In addition to these educational objectives, the former Members use the campus visits to inspire and encourage students to consider public service and government careers. With the imminent retirement of a large portion of the civil service at the federal level and in many of the states, the recruitment of talented young people is critical. For each campus visit, the former Members receive packets with briefing materials on current issues of particular interest to students, suggestions about how most effectively to promote public service careers, and public service career information for distribution to interested students.

We are seeking to expand the number of schools hosting Program visits, with quality control to insure that Members and the host schools enjoy a substantive, worthwhile experience. In each instance, the Center will work with the host school to provide advice about the kinds of activities to schedule, to coordinate arrangements, and to review the schedule and program content. We systematically review the experience from each visit to distill lessons learned that can improve the planning and execution of subsequent visits.

Past campus visits have always received good reviews. We would also like to develop quantitative data to determine the impact of the Program. In order to do so, the Program expects the sponsoring faculty at each host school to administer a simple questionnaire. By surveying a sample of students who participate in the Program's campus activities and a sample of comparable students who do not, we hope to get a better idea of the program's effectiveness.

The U.S. Association of Former Members of Congress is a nonprofit organization chartered by the Congress of the United States. It ''seeks to promote the improved public understanding of the Congress as an institution and representative democracy as a system of government.'' The Stennis Center for Public Service is an organization established by law as an entity of the Congress and has been the Association's partner in managing the Program since 1996. The Association recently engaged the Center for Democracy & Citizenship to manage the Program in partnership with Stennis; it is part of the Council for Excellence in Government, a qualified 501(c)(3) organization.

For additional information contact former Congressman David Skaggs, Executive Director, Center for Democracy & Citizenship, 1301 K Street NW Suite 450 West, Washington DC 20005; 202–728–0418, *dskaggs@excelgov.org*, or Brother Rogers, Assistant Director for Programs, Stennis Center for Public Service, Box 9629, Mississippi MS 39762; 662–325–8409; *brother@stennis.gov*.

ATTACHMENT 2—ROSTER OF '02–'03 ACADEMIC YEAR VISITS AND PARTICIPANTS

Northern Arizona University: October 8–10, 2002, Democrat: Karen English (AZ), Republican: Jack Buechner (MO).

UNC-Asheville/Ashville-Buncombe Community College: October 16–18, 2002, Republican: Bob Daniel (VA), Democrat: Earl Hutto (FL).

Central Michigan University: October 29–31, 2002, Democrat: Sam Coppersmith (AZ), Republican: Ed Derwinski (IL).

Sandhills Community College: November 12–14, 2002, Republican: Bill Barrett (NE), Democrat: Norm D'Amours (NH).

University of Northern Florida: February 10–12, Democrat: Ken Hechler (WV), Republican: Barber Conable (NY).

University of Georgia: February 17–19 (postponed due to snow), Republican: Orval Hanson (ID), Democrat: Bob Carr (MI).

U.S. Naval Academy: February 25–26, Democrat: Ron Mazzoli (KY), Republican: Stan Parris (VA).

Emory University: March 18–20, Republican: Steve Kuykendall (CA), Democrat: Andy Jacobs (IN).

Ball State University: March 27–29, Democrat: Harold Volkmer (MO), Republican: Bill Zeliff (NH).

Abilene Christian University: March 31–April 2, Republican: George Wortley (NY), Democrat: David Minge (MN).

Mississippi State University: March 31–April 2, Democrat: David Skaggs (CO), Republican: Dan Miller (FL).

U.S. Coast Guard Academy: March 31–April 2, Republican: Lou Frey (FL), Democrat: Jerry Patterson (CA).

Wellesley College: April 8–10, Democrat: Liz Patterson (SC), Republican: Jan Meyers (KS).

University of Utah: April 14–16, Republican: Barry Goldwater, Jr. (AZ), Democrat: Jim Lloyd (CA).

Albany (Ga.) State University: April 15–17, Democrat: Barbara-Rose Collins (MI), Republican: Mike Parker (MS).

University of Nebraska-Omaha: April 16–18, Republican: Greg Laughlin (TX), Democrat: Jim Bilbray (NV).

University of Colorado-Boulder: April 21–23, Democrat: Bev Byron (MD), Republican: Barbara Vucanovich (NV).

Truman Scholars: Jewell College: May 19–21, 2003, Republican: Denny Smith (OR), Democrat: Martha Keys (KS).

ATTACHMENT 3—PRELIMINARY ROSTER FOR '03–'04 ACADEMIC YEAR VISITS

Wesleyan University: Fall, 2003.

Portland State University: Fall, 2003.

Bowling Green State University: September, 2003.

University of Georgia: October, 2003.

Dartmouth College: October, 2003.

McDaniel College: October, 2003.

SUNY Albany: October 28–30, 2003.

Eastern Michigan University: November, 2003.

Denison University: Late February or Early April, 2004.

University of South Florida: February, 2004.

Syracuse University: Spring, 2004.

U.S. Naval Academy: Spring, 2004.

University of West Virginia: Spring, 2004.

University of Akron: TBD.

University of Maine: TBD.

Purdue University: TBD.

Baker College: TBD.

Allegheny College: TBD.

The following institutions have expressed serious interest in a visit and are at various stages of consideration: Baylor University, Florida A&M, Goucher College, North Carolina State University, Oklahoma Baptist University, Oklahoma State University, Princeton University, Samford University, Savannah State University, University of Rhode Island, University of Scranton, University of Southern California, the USDA Graduate School, Washington University, Washington State University, and Western Kentucky University.

ATTACHMENT 4—CONGRESS TO CAMPUS PROGRAM FUNDING AND CONTRIBUTIONS

The Pew Charitable Trusts	$50,000
The Carnegie Corporation of NY	25,000
National Cable & Telecommunications Association (Cable in the Classroom)	20,000
Stennis Center for Public Service	[1] 10,000
Contributions from Host Schools (Abilene Christian University, Emory University, University of Nebraska-Omaha, U.S. Coast Guard Academy, U.S. Naval Academy, and Wellesley College)	7000
Total Program Contributions	112,000

[1] In addition to significant amounts of the staff time of William ''Brother'' Rogers.

Attachment 5

Congress to Campus Program

The United States Association of Former Members of Congress

in partnership with

center for DEMOCRACY and CITIZENSHIP

and

STENNIS Center for Public Service

APPLICATION FOR CONGRESS TO CAMPUS VISIT

Please complete this form (you may include attachments as needed) and email, fax or mail to
Congressman David Skaggs
Center for Democracy & Citizenship
1301 K Street NW, Suite 450 West
Washington DC 20005
Fax: 202-728-0422
Email: dskaggs@excelgov.org

Name of Institution _____

Address _____

Sponsoring Department _____

Responsible Contact Person _____
[This individual must have authority to act for the host school regarding all arrangements and aspects of the visit.]

Address _____

Email _____ Fax _____ Phone _____

Submitted by _____ Date: _____
[signature]

Background on Institution [founding; governance; accreditations; degrees offered; student body size and characteristics; faculty size and characteristics; geographic area served; religious affiliation; endowment; if this information is readily available on your website, please just provide the address for the website.] (Attach additional sheet, if needed.)

_____

_____

_____

_____

_____

Please check those activities from the following list you expect tentatively to be able to include in the Members' schedules if your application for a visit is approved.

- ❑ Introductory classes in political science or U. S. government [Please try to avoid multiple appearances in different sections of the same course.]
- ❑ Advanced classes in political science or U. S. government, including courses in the Congress, political theory or foreign affairs
- ❑ Classes in political philosophy or history*
- ❑ Classes in other disciplines [e.g., health, science, engineering, environment] for students who may be interested in public service careers or who simply need a better grounding in American government*
- ❑ ROTC classes
- ❑ One-on-one or "office hours" style meetings with individual students interested in public service or political careers
- ❑ Campus political clubs, e.g., Campus Democrats and Young Republicans
- ❑ Campus extracurricular activities or clubs with some public policy dimension, e.g., an environmental or international relations club
- ❑ Campus speaker series or open campus forum
- ❑ Meeting with student government organization or leadership
- ❑ Meetings with school president, chancellor, dean or other senior administrator
- ❑ Meeting with career counseling staff regarding public service
- ❑ Faculty departmental colloquium
- ❑ Interview with campus newspaper(s) and radio station
- ❑ Interview with local newspaper(s) and editorial board(s)
- ❑ Interview or talk show appearance with local radio station(s)
- ❑ Interview or talk show appearance with local TV station(s)
- ❑ Meeting with community service organization(s), e.g., Rotary, Lions, League of Women Voters
- ❑ Community talk or forum, e.g., "town hall" type meeting at a public library
- ❑ Class visits or assembly at local high school

* At least one class should be in a discipline other than political science or government studies.

- ❑ Major federal government installation or major private sector employer near campus able to host a session with a significant number of employees
- ❑ Meeting with local government officials, e.g., appearance at City Council or County Board session or meet with state legislators
- ❑ Other (specify) _____
- ❑ Other (specify) _____

While it is not possible to include all the activities suggested above, the schedule for each visit should include a good variety of activities and not be limited only to classes. Please include at least one class from outside the political science (or government studies) department. Visits typically cover 2½ days, following Members' arrival the previous evening, with events and activities scheduled from 8 or 9 AM until (as late as) 9 PM, including (some) meal times. Please attach a proposed schedule for your school visit, comprised of two full days and a morning, incorporating the elements tentatively checked above. Please indicate, as appropriate, the number of students expected to attend each proposed event or activity. (The Program seeks both quality and quantity in these visits. One goal is to have contact with a minimum of 250 students over the course of the visit.) For each 4 or 5 hours of scheduled time, up to an hour of "down" time may be set aside.

If your application is approved, you will need to submit a complete schedule for the visit at least one month prior to the visit; this is a critical deadline. For class presentations, the instructor for the course should provide brief written guidance to the Members in advance of the visit about what they should discuss during the class period and how it fits in the overall c ontext of the course (a copy of the course syllabus is helpful in this regard). Program staff may request revisions to the schedule if necessary to meet Program standards. Campus tours and other touring in the area are secondary to the academic and community education objectives of the Program and should not be considered as part of the Program schedule.

Preferred dates for a visit that fit your academic calendar. _____

Transportation: nearest airport; distance from campus; means of transportation to

campus. _____

_____

Other considerations that make your school a good site for the Program. _____

_____

_____

The host school is expected to cover the on-site expenses for Member accommodations, meals and local transportation. Please understand that the average Congress to Campus visit also entails about $5000 in administrative, overhead and transportation expenses. In order to make the Program as widely available as possible, we would also like to recover a portion of those costs, based on the host school's ability to pay. Please indicate the financial category applicable to your institution from the following schedule. _____

Host School Suggested Contribution

Category	Current expenditures per "full-time" student*	Suggested contribution
A	$30,000 or more	$3000
B	$20,000 to $29,999	$2000
C	$10,000 to $19,999	$1000
D	$9999 or less	$500

We do not want this cost-sharing goal to prevent any school that wishes to host a visit from doing so. With that in mind, do you need a waiver of all or part of the applicable contribution, and, if so, do you also need assistance with on-site costs? ____ (If 'yes,' please attach an explanation and statement of need signed by an appropriate financial officer of the school.)

Where or how did you learn about the Congress to Campus Program? _____

_____

Note: The host school contact person will be responsible for identifying faculty members who will assist in administering a brief survey instrument to be completed after the Congress to Campus visit by a sample of students in classes visited by Members and by an otherwise comparable sample of students in classes *not* visited. The purpose of this survey is to determine any difference (change) in attitude about politics, government and public service in one group compared to the other, and so to indicate the impact of the visit on student attitudes. In addition, the host school contact person will be expected to complete an evaluation of the visit and to report on print and electronic media coverage of the visit, the expenses paid by the school in connection with the program visit, and the student attendance at each event on the schedule.

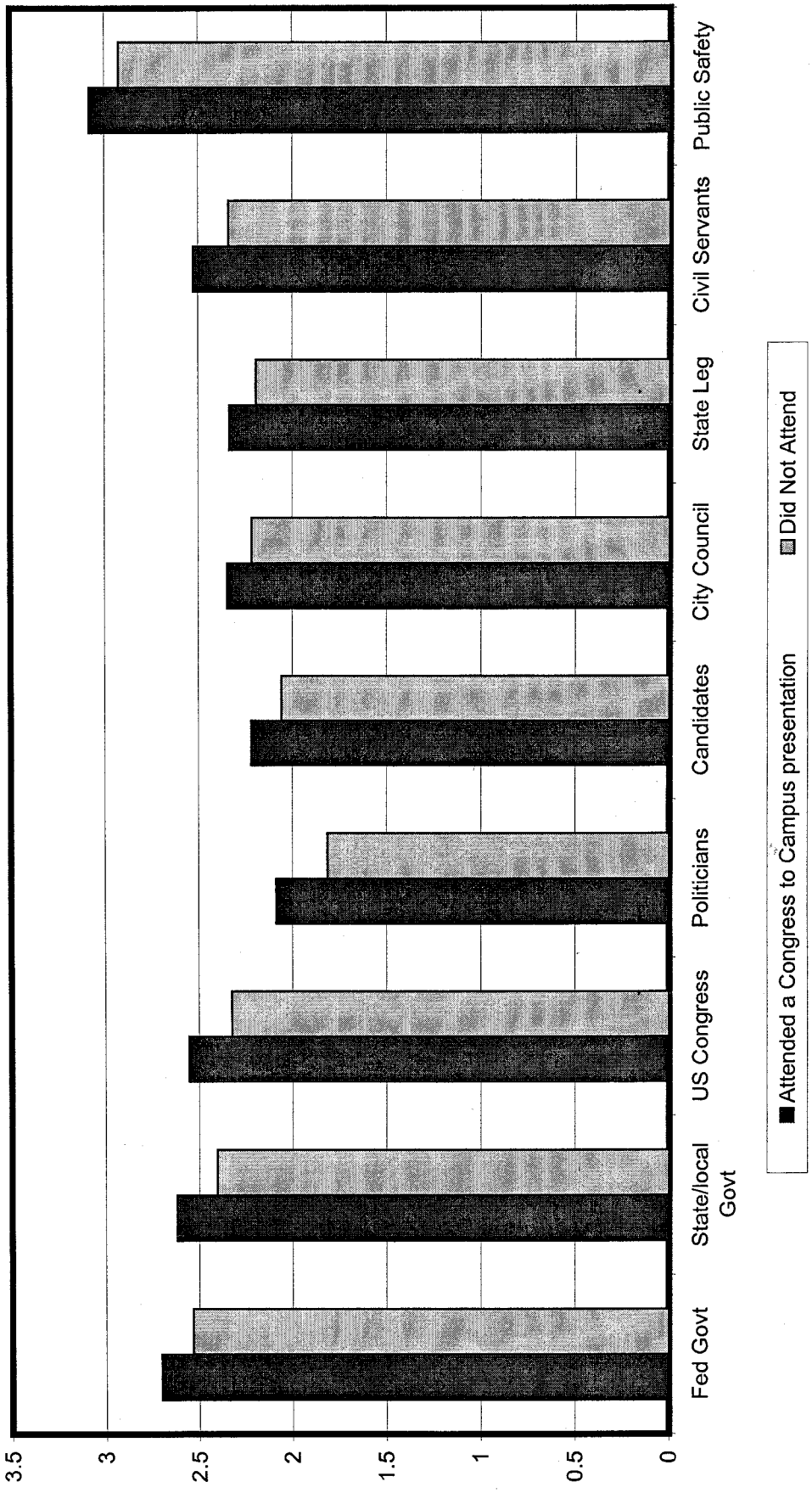
* The expenditures figures used to calculate the contribution level should be for the most recent academic year and should be readily available from your school's business or finance office. They are standard data used by the Department of Education's Integrated Postsecondary Education Data System (IPEDS). For public institutions that follow the GASB 34/35 reporting model, use your school's total expenses – the sum of Operating Expenses and Non-Operating Expenses. Public institutions using the College and University Audit Guide should use the total of current funds expenditures and mandatory transfers. Independent institutions following the Not-for-Profit Audit Guide should use the expenses category. The enrollment figures should come from the IPEDS data for the current academic year, converted to a full-time equivalent enrollment based on one full-time student per three part-time students.

Attachment 6

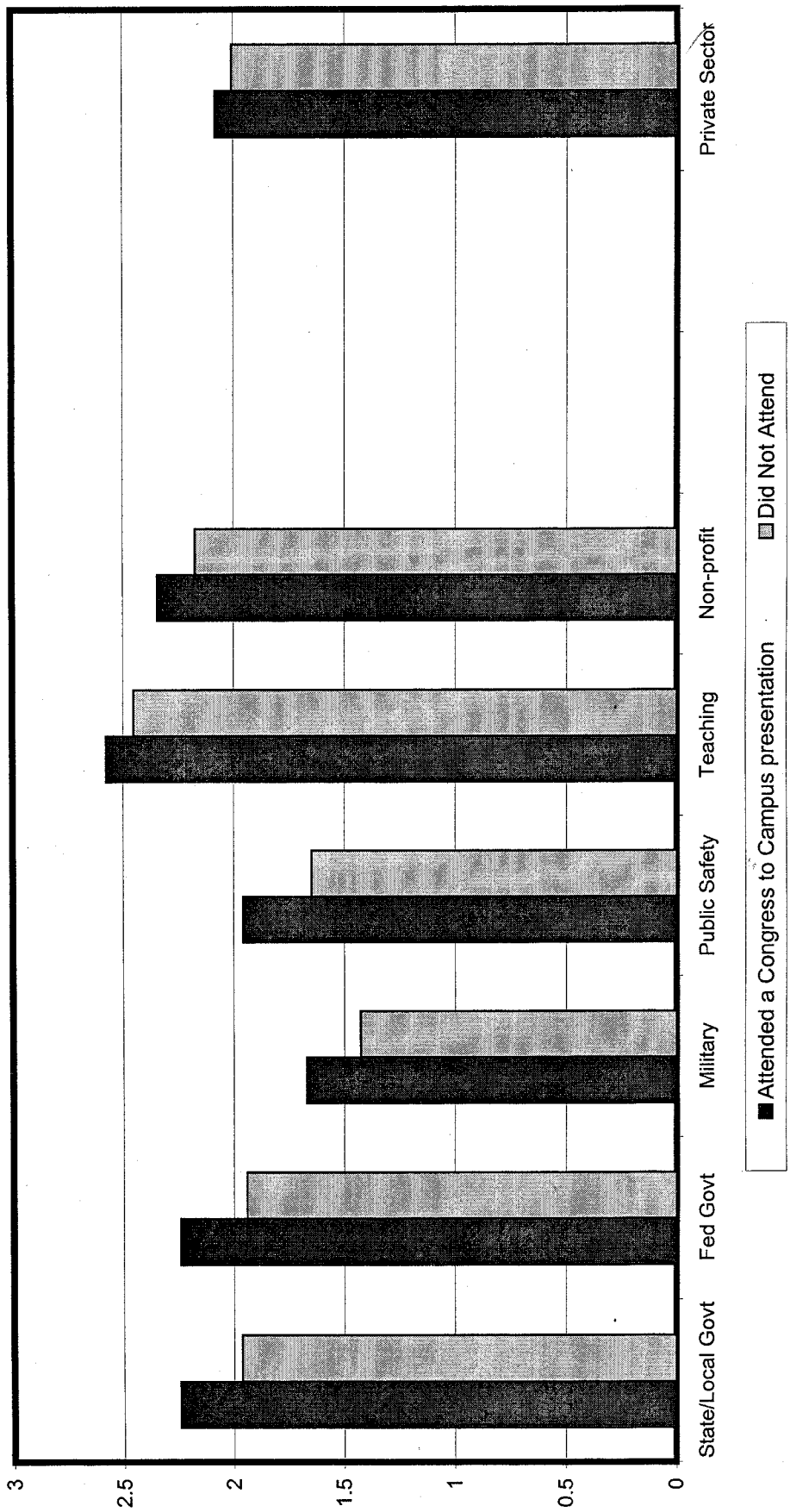
STUDENT SURVEY RESULTS

FEELINGS ABOUT GOVERNMENT OFFICIALS

Please indicate your feelings, from 1 (very unfavorable), 2 (unfavorable), 3 (OK/neutral), 4 (favorable), to 5 (very favorable), about each of the following.



STUDENT SURVEY RESULTS



Mr. SKAGGS. I yield back to the gentleman from Idaho.

Mr. LAROCCO. I want to thank the gentlemen from Colorado and California for their reports. This is truly our flagship program at the association, and David Skaggs has really taken us to new levels, and I think we all owe him a debt of gratitude for what he has done.

I also want to thank today Brother Rogers and Rex Buffington from the Stennis Center for their leadership as well. They could not be with us today in the Chamber, but I think it is important to recognize the contributions they made and the partnership they have formed with David Skaggs and the center.

□ 0930

One outgrowth of the Congress to Campus program was an interest in producing a book that would take an inside look at Congress from different viewpoints. There are many fine books written by individual Members of Congress; but to our knowledge, there was no compendium that goes behind the scenes in a very personal way.

So a past president of our association, Lou Frey, took it upon himself to team up with the head of the political science department at Colgate University, Michael Hayes. He is a professor there, and Lou Frey and Michael Hayes co-edited the book ''Inside the House: Former Members Reveal How Congress Really Works,'' which was published in March 2001. The book has been very well received and currently is in its third printing, and we will tell you a little bit more about the book later.

On December 10, 2002, the association once again sponsored a Life After Congress seminar, a program we traditionally have organized for the benefit of Members who are leaving Congress. During the seminar, former Members Jack Buechner, Marc Lincoln Marks, Bob Carr, Jim Coyne, Martin Lancaster, Ed Pease, and David Skaggs shared their experiences about the adjustments they have had to make since they left Congress and how they managed to seek and pursue careers in a variety of fields.

Congressional spouse June Hansen also described how members of families cope with leaving Congress and beginning a new life. In addition, congressional support staff outlined the services available for former Members of Congress. As in the past, the seminar was followed by a reception sponsored by the association's auxiliary to afford more time for informal exchanges.

Mr. Speaker, beyond the events we organize here in the United States, the association is very active in sponsoring programs that are international in scope. A new member of our association asked me about these just before we gathered here on the floor. So I am happy to report on those activities.

Over the years, we have gained considerable experience in fostering interaction between the leaders of other nations and the United States. We have arranged more than 450 special events here at the U.S. Capitol for international delegations from 85 countries and the European Parliament, programmed short-term visits for individual members of parliaments and long-term visits for parliamentary staff. We have hosted 49 foreign policy seminars in nine countries involving more than 1,500 former and current parliamentarians and conducted 20 study tours abroad for former Members of Congress.

The association serves as the secretariat for the Congressional Study Group on Germany, the largest and most active exchange program between the U.S. Congress and the parliament of another country. Founded officially in 1987 in the House and 1988 in the Senate, it is a bipartisan group involving more than 170 Representatives and Senators. They are afforded the opportunity to meet with their counterparts in the German Bundestag to enhance understanding and greater cooperation.

Ongoing study group activities include conducting a Distinguished Visitors program at the U.S. Capitol for guests from Germany; sponsoring annual seminars involving Members of Congress and the Bundestag; providing information about participants in the Congress-Bundestag Youth Exchange program to appropriate Members of Congress; and arranging for members of the Bundestag to visit congressional districts with Members of Congress. New activities are being explored all the time to enhance these opportunities.

The Congressional Study Group on Germany is funded primarily by the German Marshall Fund of the United States. Additional funding to assist with administrative expenses also has been received from nine corporations whose representatives now serve on the Business Advisory Council to the study group, and this study group is chaired by former Member Tom Coleman from Missouri, who served as the chairman of the study group for the House in 1989.

I would now like to yield to the gentleman from Michigan, Dennis Hertel, to report on the activities of the Congressional Study Group on Germany and the 20th annual Congress-Bundestag seminar held in Berlin and Heidelberg from April 11 to 17.

Mr. HERTEL. Mr. President, it gives me great pleasure to report on the activities of the Congressional Study Group on Germany. The study group has established itself as the most productive means of communication between the U.S. Congress and the German Bundestag. It was founded informally 20 years ago and officially 16 years ago to give Members of Congress the opportunity to have in-depth and focused discussions with their German counterparts.

This congressional session, over 170 Members of Congress belong to the Congressional Study Group on Germany, 37 Senators and 134 Members of the House. The study group facilitates this vital dialogue with one of our most important trade partners and strategic allies in many ways.

The most visible activity of the group is its Distinguished Visitors program, which brings high-ranking German elected officials to Capitol Hill to meet with members of the group, such as Minister Joschka Fischer, Germany's Federal Minister of Foreign Affairs and Vice Chancellor of the Federal Republic of Germany; or member of the Bundestag, Angela Merkel, the opposition leader in the Bundestag and potentially the first female candidate for the office of Federal Chancellor.

Another high-profile event hosted and organized by the Congressional Study Group on Germany is its annual seminar. Every year, the study group brings Members of Congress together with German legislators for several days of focused discussion on a predetermined agenda. The parliamentarians usually are joined by several former Members, officials of the two Federal Governments, think tank and foundation representatives and members of the German-American corporate community.

This year's meeting marked the 20th anniversary of this important conference. The seminar was held in Berlin and Heidelberg from April 11 to 17. A delegation of seven Members of Congress had the opportunity to meet during this week with over 20 members of the Bundestag. In addition, we had a working breakfast with Vice Chancellor Fischer and an hour-long meeting with Dr. Muetzelburg, who advises Chancellor Schroeder on foreign policy issues.

Once we were in Heidelberg, the Members of Congress not only were able to participate in a briefing on NATO readiness at the U.S. Army European headquarters in Heidelberg, but also could visit with some of our troops who were receiving medical treatment in Germany after seeing combat in Iraq.

During our meetings with German Federal officials and members of the Bundestag, we, of course, focused the discussion on repairing the U.S.-German relationship. We also exchanged views on the role of the U.N. and NATO cooperation in the war on terrorism and transatlantic trade and investment questions.

The congressional delegation assembled by the study group was the first official delegation from the House of Representatives to visit Germany since the German election in September of last year and the war on Iraq. We, therefore, received an enormous amount of media attention, and I do believe that we contributed substantially toward an initial attempt at reconciliation since our discussions were so frank and honest, both in public and in private.

A report about the activities of the Congressional Study Group on Germany would be incomplete without

thanking its financial supporters. First and foremost, we need to thank Craig Kennedy and the German Marshall Fund of the United States, since without him and his foundation the study group could not function at its present level of activity.

Also, as Larry LaRocco was just mentioning, we want to thank our former Member, Tom Coleman of Missouri, who chairs the Business Advisory Council to the study group. His tireless efforts have raised much-needed funds to support the administrative side of the study group. He has put together a group of companies that deserve our gratitude for giving their aid and support to the organization. They are Allianz, BASF, DaimlerChrysler, Deutsche Telekom, EDS, Lockheed Martin, RWE, SAP, and Volkswagen.

The Congressional Study Group on Germany is an excellent example of how the Former Members Association can provide a service to current Members that is unequaled in Washington and is of the utmost importance to the foreign relations of this country. I think the former Members can be very proud of the work they do to make this group so possible, and I look forward to being an active participant in the activities of the study group on Germany for many years to come.

Let me say, considering what has happened regarding our relationship with Germany and since we were meeting with them just as the war in Iraq was coming to completion, that in the 20 years that I participated as a Member of Congress and now as a former Member, there has never been such an important meeting that we have had with the Bundestag, and their activity and turnout of over 20 members staying with us during the entire week showed their great concern. So I think we did offer a valuable service.

I would also like to say that Peter Weinchlein, staff director of the Congressional Study Group on Germany, has made this organization into a leading force in international relations.

Mr. LAROCCO. I thank the gentleman from Michigan, and I appreciate his closing remarks because this was an unbelievable time to get together and to discuss the transatlantic relationship, and it is just in times like this when tensions are highest that people need a good dialogue and the Congressional Study Group on Germany provided that opportunity, and it just points to the work that we do here at the association and how valuable it can be.

I want to mention that the association also serves as the secretariat for the Congressional Study Group on Japan. Founded in 1993 in cooperation with the East-West Center in Hawaii, it is a bipartisan group of 80 Members of the House and Senate with an additional 40 Members having asked to be kept informed of the study group's activities.

In addition to providing substantive opportunities for Members of Congress to meet with their counterparts in the Japanese Diet, the study group arranges briefings when Congress is in session for Members to hear from American and Japanese experts about various aspects of the U.S.-Japan relationship.

The Congressional Study Group on Japan is funded primarily by the Japan-U.S. Friendship Commission.

In August 1999, the U.S.-China Interparliamentary Exchange Group, whose members were appointed by the Speaker, was initiated. The first meeting of the group was held in October 1999 when the association, with funding from the U.S. Information Agency, hosted a delegation of nine members of the National People's Congress of China in Washington. The visit included in-depth discussions between members of the two Congresses as well as meetings by members of the Chinese delegation with high-level executive branch representatives, academics, and business representatives.

A trip to China was arranged by the association for current and former Members of Congress in January of 2002 with funding from the Bureau of Educational and Cultural Affairs of the Department of State. The trip had been postponed twice because of the EP–3 incident and the September 11 terrorist attacks. When it did occur, because it was the first visit to China by a congressional delegation since September 11, the delegation was treated with extraordinary hospitality by the Chinese who continuously emphasized the importance of a sound bilateral relationship between China and the United States.

It included an unprecedented hour and one half meeting with President Jiang Zemin, as well as a number of other meetings with Chinese Government and business leaders in Beijing and Shanghai. This exchange program has continued with the association arranging, again with the funding from the Bureau of Educational and Cultural Affairs of the Department of State, a visit to Washington in June 2002 by members of the National People's Congress and a visit to Hong Kong, Beijing and Nanjing by Members of the United States Congress.

I would now like to yield to the gentleman from Kansas, Jim Slattery, to tell you about those visits and the activities of the Congressional Study Group on China for which the association serves as the secretariat.

Mr. SLATTERY. Thank you, Mr. President. From Tuesday, June 4, to Sunday, June 9, 2002, a delegation of six members of the National People's Congress of China, as well as senior Chinese parliamentary staff, visited Washington, DC, for meetings with representatives of the legislative and executive branches.

The chairman of the NPC Foreign Affairs Committee led the delegation, which participated in four sessions of dialogue with Members of the House. In addition, they met with the Speaker of the House, the Parliamentarian of the House, the chairman of the House Committee on International Relations, the Congressional Research Service, and representatives of the National Security Council, the Department of Commerce and the Department of State.

The delegation also participated in several events highlighting U.S. business interests in China. These discussions encompassed a wide range of subject matter, including China's ascension to the WTO, Taiwan, and the marked improvement of U.S.-China relations in the past 2 years.

The overall tone of the dialogue was positive and cooperative. During the NPC delegation's visit to Washington in 1999, a conversation would often turn to issues of contention, like the tragic accidental bombing of the Chinese embassy in Belgrade or China's human rights record. During the delegation's 2002 visit, Members from both sides focused on issues of cooperation such as the effective collaboration in the war against terrorism, the swift and joint resolution of the EP–3 incident, China's purchase of 30 Boeing aircraft after the 9/11 terrorist attacks, and the highly productive visit by Members of the U.S. Congress to China in January 2002.

Even when the conversations became contentious, both sides agreed that dialogue is an important element of identifying points of disagreement and eliminating obstacles to establishing trust, greater understanding and friendly relations.

The commitment to improve communication and understanding continued when a delegation of 13 Members of Congress, the largest congressional delegation yet to visit China, visited Hong Kong, Beijing, and Nanjing from Friday, January 10, to Monday, January 20, 2003. This was the first trip to China for 11 members of the delegation, and I believe all members would agree it was very productive.

The visit to Hong Kong, including a day trip to the Shenzhen Special Economic Zone, focused on trade and economics, with local Hong Kong issues being discussed in meetings with legislative council members and Hong Kong Chief Executive Tung Chee-Hwa.

In Beijing, the extraordinary hospitality of the Chinese once again was experienced.

□ 0945

In meetings with Members of the National People's Congress, President Jiang Zemin and Vice Premier, now Premier, Wen Jiabao, the atmosphere was one of cordiality and a desire to communicate, which resulted, in part, from the fact that many of the Chinese participants had attended previous exchange group sessions and felt as though they were meeting with old friends. Both sides agreed on the importance of the U.S.-China relationship, applauded the improvement in bilateral relations and the cooperation in areas such as antiterrorism, human

rights, trade, security, nonproliferation, and other international and regional issues, including Korea.

In Nanjing, the delegation had very informative meetings with local government officials, but the highlight of the visit was the Saturday spent with students from the Hopkins-Nanjing Center in informal visits around the beautiful city, which is a major center for education and research, and in a 2½-hour town meeting with approximately 100 students.

These official visits will be continued by the congressional leaders of the U.S.-China Inter-Parliamentary Exchange Group, but the gentleman from Illinois (Mr. MANZULLO), chairman, and the gentleman from California (Mr. LANTOS), ranking minority member, know they should not be the sole source of information regarding U.S.-China relations. Therefore, the Association received funding from the Boeing Company to initiate the Congressional Study Group on China in July 2001 to augment the official congressional exchange program by offering opportunities for ongoing communication about vital aspects of this relationship.

Currently the study group is composed of 55 Members of the House, although it may be expanded to include Senators. Modeled after the Association's highly successful Congressional Study Groups on Germany and Japan, this study group holds meetings while Congress is in session so that its Members may meet with U.S. and Chinese experts to be briefed about and discuss key issues of concern to both countries. It is evident that both the official exchange program and the unofficial study group have facilitated greatly the communication and understanding among legislators in China and the United States. The Association is very pleased to play a vital role in this activity so that this important relationship will continue to progress smoothly.

Let me just conclude by making an observation that on this trip it became more evident to me than ever before of the value of Members of the United States Congress and Members of the National People's Congress to have personal relationships, to know each other, and hopefully be able to someday pick up the phone and call each other on a regular basis, to exchange information, to develop personal friendships and relationships that, in times of stress and in times of potential conflict, can be called upon to hopefully resolve those conflicts in a peaceful way.

So I think that this Association does have a vital and important role to play in the future in encouraging this kind of dialogue. It is a pleasure to participate in this program.

Mr. BUECHNER (presiding). The Chair would request the gentleman from Idaho yield for the purpose of the gentleman from Texas (Mr. DELAY), the majority leader of the House of Representatives, the opportunity to address this meeting of the former Members.

Mr. DELAY. I just wanted to take a moment to welcome you back to the floor of this House. It is great to see former Members. I would encourage you to work hard over the next year to increase your numbers. I think it is really important to do that.

I have been sitting back here listening to Jim Slattery's presentation. We greatly appreciate the work that the Association has done in the past and thank Larry LaRocco for his work over the past year. It is good to see so many old friends; the leader, it is great to see him again.

I specifically am very proud that this Association has acknowledged my dear friend and neighbor and mentor Chairman Bill Archer as the recipient of the Distinguished Service Award. Bill Archer has been an idol of mine for a very, very long time, even before I got into politics. And when you look at his resume, it seems that his entire life has been one long act of distinguished service. For this Association to honor him is very special to me personally, and he certainly deserves it.

During days like this, America needs strong leaders in Washington, but equally strong leaders everywhere else, and I really encourage this Association to expand. Sometimes former Members just want to be asked to participate. I would encourage you to do that. Ask them, bring them into this organization and make it even more of an activist organization, because so many challenges remain to be met in this Congress.

Congress is lucky to have all of you doing the work that you are doing through the Association and in your everyday lives. I look across this Chamber and see many of you are still active in what is going on here, and we greatly appreciate that activity.

So finally, I welcome you here, it is great to have you back, and I am looking forward to working with you in the future.

Mr. BUECHNER. The Chair thanks the gentleman from Texas.

For the benefit of the visitors in the gallery, just so you know what you are watching, although I resemble the Speaker of the House, he does not have body doubles. This is the annual meeting of the former Members of Congress. There are over 100 former Members visiting in Washington, D.C., for our annual meeting, and the proceedings are a way that the House has of honoring the service given by the men and women who are here today.

The Chair yields back the time to the gentleman from Idaho.

Mr. LAROCCO. Mr. Speaker, I want to add my thanks to the distinguished majority leader, the gentleman from Texas (Mr. DELAY), for addressing our group today and for taking time out of his day to come and deliver a very strong message. I could not agree more with him; if we can expand our numbers, we can expand our programs and continue with our good service. So I thank the majority leader for addressing us today.

Returning to the Western Hemisphere, the U.S. Congress and the Congress of Mexico have been conducting annual seminars for 42 years under the auspices of the U.S.-Mexico Inter-Parliamentary Group; however, there had been little interaction between legislators from these two countries during the rest of the year. The Association initiated a Congressional Study Group on Mexico, with funding from the Tinker Foundation, in July 2002, so that Members of Congress can meet on a regular basis with visiting Mexican dignitaries and other experts about various aspects of the important U.S.-Mexico relationship.

Another very exciting aspect of this study group's activities is a congressional staff exchange program, which was initiated last month when a delegation of senior congressional staff were hosted in Herida, Yucatan, Mexico, by the Government of the Yucatan.

I would now like to yield to the gentleman from Nebraska, Peter Hoagland, who participated in the trip, to share his experiences with you.

Mr. HOAGLAND. Well, good morning, everyone. It certainly is a pleasure, is it not, to be back here with so many friends and to participate if only in the glimmer of these activities of the United States House of Representatives?

I was privileged to be the chaperone on this trip to Mexico that was taken by senior staff members here in Washington. As Mr. LaRocco indicated, the trip, I think, carved new ground in two respects. First of all, it was the original initiating staffers-only trip; and, second, it shows a renewed interest in Mexico and our relationship with Mexico.

As Larry indicated, we have had events involving Mexico for years, but thanks to the efforts of our Vice President, Jack Buechner, who has taken a special interest, I think, in Mexico, we will see the organization spending more time than previously.

Our trip was on Friday April 11 through April 14. There were seven senior congressional staffers and some others that came along, too, including Linda, our executive director, who always makes an excellent contribution.

It was a very crowded trip. We had a number of seminars involving Mexican politics, economics, trade, and those discussions led by Mexican professors were really very informative and very helpful. We also had a little bit of time to tour archeological sites, and we stayed in some of the magnificent haciendas that do have overnight guests. We saw the natives from the area, the Mayans, conduct a sort of dance program of their own. About 470 adult and child Mayans participated in that.

So all in all it was really a delightful trip. The Mexicans are very interested in increasing our ties with them, as

evidenced by the fact that the Governor of the State of Yucatan spent a 2½-hour dinner with us. The Yucatan has about 2.3 million people, quite a bit more than Nebraska, to give you an idea how big it is, yet the Governor spent all that time with us, as did the mayor of Merida, the capital of the Province of Yucatan. She spent about 2 hours with us one morning. So, clearly, they are interested in deepening our relationship with them, and I think, likewise, we feel the same way.

Mr. LAROCCO. I thank the gentleman from Nebraska for that report.

The Association also has worked in other parts of the world to share the operations of a democratic system of government. In the aftermath of political changes in Europe, the Association conducted a series of programs from 1989 through 2002 to assist the emerging democracies of Central and Eastern Europe. These programs included sending bipartisan teams of former Members of Congress accompanied by either a congressional or country expert to the Czech Republic, Slovakia, Hungary, and Poland for up to 2 weeks and bringing delegations of members of Parliament from these countries to the United States for 2-week visits, and sending technical advisers to the Hungarian, Slovak, Ukrainian, and Macedonian Parliaments for long-term stays and former Members of Congress for short-term stays, during which they assisted the parliamentary members and staffs in a number of ways, including initiating student internships. These various programs were funded by the U.S. Information Agency, the Pew Charitable Trusts, the U.S. Agency for International Development, the Rule of Law Program, the Eurasia Foundation, and the National Democratic Institute for International Affairs.

The Association also has assisted with U.S.-Cuban relations. From 1996 through 2000, we sent delegations of former and current Members of Congress to Cuba on study missions to assess the situation there and analyze the effectiveness of U.S. policies towards Cuba. Upon their return, the delegations wrote reports of their findings, which were widely disseminated through the media and made available to Members of Congress as well as to personnel in the executive branch. The program with Cuba was funded by the Ford Foundation.

The U.S. Association of Former Members of Congress is uniquely qualified to provide the resources for the education of the legislators and emerging democracies. Former Members have experience in State legislatures and the Congress, as we all know. We cannot expect other countries to adopt our ways, but we can help them identify the basic elements of a free representative government sensitive to the traditions of their country.

Walter Raymond, Jr., a senior U.S. Government official who had worked for many years promoting democracy in countries around the world, recognized the Association's qualifications to assist in these efforts. When Walt retired from government service, he became a senior adviser to the Association and greatly facilitated the successful implementation of the programs in Central and Eastern Europe and in Cuba. I am sad to advise you that Walt died last month. I wanted to mention particularly his contributions to these important efforts and express our deep condolences to his family.

The Association organizes study tours for its members and their spouses, who at their own expense have participated in educational and cultural experiences in Australia, Japan, Canada, China, New Zealand, the former Soviet Union, Vietnam, Western and Eastern Europe, Turkey, the Middle East, and South America. From Saturday, October 26, to Saturday, November 2, 2002, 43 Members of Congress, spouses, auxiliary members, friends and staff participated in a study tour to England. Our time in London included a visit to and briefing at the Foreign and Commonwealth Office, private tours of the House of Parliament led by current Members of the House of Commons, a reception with the Speaker of the House of Commons, meetings with Members of the House of Commons and the House of Lords, and with the Conservative Shadow Foreign Secretary.

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It also included presentations by some of the delegation members in a committee room of the House of Commons and at a gathering of the European-Atlantic Group about ''Solutions to Global Ills''; a briefing and reception at the U.S. Embassy to the Court of St. James; and, of course, time to sightsee in historic London. I can assure you that when we stood in front of the Brits and tried to address the solutions to global ills subject, it was quite a challenge to deal with all of the issues at that time.

We also traveled to Oxford to participate in a seminar at the Rothermere American Institute at Oxford University with students and faculty in which some of the delegation members discussed their thoughts about the then-forthcoming November 2002 U.S. elections. An important reason for this visit was to have an opportunity to assist former members of the British Parliament in initiating a former members association similar to our own. We believe the Speaker of the House of Commons is favorable to this effort, and we will continue to work with our British colleagues to provide them with any support we can.

This year we are planning to conduct a study tour to Mexico from Saturday, October 25, to Sunday, November 2, which includes visits to Mexico City, Oaxaca and its environs. I hope many of you will be able to participate in that trip, as everyone who travels on our study tours finds them to be extremely educational, enjoyable and worthwhile.

Mr. Speaker, as you can see, the association conducts a wide variety of programs and is continuing to expand them. All of this requires financial support. At present our funding comes from three primary sources: program grants, membership dues, and an annual fund-raising dinner and auction. On March 4 of this year, we held our sixth annual statesmanship award dinner at which our friend and colleague, Secretary of Defense Donald Rumsfeld, was honored. We presented Secretary Rumsfeld with the statesmanship award in recognition of his service as a Member of Congress, the current and a past, I might add, Secretary of Defense, and for his many other outstanding achievements.

I would like to thank the gentleman from Florida, Lou Frey, who provided the leadership that helped make our first six dinners so successful. I have asked Lou to chair the seventh dinner as well, and he has consented to do that. Unfortunately, Lou could not join us this morning so he asked me to give the report on his behalf about this year's dinner, our plans for next year, and some additional comments about the association's book, ''Inside the House,'' which was mentioned earlier.

Lou wrote:

On March 4, 2003, the association held its sixth annual statesmanship award dinner at the Willard Hotel. The statesmanship award previously had been given to former Congressman and Secretary of Agriculture Dan Glickman, former Congressman Lee Hamilton, former Congresswoman and Secretary of Labor Lynn Martin, former Congressman and current Secretary of Transportation Norm Mineta, and former Congressman and Vice President of the United States, Richard B. Cheney.

This year's dinner was an overwhelming success with over 450 tickets sold. The Secretary made a brief opening statement, which included a story about how former minority leader Bob Michel allowed Don to have a picture taken with him during the primary. The picture was used everywhere, and Don feels it made a significant difference in his campaign. We can all understand why it would. When you have got Bob Michel by your side, good things are going to happen, I think.

The Secretary then took questions for a good half hour and answered them in his usual direct style. All were happy to be able to visit with Secretary Rumsfeld and his wife, Joyce, during the reception. The live auction was a lot of fun and successful as usual with Congressmen Hayes and LaRocco as the auctioneers. For the sixth year, Congressman Hayes ran the silent auction, which has become the signature event at the dinner.

This is the only association fund-raising event of the year. The money is used for general purposes of the association and specifically for the Congress to Campus program aimed at helping students better understand the value of public service and the role of Congress. The dinner this year netted over $90,000. There are many people who helped, but special thanks must go to the members of the executive committee, including former Congressmen Larry LaRocco, Jack Buechner, Jim Slattery, Jay Rhodes, John Erlenborn, Matt McHugh, Jim Hayes, Jim Symington and Bob Carr. Also thanks to Barbara Boggs Associates who, for 6 years,

has helped us run the dinner, and to our staff headed by Linda Reed. We also owe special thanks to Verizon, who has been the chief sponsor of the dinner for 5 years, and this year to three cosponsors, Holland & Knight, IDT Corporation, and Lockheed Martin. It is a team effort. All the hard work has made this dinner an institution in our Nation's capital.

Our seventh annual statesmanship award dinner will be held in early March 2004. We will notify you of the exact date and the recipient of the statesmanship award as soon as we have those determined. We hope many of you will be able to participate in this elegant and enjoyable evening.

Mr. BUECHNER (presiding). Will the gentleman please yield back some time so that we can recognize the gentleman from Maryland, the Democratic whip, the Honorable STENY HOYER, for a few remarks?

Mr. LAROCCO. I would be very pleased to yield to the gentleman from Maryland, the Honorable STENY HOYER.

Mr. HOYER. Thank you very much.

Every time I walk by that, I think of John Rousselot. Remember how John used to come over to this and preach at us? He came over to this rostrum. Those of you who were here with John Rousselot, I tell that story only because John Rousselot, I came to the Congress having the most negative view of John Rousselot of any Member of the Congress. That was where I was coming from. I over time got to think he was one of my most delightful colleagues. I say that in starting because unfortunately, as I have said in years past, this Congress has become more partisan, I think, than when you were here, less collegial than when many of you were here, and in many respects less positive than when many of you were here. Not all of you, because some of you have left pretty recently and know of what I speak.

I am so proud to be here and refer to my Democratic Speaker, Mr. Speaker. It is so good to be here with Tom Foley. What a wonderful contribution he made to this institution through the years, and the person that I would have voted for for Speaker. We only had about 197, I think, at the point, but I pledged to RAY LAHOOD that if he could get 21 of his colleagues that I would try to line up 197 of my colleagues to vote for Bob Michel for Speaker. Bob, it is good to be here with you, Mr. Leader. What a great American you are and what respect everybody who served with you has for you. And for all of you who served here and made this institution what it is for the American people, the people's House, on behalf of NANCY PELOSI, myself and all of the folks on our side of the aisle; but I know that I speak, and Speaker HASTERT was here, Speaker HASTERT, I want to tell you, is a partisan Republican, a conservative Republican; but he is a collegial leader of this House in terms of reaching out to many of us on this side of the aisle. We are going to have disagreements, but he is a good and decent leader of this House. You would be proud of him serving here, I think. Maybe it is just, Mr. Leader, because he comes from Illinois. Maybe that is it. But in any event, you would be proud, I think, of his leadership of this House.

America is facing some very substantial challenges. We present Members need all the wisdom that we can garner from all of you who have served so well, selected by your neighbors and friends to serve in the people's House, how proud of us they are, the fact that the only way you get here is having your friends and neighbors repose in you trust and confidence to come here and to represent them in a way that will better their community, their States and their country.

We are challenged. We are challenged from abroad. We are challenged internally by our economy. Together I think we do better. We are struggling to get together in this House and in this Congress; but having said that, I think that you can be very helpful in that regard. I am always pleased to come here and to participate in welcoming you back to the Congress of the United States, to your House, the people's House. What a privilege and honor it is to have served here and what a privilege and honor it is to serve here and what a brotherhood and sisterhood we create.

Marjorie Holt and I served together and represented our State. We became very, very good friends and remain good friends to this day. Helen Bentley, another low-key, soft, unretiring Republican colleague of mine, is an extraordinarily good friend of mine. Senator Beall sits back there, another Member of the other side of the aisle. I think, as the partisanship fades as former Members, you become good friends. Connie Morella is here as well. Dan Miller is there with her. Connie, it is good to have you back here. Connie herself, as collegial a Member as we have had in this body, who is now thinking herself, yeah, what did you do about it? I understand. It is a tough partisan business, but she is a wonderful person.

Thank you for giving me this opportunity to welcome all of you back, to thank you for what you have done and what you are doing for our country. God bless you. Thank you very much.

The SPEAKER pro tempore. I thank the gentleman from Maryland. Before the gentleman from Idaho reclaims his time, the mention of the former minority leader, Mr. Robert Michel, brings to the Chair's mind that a good friend of this House was Corinne Michel, is Corinne Michel, who is unfortunately very ill right now. I would just ask that all the members of the association, current members and anybody in the gallery, if they have got a little time to cast a prayer, wishing the recovery of Corinne Michel and the good spirits of Bob Michel, I would ask you to join in that.

The time is returned to the gentleman from Idaho.

Mr. LAROCCO. Thank you, Mr. Speaker. I will continue with my report, keeping in mind that the words that I am speaking here are really Lou Frey's words and he has asked me to present these to you.

He goes on to say, I have also been asked to report on the Association's book written and published in 2002, ''Inside the House: Former Members Reveal How Congress Really Works.'' This book has chapters written by 34 Members of the House and Senate, a congressional spouse, my spouse, Chris LaRocco; two former congressional staff members and a former member of the Canadian parliament and was edited by Michael Hayes, chairman of the Political Science Department at Colgate University and by me. That would be Lou Frey. I am pleased to report that the book is being used in a number of schools such as Colgate University, the University of Central Florida, the University of Kentucky, and the naval postgraduate school in Monterey, California.

There was a television review of the book on C-SPAN and good coverage in RollCall. I have had the privilege of helping teach a course on Congress from the book and found that it really helped the students understand how the Congress works. Whether you are one of the coauthors or not, I hope that you would in your home areas be willing to talk about the book to local libraries, civic clubs, high schools, and colleges. I have found that libraries and bookstores are extremely anxious to come and have you speak. This book is in no way dated. Is a case study of the Congress from various viewpoints. We have been asked to consider updating the book in several years and expanding its coverage. For those of you who have written chapters, this is a chance for you to work on your chapter and make changes or additions which will strengthen it. For those of you who wanted to participate and did not, please contact me; and here is a chance to help with a truly worthwhile project.

And last, for those of you who have not bought the book, please do so now as the more books we sell, the more money we receive from the publisher for the association.

Mr. MAZZOLI. Would my friend yield just a moment?

Mr. LAROCCO. I would be happy to yield to the gentleman from Kentucky.

Mr. MAZZOLI. I am happy that we have heard from our former leader ''Lou Frey'' with regard to the book. I would like to cite that while I am contributor to the book and I have a little bit of bias here, I have taken part in three separate book-signing ceremonies and activities in Kentucky. There is really a lively interest in the book. I would urge anyone who has contributed to the first edition and who might contribute to a possible second edition to think about mentioning it, and people will pick up on that theme. There are different book fairs and festivals which would be interested in that.

I would urge the Members to be involved and again to help support the

Congress to Campus. I just would mention very briefly that my friend Stan Parris and I went to the Naval Academy in February on a Congress to Campus visit and found it very stimulating and wonderful. So again, for those Members who have not signed up for these ventures, they are very fulfilling and very rewarding.

Mr. LAROCCO. I thank the gentleman for those comments. He makes good points that we can all promote this book. We all know political scientists at universities. We can share with them this book and let them know about its existence, and they can use it in their classes and you can participate as well by speaking so knowledgeably about what is contained in there. The book is on sale at the Capitol Historical Society's kiosk in the Capitol, or you can find instructions about how to purchase the book on the association's Web site: www.usafmc.org.

That concludes Lou Frey's report.

Mr. Speaker, in addition to additional support, the association benefits enormously from the efforts and leadership of many people. I want to thank the officers of the association, Jack Buechner, Jim Slattery, Jay Rhodes and John Erlenborn, the members of our board of directors and our counselors for providing the excellent guidance and support necessary to oversee these activities. In addition, we are assisted by the Auxiliary of the Association, now led by Linda Laughlin and soon to be led by Dana Martin. We are particularly grateful for their help with the Life after Congress seminars which are held in election years and our annual dinners.

Needless to say, our programs could not be so effectively run without the exceptional support provided by our staff: Linda Reed, executive director; Peter Weichlein, program director with special responsibility for the Congressional Study Group on Germany; Tom McGettrick, executive assistant; and our interns from George Washington University, Vincent DeRosa, Anna Pope, and Adam Drexler.

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Many thanks to all of you. The Association also maintains close associations with counterpart associations of Former Members of Parliaments in other countries. I am pleased to recognize and welcome Mr. Georg Erhnrooth of the Association of Former Members of the Parliament of Finland, Barry Turner and Doug Rowland of the Canadian Association of Former Parliamentarians, and a delegation from the Association of Former Members of the European Parliament, which includes: Lord Henry Plumb, Anthony Simpson, James Moorhouse and Robert Moreland from England; Colette Gadioux from France; Ursula Braun-Moser from Germany; Marie Jepsen from Denmark; Maartje Van Putten from the Netherlands; and Adrian Cunningham, the Association's Administrator, who are with us today. I would like to ask all of those people whose names mentioned to stand and be recognized. We want to thank you for being here in the Chamber with us today and joining us for the Association's annual meeting.

Mr. Speaker, it is now my sad duty to inform the House of those persons who have served in Congress and have passed away since our report last year. The deceased Members of Congress are: Elizabeth Andrews, Alabama; Lucien Blackwell, Pennsylvania; Charles Chamberlain, Michigan; Frank Cremeans, Ohio; Jacob Davis, Ohio; John Dellenback, Oregon; John Dow, New York; L.H. Fountain, North Carolina; Sedgwick William ''Bill'' Green, New York; Stanley Greigg, Iowa; Martha Griffiths, Michigan; George Kasem, California; John Kyl, Iowa; Henry Latham, New York; Russell Long, Louisiana; Clark MacGregor, Minnesota; Edwin Mechem, New Mexico; Patsy Mink, Hawaii; Frank E. ''Ted'' Moss, Utah; Daniel Patrick Moynihan, New York; Maurice Murphy, Jr., New Hampshire; Wayne Owens, Utah; Donald Pease, Ohio; Roman Pucinski, Illinois; John Rousselot, California; Harold Sawyer, Michigan; Robert G. Stephens, Jr., Georgia; Joseph P. Vigorito, Pennsylvania; Paul D. Wellstone, Minnesota; Charles O. Whitley, North Carolina; and Gus Yatron, Pennsylvania.

I respectfully ask all of you to rise for a moment of silence in their memory and for their service to this institution and the Congress of the United States. Thank you.

And now you may not have thought that this report would ever end and that somebody would ask me to yield time and get out of the well, but we are here for a very special purpose. As you know, each year the Association presents a Distinguished Service Award to an outstanding public servant. The award normally rotates between the parties, as do our officers. Last year we presented the award to an extraordinary Democrat, Tom Foley. This year we are pleased to be honoring a remarkable Republican, Bill Archer.

Bill Archer served as a Member of the House of Representatives from 1971 to 2001, representing the Seventh Congressional District of Texas, a seat previously held by President George Bush. From 1995 to 2001, Bill served as chairman of the Committee on Ways and Means. During his 30 years in Congress, Bill fought for tax cuts and a simpler Tax Code that provides investment, savings and the ability of U.S. companies to compete in global markets. As chairman of the powerful Committee on Ways and Means, he was hailed for his mastery of tax policy.

Bill is known as a champion of free trade. He was instrumental in congressional passage of NAFTA, GATT, and Permanent Normal Trade Relations for China. He served as adviser to the GATT Ministerial Trade Conference in Geneva for many years, was a member of the 1983 Greenspan Commission on Social Security Reform, and remains a leader in efforts to ensure the long-term solvency of the Social Security System.

Bill also has played a pivotal role in shaping U.S. policy on health issues. He is currently a senior policy advisor to PricewaterhouseCoopers.

It gives me a great honor, and on behalf of the Association I am delighted to present our Distinguished Service Award to the Honorable Bill Archer. Bill, would you come forward.

The plaque is inscribed as follows: ''Presented by the U.S. Association of Former Members of Congress to the Honorable Bill Archer for his 40 years of exemplary public service to his beloved State of Texas and the Nation. Bill Archer served 15 terms in the U.S. House of Representatives, culminating as chairman of the Ways and Means Committee, where he was a true leader and effective legislator in the areas of health care, Social Security, welfare reform, foreign trade and tax policy. Washington, D.C., May 15, 2003.''

Bill, I am also pleased to present you with a scrapbook of letters from your colleagues offering their congratulations, along with mine, for this well-deserved symbol of our respect, appreciation and affection. We would be pleased to receive some comments from you.

Mr. ARCHER. Thank you very much. I see that one of the great benefits of being a former Member of Congress is that we are no longer limited by the 5-minute rule.

All of us who have been Members of Congress and those who sit today as Members of Congress receive honors. I think without exception every Member of Congress has received honors from outside organizations and associations and groups, but I must tell you that to receive an honor from your peers transcends all of those other honors. Those who have served with you, those who know you best, who have been kind enough to select you for this award is truly a highlight.

In preparation for this event, I reflected back on so many of the moments during my service here in this House. And, yes, in many ways there are things that you are glad to be away from, the bells, the late-night sessions, the interruptions in your personally scheduled life, the ability to be home every night and to have dinner with your wife and to control your schedule. Those are great benefits to being away from the Congress, but there are also great losses, and the ability to know that, as you participate in the work of this Congress, you are affecting the lives of 280 million plus Americans and beyond that the people of the entire world.

And I must say that I could not have found a more fulfilling role for my life than to be a part of this body. It was a great learning process for me because, as those of you who know me well know that I have very strong philosophical beliefs, and I doggedly pursued

those while a Member of the Congress, but I learned that those who opposed me, those who disagreed with me could still be my friends, that I could have respect for them.

I look out and I see Ab Mikva, who served on the Committee on Ways and Means with me on the Democrat side. We rarely voted together, rarely. But we became very, very good personal friends, and I have always held him in high respect because he was motivated to do what he believed was correct, what he believe was right for the country. And it is an incredible miracle that we can come together, whether in this Chamber or over in the other body, and, see, I still know I cannot call it the Senate, and we can make it work.

This representative democracy within a Republic, the oldest democracy in the world, continues to work because we bring together the diverse views, and sometimes we get emotional, and sometimes we cloak our position in extreme rhetoric, but for the most part we do respect each other, and we do keep the country moving forward. I am sure that Washington and Franklin and Jefferson and Madison look down on what happens here and say, ''We put down a pretty good foundation. It has worked.'' And I know that I always felt that the moments that I could be in this Capitol were the most stimulating events of my life because we can never forget that right here, right where we are today, is the center of freedom for the entire world, and what we do impacts not only the 280 plus million Americans, but the entire world. It is an awesome responsibility, but one that has been discharged by all of you who are former Members and continues to be discharged today by those who come together here to make democracy work.

I thank you so much, and I tried to keep my remarks within the 5-minute rule.

Mr. MAZZOLI. Will the gentleman yield just 1 second?

I believe, Mr. Speaker, that I am the only person in today who is a member, as our honoree, of our wonderful and fabled congressional class of the 92nd Congress. And as a Member of that class, Bill, I want to tell you what grace you have brought to our class, what an honor it is to have you in our midst.

Mr. BUECHNER (presiding). The Chair joins in the accolades of the gentleman from Texas and returns the time to the gentleman from Idaho.

Mr. LAROCCO. Thank you again, Bill, for your friendship and service and for being with us today and receiving this award from your peers.

Mr. Speaker, the members of the Association were honored and proud to serve in the U.S. Congress. We are continuing our service, and I hope that is demonstrated by our report today here on the floor of House of Representatives. Again, thank you for letting us return to the Chamber. I want to thank the Speaker of the House, DENNIS HASTERT, for giving us this time to make our report.

This concludes our 33rd Annual Report by the United States Association of Former Members of Congress, and I hope you will join us today and tomorrow for our continuing activities here in the Nation's Capitol. Thank you very much. I am proud to be your President and proud to be part of this Association, and I thank you all for your participation.

The SPEAKER pro tempore. The Chair thanks the gentleman from Idaho for his service both today and the past year to the Former Members Association.

The Chair again wishes to thank the Former Members of the House for their presence here today.

Before terminating these proceedings, the Chair would like to invite those former Members who did not respond when the roll was called to give their names to the reading clerks for inclusion on the roll.

The Chair wishes to thank the other former Members of the House for their presence here today, and, again, good luck to you all. We wish to have you join in the other proceedings today and tonight.

The Chair announces that the House will reconvene at 11 a.m.

Accordingly, (at 10 o'clock and 30 minutes a.m.), the House continued in recess.

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AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. CULBERSON) at 11 o'clock and 7 minutes a.m.

PRINTING OF PROCEEDINGS HAD DURING RECESS

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I ask unanimous consent that the proceedings had during the recess be printed in the CONGRESSIONAL RECORD and that all Members and former Members who spoke during the recess have the privilege of revising and extending their remarks.

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

There was no objection.

PASSAGE OF H.R. 2

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

Mr. SHUSTER. Mr. Speaker, last week the House of Representatives passed the job package introduced by President Bush. This bill gives the economy an immediate shot in the arm by leaving working families with more of their hard-earned money through accelerated income tax relief. Right now too many workers feel a squeeze in their wallet because they are taxed too highly, but help is on the way.

H.R. 2 will aid any American family looking to pay bills or put food on the dinner table by letting those families keep more of those hard-earned dollars. Just as importantly, H.R. 2 will help create more jobs for American workers by including provisions encouraging business investment. This bill breathes new life into every company struggling to survive by increasing tax-deductible investments. If we help businesses remain competitive and growing, we in turn can help them create new jobs.

There is yet one more hurdle for H.R. 2 to make a difference in America. H.R. 2 must pass the other Chamber. I rise today to urge my friends on the other side of the Capitol to move forward and pass the legislation quickly. The American people are waiting.

EXTENDING UNEMPLOYMENT INSURANCE BENEFITS

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

Ms. BALDWIN. Mr. Speaker, Congress just does not get it. That is exactly what I would be thinking if I was one of the 14,400 workers in my home State of Wisconsin or the 1 million workers nationwide who are unemployed and are about to exhaust their unemployment insurance benefits in 2 weeks. I cannot imagine the frustration these workers must feel after months of looking for jobs with little to no success, only to come home after a long day of looking for work to pick up a paper and read that the House of Representatives adjourned after another week of light legislative work without extending unemployment benefits.

Earlier this week more than 80 employees at Riverwood International Corporation, a beverage carton plant in Fort Atkinson, Wisconsin, were told that they were losing their jobs. This is just one example of many companies in Wisconsin that have decided to close their doors for good. Wisconsin had the third highest number of massive layoff claims this past March.

Congress should stay here and extend unemployment benefits.

NATIONAL TOURISM WEEK

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

Ms. BORDALLO. Mr. Speaker, I rise today to express my strong support for House Congressional Resolution 172 introduced last week by our colleagues, the gentleman from Florida (Mr. FOLEY) and the gentleman from California (Mr. FARR), the cochairs of the Travel and Tourism Caucus. I commend them for their leadership on this issue.

The tourism industry is vital to the economy of the United States. It is the

bedrock of the economy of Guam, my district, and instrumental to the continued economic growth of our islands.

Last year nearly 1 million visitors alone came to Guam. In 1997, visitor arrivals peaked at 1½ million. Guam is 4 flying hours away from major markets in Asia such as Tokyo, Osaka, Seoul, Taipei, Hong Kong, Bangkok, and Manila. Guam is served by several major airlines including Continental, Micronesia, Northwest, Japan Airlines, Korean Air, and All Nippon Airways.

Guam has been struggling to rebound in the aftermath of the September 11 terrorist attacks, Supertyphoon Pongsona, the war in Iraq, and recently the SARS epidemic.

In February, in the omnibus appropriations bill, Congress included $50 million for a promotional campaign to encourage travel to the United States, including territories. We need to continue our efforts here in Congress to promote tourism. Let us support the visitor industry. Support the American economy, support National Tourism Week.

MISUSE OF FEDERAL POWER

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

Mr. DOGGETT. Mr. Speaker, not content as U.S. House commander, redistricting czar, and mapmaker for the Texas Legislature, J. Edgar DeLay apparently seeks a job directing law enforcement.

His first response to political differences is to call in the G-men, the FBI, the U.S. Marshals to brazenly pursue his political foes. [AP, Suzanne Gamboa, May 13, 2003] He told reporters that ''bringing in either U.S. Marshals or FBI agents is justified because redistricting is a federal issue.'' [Houston Chronicle, May 13, 2003]

The United States attorney in San Antonio was asked to explore how to employ Federal resources. [Fort Worth Star-Telegram, May 14, 2003; Washington Times, May 14, 2003] Meanwhile, someone in the Homeland Security Department was enlisted to track a cotton farmer from Hale Center, Texas. [Fort Worth Star-Telegram, May 14, 2003] According to Plainview airport manager Marlin Miller, the Homeland Security official ''made the comment that I think this is some kind of political people they're looking for.'' [Fort Worth Star-Telegram, May 15, 2003]

Americans had thought this Department was to look for terrorists. Perhaps those who attacked these courageous citizen-legislators would treat them as terrorists. This is how tyranny begins, and that is why 16 Members of the House are requesting an official Administration explanation.

America is waiting. Who is hiding now?

REPUBLICAN RUNAWAY FREIGHT TRAIN

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

Mr. LAMPSON. Mr. Speaker, I read a poignant article in the Fort Worth Star-Telegram this morning. Mr. Sanders compares the legislative body in Texas and its lack of leadership to a runaway freight train that has been hijacked by a self-serving Congressman, Mr. TOM DELAY, who is willing to put his own agenda and the presumed agenda of the national Republican leadership ahead of the people of Texas.

□ 1115

He describes the freight train as carrying redistricting, but that it is also carrying other important cargo like school finance and the CHIPS program, and that this train with DELAY and Craddick at the helm is headed for a wreck. Fifty-three House Members saw the wreck coming, did what they thought was best for the State of Texas, and hightailed to Oklahoma to prevent this train from slamming into the Texas House. It is a stand that I see as nothing short of heroic.

They have put DELAY and Craddick, and in fact, the Nation, on notice that there are many of us out here who are willing to put it all on the line for what we think is right; that there are many of us who will not be threatened or bullied into an agenda that is bad for Texas. Joe Deshotel, Craig Eiland, and Alan Ritter, as well as their colleagues who have joined them, are risking everything for the people of Texas, not their party.

NATIONAL TRANSPORTATION SAFETY BOARD REAUTHORIZATION ACT OF 2003

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 229 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 229

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1527) to amend title 49, United States Code to authorize appropriations for the National Transportation Safety Board for fiscal years 2003 through 2006, and for other purposes. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Transportation and Infrastructure. After general debate the bill shall be considered for amendment under the five-minute rule. Each section of the bill shall be considered as read. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. Culberson). The gentleman from Florida (Mr. LINCOLN DIAZ-BALART) is recognized for 1 hour.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purposes of debate only.

(Mr. LINCOLN DIAZ-BALART of Florida asked and was given permission to revise and extend his remarks.)

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, House Resolution 229 is an open rule, providing for the consideration of H.R. 1527, the National Transportation Safety Board Reauthorization Act of 2003. The rule provides 1 hour of general debate, evenly divided and controlled by the chairman and ranking minority member of the Committee on Transportation and Infrastructure.

Finally, the rule provides one motion to recommit, with or without instructions. Obviously, this is a fair rule. It is a totally open rule, one that provides ample opportunity to debate this important reauthorization before us today.

Last year, the House passed essentially the same bill by suspension, but the other body failed to consider the legislation. The House then must again act this year to ensure that the NTSB has the funding necessary to carry out its important tasks.

The NTSB was established in 1967 as an independent agency with the task of investigating transportation accidents, conducting transportation safety studies, issuing recommendations, aiding victims' families after disasters, and promoting general transportation safety.

Since 1967, NTSB has investigated over 114,000 aviation accidents. The NTSB's constant participation in transportation safety, evidenced through 12,000 recommendations to regulators, operators and users of transportation systems, has made them the government leader in crash investigation. I think what is even more impressive is that 82 percent of their recommendations have actually been adopted by these regulatory and transportation bodies.

This bill will increase the effectiveness of the board by authorizing funding through fiscal year 2006 at levels necessary to carry out their investigative mission both here and at aviation disasters abroad.

The bill requires that the Department of Transportation issue an annual report on the progress and adaptation of the board's safety recommendations. It is crucial that the Department of Transportation and that this Congress work to ensure that all recommendations are being met by the public.

Finally, Mr. Speaker, the bill requires that the NTSB turn over their involvement in an aviation disaster to the FBI in the case of an intentional criminal act. This action would be taken by the Attorney General in consultation with the chairman of the NTSB. I think it is very important that in the event of any criminal aviation disaster, such as the one experienced during 9/11, 2001, the rescue of survivors obviously remain a first priority, but the apprehension of those involved commence immediately.

H.R. 1527 is a good bill, important to the continued transportation safety of the Nation, in not only responding to accidents but taking steps, through recommendations, to prevent further tragedies.

The underlying legislation was reported favorably out of committee by voice vote. I would like to thank the gentleman from Alaska (Mr. YOUNG) for his extraordinary leadership on this issue, as well as his ranking member, the gentleman from Minnesota (Mr. OBERSTAR). Mr. Speaker, this important bill recognizes, by reauthorizing essential funding to the board, the importance of this activity charged with investigating tragedies and promoting transportation safety.

This has been a bipartisan effort throughout the consideration of the bill, from consideration in the Committee on Transportation and Infrastructure to this very obviously fair rule reported out of the Committee on Rules, which continues, I think, this constructive debate by allowing all amendments in order under the rule.

Mr. Speaker, I urge my colleagues to support both this important underlying legislation as well as the rule before us to bring it to the floor.

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

Mr. MCGOVERN. Mr. Speaker, I yield myself 7 minutes, and I thank the gentleman from Florida for yielding me the customary 30 minutes.

Mr. Speaker, fortunately we have before us today legislation that is the model of bipartisanship and should be the standard for legislation considered by this body. Unfortunately, this bill is the exception and not the rule. Most of the time our colleagues on the other side of the aisle treat bipartisanship as a sign of weakness, as something to be avoided if at all possible.

Last week, for example, the majority forced one of the most important bills that will be debated this year, the $550 billion tax cut for the wealthy, through this body without even allowing the Democrats the traditional substitute. This bill, by contrast, is thoughtful, sensible, and bipartisan. I would only say to my friends on the other side of the aisle, this is not that hard.

By adopting this rule, the House will be able to consider H.R. 1527, the National Transportation Safety Board Reauthorization Act. This bill was reported out of the Committee on Transportation and Infrastructure. It is not controversial and I am confident that the House will approve it with broad bipartisan support.

Mr. Speaker, I had the great honor of serving on the Committee on Transportation and Infrastructure prior to my appointment to the Committee on Rules; and during my time on the Committee on Transportation and Infrastructure, I had the privilege of working with the distinguished chairman, the gentleman from Alaska (Mr. YOUNG); and the distinguished ranking member, the gentleman from Minnesota (Mr. OBERSTAR). I have always believed that the Committee on Transportation and Infrastructure is one of the most collegial, bipartisan panels in the Congress; and I know firsthand the good work that this committee is capable of producing, and this is one of those bills.

Having said that, there is still much work that needs to be done before the Memorial Day work period. Over 6,100 people in my home State of Massachusetts have lost their jobs in the past month and almost 168,000 have lost their jobs since President Bush took office. Unemployment continues to rise, and if this body does not act, millions of workers will lose their unemployment compensation at the end of May.

We must extend unemployment insurance for these workers, and we must do it now. There are families all across this country who are struggling very, very hard; and this House should do the right thing. I would urge my colleagues to join me in urging the Republican leadership to bring to the floor legislation extending unemployment insurance as soon as possible.

At the end of the debate on this rule, I will move the previous question; and if the previous question is defeated, I will call to the floor legislation extending unemployment insurance. I urge my colleagues to join me in voting ''no'' on the previous question. Unemployed Americans cannot afford to lose this assistance.

Mr. Speaker, H.R. 1527, the National Transportation Safety Board Reauthorization Act of 2003 is, simply stated, a good bill for an important agency that serves a critical public service. The NTSB is an independent Federal agency charged by Congress with the authority to investigate and determine the likely causes of transportation accidents, including all civil aviation accidents and selected accidents occurring in other modes of transportation.

It is perhaps most often recognized as the agency that coordinates all Federal assistance to the families of victims of catastrophic airplane crashes. In the midst of these tragedies, the NTSB has demonstrated time and again its unique and expert ability to mobilize top-notch investigators to search and find answers, and accordingly, to provide some measure of comfort to the haunting questions that will come with all such fatal accidents.

Since its inception in 1967, the NTSB has investigated more than 114,000 aviation accidents and 10,000 surface transportation accidents; and as a result of their diligence, the NTSB has earned the reputation as one of the world's foremost accident investigative authorities. They are on call 24 hours a day, 365 days a year, prepared to go anywhere, at any time, to perform the difficult job we have assigned to them.

We are grateful to the NTSB for the service they provide, and this bill and the corresponding funding levels reaffirm our collective confidence in their performance.

Mr. Speaker, perhaps not as well known is the significant role that they play in shaping national transportation safety policies. In addition to its investigative function, the NTSB conducts numerous safety studies and issues recommendations designed to prevent future transportation accidents. In fact, the NTSB has issued more than 11,600 such safety recommendations in all modes of transportation.

Since 1990, the NTSB has refined these recommendations and published a Most Wanted list of safety improvements to highlight certain issues; and despite its lack of regulatory authority, the NTSB has actually succeeded in seeing 80 percent of its safety recommendations adopted in some fashion or another.

This success rate is no doubt due in large part to the credibility and respect the NTSB commands among Federal transportation agencies, Members of Congress, and the transportation industry.

Mr. Speaker, it is precisely because of the NTSB's sterling reputation that I am concerned that they have not done more comprehensive analysis around the issue of the size and weight of big trucks on our Nation's highways.

As I have already expressed, I have high regard for the NTSB. However, while they have published several safety studies on individual and discrete components of big trucks, it has not fully addressed the more pressing issue of truck size and weight. In my estimation, the absence of truck size and weight on the NTSB's Most Wanted list of safety improvements is a glaring omission.

There are few transportation safety issues that represent a greater threat to public safety than the need to freeze the size and weight of trucks on our roadways. Five thousand people die each year and another 100,000 are injured in crashes with heavy trucks. In my home State of Massachusetts, 31 people died and another 385 were injured in 2001 in crashes with heavy trucks.

I shudder to think how these numbers will climb if the trucking industry succeeds in convincing Members of this body that still bigger trucks are somehow necessary, that 120-foot triple-long trailer trucks on our Nation's highways are actually a good idea.

The alarming statistics I have just cited only begin to describe the human cost of bigger trucks. They do not even begin to describe the economic devastation that bigger trucks will also cause to our Nation's roads and bridges which are already in deplorable conditions. In Massachusetts, more than 50 percent of the bridges have been determined to be structurally deficient or functionally obsolete. The U.S. DOT has estimated that longer combination vehicles could cause Americans as much as $319 billion in total. This is a cost we cannot afford.

Mr. Speaker, the issue of truck size and weight deserves the expert analysis of the National Transportation Safety Board; and most importantly, the American driving public deserves to be protected from the danger of bigger trucks on our roads and highways.

Again, Mr. Speaker, I urge my colleagues to vote ''no'' on the previous question. We need to bring up the issue of unemployment compensation.

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

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, we reserve the balance of our time.

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentlewoman from Ohio (Mrs. JONES).

Mrs. JONES of Ohio. Mr. Speaker, I rise encouraging my colleagues to vote ''no'' on the previous question, and I rise today because right now in the State of Ohio since 2001 more than 167,800 people have lost their jobs. In the city of Cleveland, more than 53,900 people have lost their jobs.

We must, as the body of the people, on behalf of working people throughout this country, put in place additional unemployment dollars to cover these people who are without jobs.

□ 1130

We are all talking about a tax cut that would improve the economy and bring jobs to people at some time in the future, but the people in the city of Cleveland, State of Ohio, and across this country need support right now.

As I look out at my colleagues seated here, I see my colleague from Youngstown, Ohio, and I know the people in Youngstown, Ohio, deserve and need unemployment benefits. It is past time, it is way past time that we do something for the economy of the United States; that we put money in the hands of the people who have not had money to spend.

So I urge my colleagues to vote ''no'' on the previous question, and I urge this Congress to pass unemployment benefits before we go home for Memorial Day to memorialize all the veterans who have served on our behalf throughout this country. Let us help some of those who are on unemployment right now.

Mr. MCGOVERN. Mr. Speaker, I yield such time as she may consume to the gentlewoman from California (Ms. PELOSI), the Democratic leader.

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding me this time, and I rise in opposition to the previous question to the rule.

The bill before us to authorize the National Transportation Safety Board is a good bill, which I support. I strongly support it. However, after it is passed, we should immediately approve the bill proposed by my colleagues, the gentleman from New York (Mr. RANGEL) and the gentleman from Maryland (Mr. CARDIN), to extend unemployment benefits to the millions of Americans whose benefits will run out at the end of the month.

In December, the Republican majority allowed this vital program to expire just before Christmas. That left millions of families without work and without benefits. We cannot let that happen again as we go toward the end of May, the expiration date.

Mr. Speaker, since January 20, 2001, when President Bush was sworn in, 2.7 million private sector jobs have been lost, the worst record of job creation or lack thereof of any administration since the Great Depression. That is the worst record, as my colleagues can see here. Every President since the war has had job creation above the line. President Bush, 2.727, 100,000 jobs a month since he became President, have been lost. That means that for every working hour of every working day, 563 people become unemployed, more than serve in the House and the Senate. It is as if every hour the House and the Senate would lose its jobs.

Now, some people may think that is a good idea, if we do not have more relevance to the lives of the American people and understand when people are out of work that they need these benefits. The American people do not need a dividend tax cut. The American workers need jobs.

Earlier this month, the Department of Labor announced that April's unemployment rate reached 6 percent, with nearly 9 million Americans out of work. Another 9 million Americans have either given up looking for work or are working part time. Millions of families are struggling with the hardship and the uncertainty of life without a paycheck. Without unemployment benefits many of these families would have nowhere to turn. Indeed, some of them told me yesterday they would become homeless.

Temporary Federal benefits expire on May 31, but President Bush and the Republican leadership have refused to include any extension of benefits in the tax bill that passed the House last week and what is now under consideration in the Senate. This extension is important to America's working families and to our economy.

Economists tell us that extending unemployment benefits is the most effective way to quickly grow the economy and create jobs. It is fair, fast-acting and fiscally sound. For every dollar that the Federal Government invests in unemployment benefits, the return is $1.73 to the economy. In contrast, for every dollar the Federal Government provides to cut taxes on dividends, the return to the economy is 9 cents. This is nonsensical.

The plan proposed by the gentleman from New York (Mr. RANGEL) and the gentleman from Maryland (Mr. CARDIN), and I commend them for their leadership, would provide a 6-month extension of the Federal unemployment benefits program. It would provide 26 weeks of Federal benefits for workers who lose their jobs, and another 13 weeks for workers who have already exhausted their benefits without finding a new job in this stagnant economy. None of the Republican tax plans, the President's, the House Republicans and the House Senate Republicans, provides one thin dime for unemployed workers.

Again, I want to reiterate why this is important, because contrary to what the Republicans are proposing, which provides 9 cents to the economy, extending Federal unemployment benefits puts $1.73 into the economy. Why? Because it puts money into the hands of unemployed workers and their families. They need that money to spend on necessities. The spending of that money injections demand into the economy, thereby creating jobs. The tax dividend proposal does not do that.

The unemployment rate today is higher than when the temporary Federal unemployment benefits were first approved in March of last year, but Republicans have decided that instead of helping unemployed workers, they should give people who make $1 million a year an average of $100,000 in tax breaks. How can that be right?

While Republicans insist on tax breaks for those who need it least, our Democratic priorities are clear: We will fight to get the economy back on track, we will create jobs, and we will help unemployed workers. I urge my colleagues to vote ''no'' on the previous question on the rule; vote ''yes'' to extend unemployment benefits for 9 million Americans who cannot find work in this stagnant economy.

How can we go down this course of action where we make the same mistake twice? The President came in and gave over a trillion dollars in tax cuts. Now 2.7 million Americans lose their jobs, and they step up to the plate again and offer more of the same. Job losers. Do not even take my word for it, take the word of the Joint Taxation Committee, which is Republican, which is directed by the rules of the 108th Congress to score dynamically, giving every benefit of every doubt to the plan. It is a job loser by their estimation.

So we have to take a different course of action. One remedy that helps the

economy and helps unemployed workers is extending the unemployment benefits. I commend my colleagues, the gentleman from New York (Mr. RANGEL) and the gentleman from Maryland (Mr. CARDIN), for their leadership on this.

Mr. LINCOLN. DIAZ-BALART of Florida. Mr. Speaker, I reserve the balance of my time.

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

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

Mr. LEVIN. Mr. Speaker, I join the minority leader, the gentleman from New York (Mr. RANGEL), the gentleman from Maryland (Mr. CARDIN), and others.

The Federal extended benefit program will expire in just a few days. Why do we bring this up every day? Every day? Because every day the number of people who have exhausted their State and Federal benefits grows. Americans are looking for work and unable to find it. And those who were in the millions as of a few months ago are facing more and more dire circumstances. And every day the number of people who are on State benefits, who are going to exhaust them, face the peril of looking for work without any help.

So when we add this all together, we are talking about 2½, perhaps 3 million people in this country of ours looking for work, who cannot find it, and on the Republican side here in the House they say to them, get a job. They are looking for a job, but there are none to be found.

The response of the Republicans in this House has been, to put it in its best frame of reference, inaction. It has really been worse than that. It has been indifference, and perhaps even worse than that. I simply ask that they go back home and meet the people out of work, looking for work, without benefits or facing that prospect, look them in the eye and tell them that you here are sitting idly by.

As mentioned by the minority leader, the benefit of extending benefits is that it is a growth package. Giving people who are unemployed money to help their families is money that is going to be spent, and well spent. The studies are clear that that helps to move the economy upwards.

So do vote ''no'' on moving the previous question. I would hope there would be a few brave souls on the Republican side who will not simply march the robotic line, all in sync, voting against the interests of America and its unemployed workers looking for work.

Mr. MCGOVERN. Mr. Speaker, I yield 4 minutes to the gentleman from Maryland (Mr. CARDIN), who, along with the gentleman from New York (Mr. RANGEL), has been a leader on this issue of extending unemployment benefits to struggling workers.

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

Mr. CARDIN. Mr. Speaker, this rule brings to the floor a bill to reauthorize the National Transportation Safety Board, which is perfectly fine, but I must tell my colleagues that it is in no danger. It is funded through the end of this fiscal year, so there is no rush to reauthorize this program. On the other hand, unemployment insurance will expire at the end of this month. We only have 6 legislative days left before millions of Americans will no longer qualify for Federal unemployment insurance benefits. For that reason I urge my colleagues to reject the previous question so that we can bring up today the extension of Federal unemployment insurance.

Mr. Speaker, extended benefits for unemployed workers have been less generous during this economic downturn compared to the last recession. Republicans have been very reluctant to extend unemployment insurance benefits to unemployed workers. During the last recession, in the 1990s, Congress kept an extended benefit program in place for 27 months and generally guaranteed benefits for 20 to 26 weeks. Today's program is scheduled to expire after only 15 months and providing only 13 weeks of benefits.

The economy has lost twice as many private sector jobs as we lost in the 1990s, with 2.7 million private sector jobs having been lost in the last 2 years. That is a 2.3 percent decline in private employment. In the 1990s, we lost 1.5 percent. There are now 3.4 people unemployed for every job opening in this Nation, and there is no sign of recovery. The U.S. economy has lost more than 500,000 jobs in the last 3 months alone. The current downturn represents the longest period in negative job growth since the Great Depression.

The funds are there for the extension of Federal unemployment insurance benefits, with $21 billion in the Federal Unemployment Trust Accounts, funds expressly for this purpose, to deal with a recession. And there is no better immediate stimulus to the economy to create economic activity than to extend unemployment insurance benefits. For every dollar we expend in Federal unemployment insurance benefits, the Department of Labor indicates we will generate $2.15 in additional economic activities in each of our communities.

So for all of these reasons, Mr. Speaker, the urgency is to bring up the unemployment insurance extension bill. That is what we should be doing today. We have a chance to do it. I urge my colleagues to vote against the previous question so that the Federal unemployment insurance benefits can be extended.

□ 1145

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from California (Mr. GEORGE MILLER).

Mr. GEORGE MILLER of California. I thank the gentleman for yielding me this time.

Mr. Speaker, I too rise in opposition to the previous question so that we would have an opportunity to offer an extension of unemployment benefits. As the minority leader has said, this is the most efficient economic stimulus that we can provide to our economy. It helps people who are out of work. It helps the economy because they must spend the money on the necessities and what our economy needs is demand.

My colleagues do not have to believe me. Just look at the figures that were published yesterday. And that is, in fact, that consumers are running out of gas, retail demand is down in the country, and the stock market was down yesterday as a result of that. That comes on the heels of what the Republicans have offered and that is additional tax cuts.

It is rather interesting, though, when we see the people who are now commenting on the tax cuts in terms of the economy, we see that the Republican-controlled Joint Committee on Taxation says that even under dynamic scoring, the tax cut will lead only to more job loss, higher deficits, more debt for our children and grandchildren. Kevin Hassett of the American Enterprise Institute was quoted in The Washington Post yesterday as saying that the dividend plan is one of the most patently absurd tax policies ever proposed. Then today the senior economist for Goldman Sachs says that these tax cuts being offered are not stimulative.

What is that telling us? That is telling us that people are going to continue to be unemployed, that the economy is going to continue to soften; and the Republicans are not concerned. The Republicans simply do not share a concern for people who have lost their jobs. Their number one priority since the Bush administration has come to town was and always has been tax cuts, tax cuts for the wealthy. The unemployed are incidental to their concerns. That is why my colleagues ought to vote against the previous question on this rule so we can immediately offer unemployment extension benefits for millions of Americans who are out of work to help their families. The last time the Republicans did this, they dropped the ball. They did not get them reauthorized at the end of December, so these families had weeks of uncertainty before they knew whether or not they were going to be able to continue to pay the mortgage, to try to keep their car from being repossessed, to educate their children. We owe these families better than this. The Republicans ought to start showing a little bit of compassion for these families who are in very hard times because of the lousy Bush economy.

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

Mr. RYAN of Ohio. I thank the gentleman for yielding me this time.

Mr. Speaker, I rise today to urge my colleagues to vote ''no'' on the previous question.

Mr. Speaker, the government is a tool to help people. We have an opportunity coming up with the unemployment insurance running out for 36,500 Ohioans to help; 167,000 Ohioans have lost their jobs. These people need help. We hear a lot in this Chamber, and we have heard a lot in Washington, D.C. over the last couple of years about compassion. What could be more compassionate than to help people who have lost their jobs? If the airline industry was going belly up or the pharmaceutical industry was going belly up, we would be tripping over ourselves to help them out. But average people need help, and we are not there to help them.

But what is most confusing to me and what I do not understand is what I read on the AP line today: Operating capacity sank to 7.4 percent in April, the lowest since 1983, as big industry throttled back production amid lackluster demand. People are now worried and the Fed is now worried about deflation. There is too much surplus in labor and in goods. There is too much supply. The answer, supply side economics. We do not need more supply. We need demand in this economy. If you give the businesses a tax break, they are not going to produce any more because no one is buying anything, because there are millions of people who do not have jobs. No matter what you are producing, they do not have the money to go buy it.

The major economists are saying the best stimulus is to invest in middle America, average people, people who do not have unemployment insurance so they will get their money, they will go out in the market, they will buy products and they will turn this economy around and begin to stimulate this economy. It is about the demand side, not the supply side. Let us stop the madness.

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

The silence on the other side of the aisle is really quite incredible. The Republican majority here is turning this Congress into a place where important and urgent issues not only do not get a chance to be voted on by Members of this House but they do not even get debated. There are millions of people in this country who are unemployed. There are millions of people who are struggling right now. They deserve their day on this House floor. That is what we are struggling to try to achieve here so we can vote on something that really makes a difference to the American people, that is more than just a soundbite but something that is real.

Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. ISRAEL).

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

Mr. Speaker, on Tuesday the House of Representatives considered seven bills under suspension of the rules. We met for 2 hours and 24 minutes of legislative business. Yesterday we considered six more bills under suspension. We convened at 10. We completed our legislative business by 4:22, 5 hours and 35 minutes of doing the people's business. And what was the people's business that we did?

We directed the commandant of the Coast Guard to convey the Cutter *Bramble* to the Port Huron Museum of Arts and History; we renamed three Federal facilities; we honored the life and work of the former Speaker of the Pennsylvania House of Representatives; we made funds available for the fruit and vegetable pilot program in the school lunch program; we established the Carter G. Woodson Home National Historic Site; we authorized the Secretary of the Interior to revise a repayment contract with a Texas county and to grant an easement to facilitate access to the Lewis and Clark Interpretive Center in Nebraska City, Nebraska.

All we did not do is extend temporary emergency unemployment compensation to millions of American workers who will fall off a cliff at the end of this month. Today we convened at 10. We are going to go home at 2 o'clock, back to our districts, spend the weekend there, come back next week and still we will not have helped those 2 million Americans who will fall off a cliff without a paycheck and without temporary emergency unemployment compensation. How is it possible that this House can find time to do all of those activities this week and not do what the American people want us to do, to help them, to assist them? If this bill came to the floor now, it would pass, because none of my colleagues are willing to go back to their districts and look in the eyes of a worker who has lost his job and say, I couldn't help you, I wouldn't help you, I didn't help, but I did rename three Federal facilities this week. This bill would pass if it were allowed to the floor.

The gentleman from Maryland (Mr. CARDIN) and the gentleman from New York (Mr. RANGEL) have introduced legislation to extend temporary unemployment compensation. I have introduced a special rule to allow it to the floor immediately. We have to do this. We have no choice because those millions of workers have no choice, have no paycheck, have no help. This economy is pushing them off that cliff. We are the only people who can bring them back from the brink. If we go home to our districts without having done that, we have done a massive disservice to them, slapped them in the face, and further endangered and damaged our economy.

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

Mr. Speaker, I will call for a vote on the previous question. If the previous question is defeated, I will offer an amendment to the rule. My amendment provides that immediately after the House passes the National Transportation Safety Board reauthorization, it will take up H.R. 1652, the Unemployment Benefits Extension Act. This bill will extend Federal unemployment benefits by 26 weeks and will give an additional 13 weeks to those unemployed workers whose benefits have been exhausted.

Mr. Speaker, unemployment rates continue to rise. They increased to 6 percent in April, the third month in a row that the economy has lost jobs. For every one available job, there are three Americans looking for work. Of the 8.8 million unemployed, nearly 2 million have been out of work for 27 weeks or more. This does not even count those who are working part time or those who have simply given up looking. These Americans need relief, and they need it immediately. Current Federal unemployment benefits run out at the end of May, in only 2½ weeks. Republicans in the House have voted against extending these critical benefits three times in the last 10 days. Three times. Do not let unemployed Americans down a fourth time. Bring this badly needed relief to the floor for an up-or-down vote today. Let us show American workers that we intend to stand by them in their time of need.

Let me make it very clear that a ''no'' vote on the previous question will not stop consideration of the NTSB reauthorization, but a ''no'' vote will allow the House to vote on both H.R. 1527 and on H.R. 1652. However, a ''yes'' vote on the previous question will prevent the House from passing the desperately needed extension of Federal unemployment benefits to our unemployed workers.

I want to point out that this vote is the only opportunity the House will have to vote on extending Federal unemployment benefits. I strongly urge a ''no'' vote on the previous question.

Mr. Speaker, the issue before us is very, very simple. Members either believe that we should help unemployed struggling workers or they do not believe we should help unemployed struggling workers. I think the majority of Americans want us to vote on this issue. The workers of this country who are unemployed, they need our help and they need it now. They do not need excuses. They do not want us to hide behind procedural smoke screens; or they do not want the leadership, the Republican leadership, protecting their Members from having to vote up or down on this issue. I urge my colleagues to vote ''no'' on the previous question.

Mr. Speaker, I ask unanimous consent that the text of the amendment and a description of the amendment be printed in the RECORD immediately before the vote on the previous question.

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

There was no objection.

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

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield myself such time as I may consume.

Under the rules of the House, the majority has the obligation of setting the agenda. I think part and parcel of not only the rules obviously of the House but of democracy is to let the minority speak about whatever the minority wants to speak about. We have seen an example of that today. In case somebody has been paying attention to this discussion, I think it is important to remind us of what the bill before us is, the bill that the Committee on Rules has brought to the floor today, and, that is, the reauthorization of the National Transportation Safety Board. The National Transportation Safety Board is a very important agency. It carries out really a fundamental mission with regard to airline safety and investigation of accidents, studies and reports with regard to increasing the safety of transportation. That is what is before us. Obviously, we would never attempt to stop the minority from speaking about anything. But what we are here today on is the National Transportation Safety Board Reauthorization Act.

The issue chosen today, for example, that we learned today was chosen by the minority to speak on is an important issue. Unemployment benefits have not expired. Many of us on this side of the aisle, in the majority, have not only supported unemployment benefits but continue to do so, and they have not expired.

Mr. MCGOVERN. If the gentleman will yield, they will expire in 2½ weeks.

Mr. LINCOLN DIAZ-BALART of Florida. I will not yield. I did not interrupt the gentleman.

Again, to get us back to what we are bringing to the floor today, and to remind colleagues on what they will in fact be voting on today, it is the National Transportation Safety Board Reauthorization Act of 2003.

□ 1200

We have brought this forward. We have brought it forward with a rule that permits all amendments that may be proposed by any Member to be brought forward and to be debated. Again, we did not know what, if any, opposition would exist with regard to this bill, and we will soon see, but I think it is important, as I said, Mr. Speaker, to remind Members what we are, in fact, here voting on today and what we are not voting on today, even though there are many issues obviously of importance that could be debated, because freedom is the essence of this House, and obviously any Member can talk about any issue under the sun.

Mr. MCGOVERN. Mr. Speaker, parliamentary inquiry?

The SPEAKER pro tempore (Mr. UPTON). Does the gentleman from Florida yield for a parliamentary inquiry?

Mr. LINCOLN DIAZ-BALART of Florida. No, Mr. Speaker.

The SPEAKER pro tempore. The gentleman does not yield. The gentleman from Florida (Mr. LINCOLN DIAZ-BALART) will continue.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, this rule brings forth the National Transportation Safety Board Reauthorization Act, an open rule, absolutely fair rule.

The material previously referred to by Mr. MCGOVERN is as follows:

PREVIOUS QUESTION FOR H. RES. 229—RULE ON H.R. 1527—THE NATIONAL TRANSPORTATION SAFETY BOARD REAUTHORIZATION ACT OF 2003

At the end of the resolution add the following new section:

''Sec. . Immediately after disposition of the bill H.R. 1527, it shall be in order without intervention of any point of order to consider in the House the bill (H.R. 1652) to provide extended unemployment benefits to displaced workers, and to make other improvements in the unemployment insurance system. The bill shall be considered as read for amendment. The previous question shall be considered as ordered on the bill to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the Chairman and ranking Minority Member of the Committee on the Ways and Means; and (2) one motion to recommit with or without instructions.''

THE UNEMPLOYMENT BENEFITS EXTENSION ACT (H.R. 1652)

The legislation would continue the extended benefits program for an additional six months, increase the amount of benefits to 26 weeks, include coverage for the one million workers who have already exhausted their extended benefits, and expand UI coverage for low-wage and part-time workers.

Extension: Extends the Temporary Extended Unemployment Compensation (TEUC) program through November (the program is currently scheduled to prohibit any new enrollees after May 31st).

Benefits: Provides 26 weeks to all eligible workers with an additional 7 weeks available in States with higher unemployment.

Exhaustees: Provides an additional 13 weeks to unemployed workers who exhausted their initial 13 weeks of extended benefits prior to enactment (for a total of 26 weeks).

New Triggers: Revises trigger for determining high unemployment to a 4% Adjusted Insured Unemployment Rate, which includes recent exhaustees, or a 6% Total Unemployment Rate. This modification would allow about 18 States to qualify (only five States trigger on under the current-law definition).

Low-Wage Workers: Provides temporary Federal funding (through July 2004) for States to implement alternative base periods (which count a worker's most recent wages when determining UI eligibility) and to allow displaced part-time workers to seek part-time employment while receiving UI.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

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

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

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

The Sergeant at Arms will notify absent Members.

Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic voting, if ordered, on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 220, nays 205, not voting 9, as follows:

[Roll No. 190]

YEAS—220

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

NAYS—205

Abercrombie
Ackerman
Alexander
Allen
Andrews
Baca
Baird
Baldwin
Ballance
Becerra
Bell
Berkley

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

NOT VOTING—9

Cunningham
English
Gephardt
Hyde
Knollenberg
Miller, Gary
Quinn
Schrock
Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1222

Ms. WATERS and Ms. SLAUGHTER changed their vote from ''yea'' to ''nay.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

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

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Pursuant to House Resolution 227 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 1527.

□ 1223

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 1527) to amend title 49, United States Code, to authorize appropriations for the National Transportation Safety Board for fiscal years 2003 through 2006, and for other purposes, with Mr. TERRY in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Alaska (Mr. YOUNG) and the gentleman from Minnesota (Mr. OBERSTAR) each will control 30 minutes.

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

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

Mr. Chairman, I rise in support of H.R. 1527, the National Transportation Safety Board Reauthorization Act of 2003. The NTSB is a small, but extremely, important part of the Federal Government. Its dedicated staff investigates a broad range of transportation accidents each year.

The bill before us now supports this important work by authorizing increased funding levels for the NTSB for fiscal years 2003 through 2006.

The bill also requires the NTSB to notify aircraft operators of their right to appeal a board employee's decision that an event constituted an ''accident,'' whether an event is classified as an incident or an accident can have serious implications for an airline's license to fly and the insurance premiums the operator will pay. This problem was first brought to my attention by Coyote Air, a small airline in Alaska.

In addition, the bill addresses the problem of delays in implementing important NTSB recommendations. While the NTSB has a good track record of working with agencies to ensure that its recommendations are implemented, some important NTSB recommendations remain open for years.

For example, the NTSB's recommendations to improve runway safety have been on the NTSB's Most Wanted list of safety improvements since the year 1990. Also on the Most Wanted list is the board's recommendation to reduce fuel tank flammability. This recommendation was issued in December of 1996 after the crash of TWA Flight 800. Over 5 years later, this recommendation is still open.

While we cannot expect instant results on complicated issues such as these, neither can we afford to wait 5, 10 years or more to address important aviation safety problems.

To address this problem, H.R. 1527 requires that the Secretary of Transportation submit an annual report to Congress and the NTSB on the status of each recommendation that is included in the NTSB's Most Wanted list of safety improvements.

The Most Wanted list represents the board's best judgment regarding which of these recommendations should be expedited. H.R. 1527 will bring needed attention to these recommendations.

Finally, the bill authorizes the NTSB's family assistance responsibilities to be transferred to another Federal agency under certain circumstances. Under the bill, this transfer would occur when the accident investigation is transferred because it is determined the crash was caused by a criminal act.

I join with the full committee ranking member, the gentleman from Minnesota (Mr. OBERSTAR); the Subcommittee on Aviation chairman, the gentleman from Florida (Mr. MICA); and the ranking member of that subcommittee, the gentleman from Oregon (Mr. DEFAZIO), with whom I introduced H.R. 1527, in urging the immediate passage of this bill.

I commend the NTSB for its tireless efforts to improve transportation safety; and I do urge the passage of this bipartisan bill, with the least amendments necessary.

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

The CHAIRMAN. Without objection, the gentleman from Oregon (Mr. DEFAZIO) will control the time.

There was no objection.

Mr. DEFAZIO. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in support of the bill. Just following up on the remarks of the esteemed chairman, I am really pleased that he has strongly supported and we have included in the bill a mandate that on an annual basis we have a report of essentially the 10 ''most wanted,'' is the way I would phrase it.

Too many times we have seen in the past where the National Transportation Safety Board raises serious concerns in the aftermath of an aviation incident or accident; and oftentimes, because of various pressures or bureaucratic inertia, we find that those recommendations never again see the light of day.

Minimally, we would want to see a substantive response on each and every important recommendation that would track it and give us a meaningful document that shows why it was implemented, why it was not implemented, or where we are in the implementation process or what modifications the FAA has made to it in moving forward with the implementation.

□ 1230

So I think that is an excellent addition to the authority of the NTSB and will enhance their status as the world's number one transportation safety watchdog. And that, indeed, is what the NTSB is.

They are sought after in accidents overseas, have conducted some very,

very difficult investigations and technically assisted in very, very difficult investigations and recovery efforts. So I am also pleased to see that there is a modest increase in the funding for the NTSB recommended here and for the NTSB Academy, which provides the world-class standard of training for accident investigators.

And then finally, there is a provision regarding families of passengers. The NTSB does not have really the extensive resources on an ongoing basis to provide assistance to the families and the bereaved of passengers in accidents; and this bill would move that on to other, more appropriate Federal agencies at the appropriate point in the investigation, something which today, unfortunately, often languishes so that neither the NTSB and their principal functions are served, nor are the bereaved family members of the passengers.

So also I think this bill is an improvement and a long-needed reauthorization of the NTSB.

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

Mr. YOUNG of Alaska. Mr. Chairman, I ask unanimous consent that the gentleman from Florida (Mr. MICA), the chairman of the Subcommittee on Aviation, be allowed to manage the remaining time on this side.

The CHAIRMAN. Is there objection to the request of the gentleman from Alaska?

There was no objection.

Mr. MICA. Mr. Chairman, I yield myself such time as I may consume.

I am pleased to join the gentleman from Alaska (Chairman YOUNG) and the gentleman from Oregon (Mr. DEFAZIO), the ranking member of the subcommittee. I want to thank both of them and also the gentleman from Minnesota (Mr. OBERSTAR), the ranking member of the full committee, for their leadership. The gentleman from Alaska has done an incredible job in bringing together the diversity of more than 70 members on the Committee on Transportation and Infrastructure to not only bring forth this reauthorization bill, but to soon vote for the successor to AIR–21 and TEA–21, our important transportation measures and policy for the Federal Government.

Mr. Chairman, this bill that is before us today is very similar to the legislation that was considered under suspension of the rules and agreed to by voice vote of the House on June 4 of last year, and that was H.R. 4466, for my colleagues' reference. This legislation reauthorizes the National Transportation Safety Board for a period of 4 years. It provides funding during those years for the amounts as follows: $73.3 million, $78.7 million for next year, $83 million, and $87.5 million during that 4-year period of authorization.

The National Transportation Safety Board is the agency which is responsible for investigating transportation accidents and also for promoting transportation safety. The board investigates, conducts safety studies, and coordinates all Federal assistance for families of victims of catastrophic transportation accidents. It also has the responsibility to review appeals of certificate and civil penalty actions against airmen and certificate actions against seamen.

Most importantly, the NTSB makes safety recommendations based on its investigations of Federal, State, and local government agencies; and the transportation agencies take actions that hopefully will prevent similar accidents in the future. The aviation safety record is remarkably good, and the safety board deserves a lot of credit for that success. This is a small, well-run, lean, and effective Federal agency.

This legislation makes some changes, however, to the agency's governing statute that should help make the board even more effective. The bill again reauthorizes the agency for 4 years and provides modest increases in expenditures which are authorized, funding levels that I have mentioned. H.R. 1527 also authorizes a much-needed increase in the NTSB emergency fund. This is the fund that pays the necessary expenses for accident investigations not otherwise provided specifically for; and unfortunately, we have had instances where sometimes the cost of some of these investigations is substantial.

The bill also authorizes funding for the National Transportation Safety Board Academy. The bill directs the NTSB to notify aircraft owners and operators of their right to appeal accident determinations, except those where there is a loss of life. The bill requires the board to establish procedures for those appeals. This legislation, again, H.R. 1527, requires the Department of Transportation to report to Congress and the board on the regulatory status of each significant safety recommendation made by the board. The Department must continue, and this is a change and something I am pleased to have helped craft with bipartisan support, the Department must continue to report on the regulatory status of each recommendation each and every year until the final regulatory action is taken.

One of the things we found in our hearing with the very capable former Chair of the NTSB, Marion Blakley who is now heading up FAA, was the recommendation to us that we did not have a follow through; that there would be investigation of these accidents and there would be recommendations and not much was done. This will require repetitive alerting of both the Congress and the Department for implementation of those recommendations until something is, in fact, taken as far as positive action.

Finally, the legislation provides a procedure whereby the safety board would turn an investigation over to the FBI when a criminal act may be involved.

Mr. Chairman, the NTSB has been without authorization for a year. I would urge my colleagues to vote in favor of this bill.

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

Mr. DEFAZIO. Mr. Chairman, I yield such time as he may consume to the gentleman from Minnesota (Mr. OBERSTAR), the distinguished ranking member of the full committee.

Mr. OBERSTAR. Mr. Chairman, I thank the gentleman for yielding me this time, and I want to compliment the gentleman from Oregon (Mr. DEFAZIO) on this first major bill under his leadership on our side on the Subcommittee on Aviation. I also want to express my appreciation to the gentleman from Alaska (Chairman YOUNG) and the gentleman from Florida (Chairman MICA) for their bipartisan cooperation in fashioning this bill, working it through subcommittee and full committee, and bringing it to the floor today.

As the gentleman from Florida (Mr. MICA) said just a moment ago, the NTSB has been without an authorization for the last year. That is not appropriate. We have to do our job. We were delayed in getting there by the events of the last Congress; but we now bring this bill, very proudly and appropriately, to the floor for the agency that I consider to be the Nation's premier, definitive authority on safety in transportation.

We are very fortunate to have a great many Federal Government agencies for whom the public gets full value of its investment in the support funding. But we get more than full value out of the National Transportation Safety Board. Its recommendations, its vigilance on safety result in improvements in the way we conduct the business of transportation in all of the modes: maritime, railroading, trucking, automotive vehicular transportation and, of course, pipelines and aviation, which gets perhaps the greatest visibility for the NTSB when there is a tragedy in aviation. But that should not overshadow nor cause anyone to forget the very significant and important work done in the other modes of transportation.

Time and again, the NTSB's recommendations that are written for changes in safety oversight by agencies and conduct of safety by the private sector as well as by public entities are written into practice and result in saving lives, preventing property damage, and making transportation more dependable, safer all throughout this vast land of ours.

The new Chair, Ellen Engleman, comes to this position from another safety responsibility as the head of the Research and Special Projects Administration, RSPA, of DOT, where she had primary responsibility for pipeline safety and was the subject of NTSB recommendations for improvements in pipeline safety and responded very well, very thoughtfully, and very appropriately. I look forward to Ms. Engleman's tenure as Chair of the

NTSB where I know she will bring the same dedication and vigor to that responsibility as she did to RSPA.

The unique role of the National Transportation Safety Board in its conduct of investigations of transportation accidents, after evaluating the evidence, making findings of fact is then to make recommendations that are normative, not determined by cost-benefit analysis, not driven by one or another interest group; but to do what, in the best judgment of its seasoned safety professionals, is in the best public interest for the conduct of safety in that particular mode. It is then for the modal administrations to evaluate benefits and costs and to make judgments in the rulemaking afterward; but it is up to the NTSB to be above the fray to be normative, to set standards that in its judgment are in the best public interest. And that it has done.

In the last 5 years, there have been 8,124 accident investigations in aviation alone, 166 highway accidents, 82 railroad accidents, 41 pipeline accidents, 24 maritime accidents; and a total of 881 safety recommendations have been issued.

Unfortunately, not all of those safety recommendations have been implemented by the modal administrations of the Department of Transportation, and that is without regard to which party has been in charge of the executive branch. There is a very serious problem here. When our premier investigative agency looks at an accident, then relates it to a class or category of accidents and prescribes a remedy for it, the modal administrations ought to respond forthwith. The FAA has the best record of any of the modal administrations in responding, but that is a record that is not good enough.

This legislation requires an annual report from DOT on the status of regulations to implement all of the significant safety recommendations from NTSB, which is widely known as its Most Wanted list. We will get that report. We will evaluate each year the progress of the modal administrations; and then, through our oversight responsibility and authority on the committee, we will bring those administrations up to our committee and grill them on why they have not been compliant, or compliment them for being so if, in fact, they are. But this will put a lot of pressure on those modal administrations to clean their slate and respond to and comply with these recommendations of the NTSB.

In 2000, our committee authorized the transfer of investigative priority from the safety board to the FBI in the event of an accident caused by intentional criminal act. What we overlooked at the time was a mechanism to transfer responsibility for dealing with the families of victims of accidents in the event of an intentional criminal act.

□ 1245

Since the tragedy of September 11, 2001, the Safety Board now believes the FBI would be the best entity to handle that responsibility, and this legislation provides for transferring of family affairs responsibility from NTSB to the FBI in the event of a finding of an intentional criminal act and, of course, of an accident investigation.

One of the best initiatives undertaken by the NTSB in many years is to develop a training academy to teach the state-of-the-art investigative techniques for transportation accidents. The Safety Board has always worked hard on training and improving the caliber and quality of its investigative personnel, a very lean staff, a very small staff, but one that works extremely well, very creatively, but can always benefit from improved training. And this new training academy will be a huge benefit for the NTSB.

I would like to mention another matter, and that is also one that is not generally or widely recognized, and that is that the NTSB serves as a model for other countries throughout the world to establish civil investigative agencies. Time and time again the NTSB has been asked by other, especially emerging, democracies and those emerging from the end of the Cold War in the former Soviet Union to help them in formulating the establishment of a transportation safety board. Again, the NTSB stands as the world standard for safety investigation, for honesty, integrity, for quality of investigation, and for the quality of its recommendations for improvements of safety.

Finally, I would like to make a note of a matter of aviation history. Yesterday it was reported that L. Welsh Pogue died at the age of 103. Welsh Pogue was asked by President Franklin D. Roosevelt, as the allies were nearing the end or could see the end of World War II, to convene the meeting of all nations of our allies who would have an interest in a postwar aviation regime, to set up a process by which agreement could be negotiated in the new world to follow World War II. It was Welsh Pogue who recommended that the conference, known as the Chicago Conference, in November 1944, establish an open skies aviation trading regime.

The other countries convened at that meeting felt that the United States emerging relatively unscathed from the war and with a very strong domestic, but still emerging, commercial aviation sector would dominate the world marketplace. It was in the end L. Welsh Pogue who negotiated the idea of individual bilateral agreements that would be in the mutual interest of the two negotiating parties.

Don Phillips of the Washington Post 3 years ago wrote, ''When L. Welsh Pogue was born, the Wright brothers were running a bicycle shop in Dayton, Ohio. But as Franklin D. Roosevelt's aviation pointman in 1944, Pogue cobbled together the compromise regulatory scheme that governs international aviation to this day.''

On Monday of 1999, of May 1999, the 100-year-old Pogue, aided only by a cane, walked to the podium in the same hotel ballroom where the world's fledgling aviation nations reached their historic agreement on December 7, 1944. He brought down the house with his wry memory of 1944 and his vision for aviation future.

At the end of his remarks, Pogue predicated the world would divide itself into regions for air traffic purposes. It will be slow, he said, but do not give up in despair. Turn to those things that are possible.

L. Welsh Pogue taught us all what was possible in the field of aviation. We owe him a great debt of gratitude. It was my great privilege and honor to come to know L. Welsh Pogue over the many years I had served as chair of the Subcommittee on Aviation and subsequently in my current position on our committee. I revere and love this man who is a legend in their field of aviation.

Mr. BACA. Mr. Chairman, I urge my colleagues to vote ''no'' on the previous question. Defeating the previous question will allow us to bring up today legislation on Temporary Extension of Unemployment Compensation (TEUC) authorized by Ways and Means Ranking Member CHARLES RANGEL.

Thousands, if not millions, of hard working Americans stand to loose their only lifetime in just 6 days. And, what do Republicans do? Where is the compassion?

Thousands, if not millions, of hard working Americans stand to loose their only lifetime in just 6 days. And, what do Republicans do? Where is the compassion?

Congress created the temporary extension of unemployment benefits later year in response to continuing poor economic performance. The need has only increased since then!

The total job loss in this Bush economy has risen to a staggering 2.5 million private jobs since the President took office.

Instead of doling tax cuts to the wealthy and allowing corporations to steal their employee's pensions, our government should be granting another extension of unemployment benefits. These are benefits that millions of Americans are depending on to pay for groceries, utilities, and rent.

The unemployment rate is now at 6 percent, and still climbing. In many states, like California, the rate is even higher. Yet, many of these hard working Americans have already exhausted their unemployment insurance (UI) benefits.

Millions of American families are working hard to succeed, but they need relief to help them find new jobs, save for the future, and invest in their family's future.

While the shelves at food banks are empty Republicans are cutting back on government programs like food stamps, welfare and others that help people during difficult times.

While school districts are suffering from a nationwide state budget crisis, Republicans aim to deny states the money owed to them from the No Child Left Behind act.

On top of that, President Bush is looking to privatize a significant portion of the Federal workforce and prohibited legal immigrants from working many Federal and civilian jobs, for example: airport workers.

President Bush parades around the nation telling working class families that he cared for

them. Yet, it is his policies that are increasing working class tax burdens, taking away their right to overtime pay, and making it so employers can take back their employees retirement pensions.

President Bush's disastrous economic policies and risky tax schemes are coming straight from the Enron playbook—deceive those at the bottom, so those at the top can prosper.

This is a tale of two Bushes. One is gentle and caring for the workingman. The other takes away our right to unionize, endangers our retirement pensions, and wants to privatize social security. This administration seems intent on saying one thing, and doing the exact opposite.

Yet this much is clear, unemployment is growing and it is hitting our community the hardest.

Americans are finding themselves without jobs!

Without health insurance!

The only thing they are finding is a growing sense of frustration, despair, and fear of their government.

Mr. Chairman, I wish to express my disappointment at this administration's and the Republican Congress's economic policy, a policy that leaves the working class and our nation's minorities behind.

We need an extension of unemployment benefits now!

I urge my colleagues to vote ''no'' on the previous question.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise in support of H.R. 1527. This bill reauthorizes activities of the National Transportation Safety Board for 3 years, through FY 2006.

The National Transportation Safety Board is an independent Federal agency responsible for developing regulations for transportation safety, investigating and determining the cause of accidents in five transportation areas.

These areas include aviation, railroad, highway, maritime and pipeline. Based on its investigations, the NTSB makes safety recommendations to prevent further accidents from occurring.

The National Transportation Safety Board also conducts special studies on transportation safety issues, and it reviews and evaluates the performance of other transportation agencies in enhancing safety.

The National Transportation Safety Board is responsible for maintaining the government's database on civil aviation accidents and also conducts special studies of transportation safety issues of national significance.

The National Transportation Safety Board provides investigators to serve as U.S. Accredited Representatives as specified in international treaties for aviation accidents overseas involving U.S. registered aircraft, or involving aircraft or major components of U.S. manufacture.

Since its inception in 1967, the National Transportation Safety Board has investigated more than 100,000 aviation accidents and thousands of surface transportation accidents.

The NTSB has issued over 10,000 recommendations in all transportation modes to more than 1,300 recipients.

Since 1990, the NTSB has highlighted some issues on a ''Most Wanted'' list of safety improvements. Many safety features currently incorporated into airplanes, automobiles, trains, pipelines, and marine vessels had their genesis in NTSB recommendations.

The bill authorizes a total of $244 million over 4 years for activities of the National Transportation Safety Board including $73 million in FY 2003, $79 million in FY 2004, $83 million in FY 2005, and $88 million in FY 2006.

The bill also authorizes a higher funding level for the NTSB's Emergency Fund. The Emergency Fund's current authorized level of $2 million is not always sufficient to cover the costs of an expensive accident investigation, especially where underwater wreckage recovery in required.

Mr. Chairman, I ask my colleagues to support H.R. 1527.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, the National Transportation Safety Board (NTSB) is a small agency charged with some big tasks. Besides investigating transportation accidents, conducting transportation safety studies, and issuing safety recommendations, they are also charged with aiding victim's families in aviation disasters and promoting transportation safety.

I believe this legislation will improve the effectiveness of the NTSB and its ability to investigate serious accidents. The tragic plane crash of Senator Wellstone has undoubtedly highlighted the importance of the legislation before us today. I would like to thank Chairman YOUNG and my Ranking Member, Mr. OBERSTAR, who has poured his heart and soul into this issue, for their diligent work on this legislation.

Mr. MICA. Mr. Chairman, I have no additional speakers, and I yield back the balance of my time.

Mr. DEFAZIO. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. All time for general debate has expired.

The bill shall be considered by sections as an original bill for the purpose of amendment, and pursuant to the rule, each section is considered read.

During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he has printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Clerk will designate section 1.

The text of section 1 is as follows:

H.R. 1527

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 Transportation Safety Board Reauthorization Act of 2003''.

The CHAIRMAN. Are there any amendments to section 1?

AMENDMENT NO. 3 OFFERED BY MR. UDALL OF COLORADO

Mr. UDALL of Colorado. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Mr. UDALL of Colorado:

Page 2, after line 3, insert the following:

TITLE I—NATIONAL TRANSPORTATION SAFETY BOARD

Page 2, line 4, strike ''2'' and insert ''101''.

Page 3, line 3, strike ''3'' and insert ''102''.

Page 3, line 20, strike ''4'' and insert ''103''.

Page 5, line 6, strike ''5'' and insert ''104''.

Page 6, line 13, strike ''6'' and insert ''105''.

Page 6, after line 16, add the following:

TITLE II—ENHANCED VAN SAFETY

SEC. 201. DYNAMIC ROLLOVER TESTING PROGRAM.

(a) REQUIREMENT FOR ROLLOVER TESTING.—Not later than 2 years after the date of enactment of this Act, the Secretary of Transportation, under section 30117(c) of title 49, United States Code, shall—

(1) develop a dynamic test on rollovers by 15-passenger vans for the purposes of a consumer information program; and

(2) carry out a program of conducting such tests.

(b) AMENDMENT.—Section 30117(c) of title 49, United States Code, is amended—

(1) in paragraph (1) by striking ''Not later than 2 years from the date of the enactment of this subsection,''; and

(2) in paragraph (3) by inserting after ''or less'' the following: '', and to vans designed or used to carry 9 to 15 passengers, including the driver, irrespective of gross vehicle weight rating''.

SEC. 202. NEW CAR ASSESSMENT PROGRAM.

The Secretary of Transportation shall require the testing of 15-passenger vans at various load condition levels as part of the rollover resistance program of the National Highway Traffic Safety Administration's new car assessment program.

SEC. 203. TESTING AND EVALUATION OF VAN STABILITY TECHNOLOGICAL SYSTEMS.

(a) REQUIREMENT FOR TESTING AND EVALUATION.—The Secretary of Transportation shall test and evaluate various technological systems to determine the effectiveness of such systems in assisting drivers of 15-passenger vans to control the vans under conditions that cause vehicle rollover.

(b) SYSTEMS TESTED.—The technological systems tested and evaluated under this section shall include electronic stability control systems, rear-view mirror-based rollover warning systems, traction systems, lane departure systems, and antilock brakes.

(c) CONSULTATION.—The Secretary of Transportation shall consult with manufacturers of 15-passenger vans in the testing and evaluation of technological systems under this section.

SEC. 204. APPLICATION OF FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION REGULATIONS.

Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation shall issue a final rule initiated pursuant to the proposed rulemaking published in the Federal Register on January 11, 2001, Docket No. FMCSA–2000–7017, relating to the application of Federal motor carrier safety regulations to the commercial operation of 15-passenger vans.

SEC. 205. DEFINITION.

In this title, the term ''15-passenger van'' means a van designed or used to carry 9 to 15 passengers, including the driver.

SEC. 206. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this title.

TITLE III—APPLICABILITY OF SCHOOL BUS SAFETY STANDARDS

SEC. 301. PROHIBITION ON PURCHASE, RENTAL, OR LEASE OF NONCOMPLYING 15-PASSENGER VANS FOR USE AS SCHOOLBUSES.

(a) PROHIBITION.—Section 30112(a) of title 49, United States Code, is amended—

(1) by inserting ''(1)'' before ''Except as provided in this section''; and

(2) by adding at the end the following:

''(2) Except as provided in this section, sections 30113 and 30114 of this title, and subchapter III of this chapter, a person may not purchase, rent, or lease any motor vehicle designed or used to transport 9 to 15 passengers that the person knows or reasonably should know will be used significantly to transport children from child care and preprimary, primary, and secondary school students to or from a child care facility, school, or an event related to school, unless the motor vehicle complies with the motor vehicle standards prescribed for schoolbuses under section 30125 of this title.''.

(b) LIMITATION ON APPLICATION.—Subsection (a) shall not apply to any purchase, rental, or lease of a motor vehicle required under a contract entered into before the date of enactment of this Act.

SEC. 302. PENALTY.

Section 30165(a)(1) of title 49, United States Code, is amended—

(1) by striking ''A'' before ''person'' and inserting ''(A) Except as provided in subparagraph (B) of this paragraph, a''; and

(2) by adding at the end the following:

''(B) The maximum amount of a civil penalty under this paragraph shall be $25,000, in the case of—

''(i) the manufacture, sale, offer for sale, introduction or delivery for introduction into interstate commerce, or importation of a schoolbus or schoolbus equipment (as those terms are defined in section 30125(a) of this title) in violation of section 30112(a)(1) of this title; or

''(ii) a violation of section 30112(a)(2) of this title.

''(C) Subparagraph (B) does not affect the maximum penalty that may be imposed under subparagraph (A) for a related series of violations.

''(D) Notwithstanding section 3302(b) of title 31, penalties collected under subparagraph (B)—

''(i) shall be credited as offsetting collections to the account that funds the enforcement of subparagraph (B);

''(ii) shall be available for expenditure only to pay the costs of such enforcement; and

''(iii) shall remain available until expended.''.

Mr. MICA. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. A point of order is reserved.

Mr. UDALL of Colorado. Mr. Chairman, this amendment is based on my Passenger Van Safety Act Bill, H.R. 1641. It deals with the dangers of 15-passenger vans. These vans have been associated with more than 500 traffic fatalities since 1990.

In 2001, the National Traffic Highway Safety Administration found that when these vans are fully loaded, they have a rollover risk that is six times higher than when there are only five people in the van. I became alarmingly aware of the danger of these vans when a church group from my district rolled over two and a half times while driving to a religious retreat. Four passengers died in this tragic accident. Only later did I find out that these vans were infamous for getting out of control of the driver and rolling over.

This happened again last year when a van carrying firefighters who were on their way to fight a wildfire raging in Colorado lost control and rolled over more than four times, killing four of the firefighters.

These vans were initially designed to carry freight, not people; but now they are widely used by airports, hotels, and other organizations to transport customers and school children.

I offer my amendment to help ensure these needless tragedies end and that our most precious cargo, our children, get home safe and sound. This amendment would require, first, 15-passenger vans to undergo much of the same National Traffic Highway Safety Administration testing other passenger cars currently undergo, and require the Department of Transportation to finalize rules to make sure that hired drivers of these vans have the proper training.

In addition, the amendment would require NTHSA to work with van manufacturers to evaluate and test the potential of new technologies to help drivers maintain control of their vans.

Second, it would end the near 30 years that we have had this van loophole that has allowed schools to purchase used 15-passenger vans. In 1974, it became illegal for schools to purchase these vans new because of safety concerns. Why then should we continue to allow schools to purchase them used?

The 1974 law also included a $1,000 penalty for purchasing these vans. My amendment would increase the penalty to $25,000 and would be retained by the Transportation Department to be used to prevent these vans from being used illegally.

I think the amendment is a good one. I think it is a necessary one. I think it is a needed one. But I understand there may be a technical objection to including it in this bill.

Accordingly, I will withdraw the amendment. But first I would like to engage in a colloquy with my colleague, the gentleman from Oregon (Mr. DEFAZIO).

My amendments are based on a bill of mine that is now pending in the Committee on Transportation and Infrastructure. It is cosponsored by the distinguished gentleman from Illinois (Mr. HYDE). The bill and the amendments were prompted by several tragedies that have happened in Colorado and other States. These tragedies have made me acutely aware of the danger of 15-passenger vans. In fact, these vans have been associated with more than 500 traffic fatalities since 1990, and this is particularly alarming because so many of them are used as school buses.

The vehicles are highly susceptible to rollover, particularly when they are fully loaded. In fact, they are six times more likely to roll over when they are fully loaded than when there are only five people on board. Unfortunately, I found out how true this is when a van belonging to a church in my district and carrying young people crashed on the way to a retreat. That van rolled over two and a half times, and four people died. Then during last year's forest fires, four firefighters were killed in Colorado when their van rolled over more than four times.

I have seen repeated pictures of these kinds of tragedies, like the one I have here on the floor, and believe me, one is more than enough. There is nothing new about this danger. In fact, since 1974 schools have been not allowed to purchase new 15-passenger vans; but there is nothing to prevent them from purchasing the same vans once they have been used. This loophole needs to be closed.

The intent of the 1974 law was to not have our kids transported in these dangerous vans whether they were new or used, and I would hope that the gentleman agrees with me about that particular concern.

Mr. DEFAZIO. Mr. Chairman, will the gentleman yield?

Mr. UDALL of Colorado. I yield to the gentleman from Oregon.

Mr. DEFAZIO. Certainly, Mr. Chairman. I thank the gentleman from Colorado (Mr. UDALL) for his leadership on this issue.

The tragedies are not unique to Colorado. We have had similar tragedies in the Pacific Northwest, and I think it raises very, very severe questions about whether these vans should be on the road at all. And I certainly would encourage the continued study and action on the safety of these vehicles.

Mr. UDALL of Colorado. I think we both agree that more safety testing needs to be done. There are a couple of tests that these vans do not undergo that other passenger vehicles do. One is the dynamic rollover testing program. Another is the new car assessment program.

The CHAIRMAN pro tempore (Mr. LAHOOD). The time of the gentleman from Colorado (Mr. UDALL) has expired.

(On request of Mr. OBERSTAR, and by unanimous consent, Mr. UDALL of Colorado was allowed to proceed for 2 additional minutes.)

Mr. UDALL of Colorado. Mr. Chairman, I thank the gentleman from Minnesota (Mr. OBERSTAR) for the 2 additional minutes.

Another is the new car assessment program, which currently does not include vehicles that carry 10 to 15 passengers. These tests provide crash data, including information about rollovers that consumers ought to have. I hope the gentleman agrees with me about that as well.

Mr. DEFAZIO. Yes. As I said in my earlier statement, my understanding is that the NTSB is continuing to study the van stability issue for these 15-passenger vans and to see whether or not they are more likely to roll over and cause injury or death. And since they are too important just to be put aside, I certainly congratulate the gentleman in his persistence in his legislation, and I believe we will accommodate, at least partially, his concerns in a subsequent amendment.

Mr. OBERSTAR. Mr. Chairman, will the gentleman yield?

Mr. UDALL of Colorado. I yield to the gentleman from Minnesota.

Mr. OBERSTAR. Mr. Chairman, I very much appreciate the gentleman bringing this issue before us at this

time and in this context. And as the chairman of the subcommittee has indicated already, there is a problem of germaneness.

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But there is nothing ungermane about the point the gentleman makes.

Years ago, during debate in committee, in this body and in conference with the other body, on the termination of the ICC, the Interstate Commerce Commission, I tried to do this very same thing, something very similar to this, to require a commercial driver's license for those drivers who would pilot these 15-passenger vans. We were not able to reach agreement on that in the conference. There was resistance from the other body to moving in that direction.

I subsequently appealed to the NTSB to undertake an inquiry into the stability of this caliber of vehicle, and the board is working on a report to address the issue of passenger van stability and whether those vehicles are more likely to roll over and cause passenger injury.

A year ago, the National Highway Traffic Safety Administration, NHTSA, issued a cautionary warning to users of these vans because of increased rollover risk.

The CHAIRMAN pro tempore (Mr. LAHOOD). The time of the gentleman from Colorado (Mr. UDALL) has again expired.

(On request of Mr. OBERSTAR, and by unanimous consent, Mr. UDALL of Colorado was allowed to proceed for 1 additional minute.)

Mr. OBERSTAR. Mr. Chairman, there is no question that there is a serious safety problem here. It cannot be ignored. We are in the process of crafting the successor to TEA–21. There will be an opportunity I hope in the safety provisions of that legislation to address the gentleman's concerns, and I look forward to working with him and the majority on the committee to address this matter; and I appreciate him raising the issue here before us.

Mr. UDALL of Colorado. Mr. Chairman, if I might reclaim the time, I thank the ranking member for his comments and I look forward to working with him, and I think we both agree that this important legislation should be brought forward to the proper committees and to the full House when the time arrives.

Mr. OBERSTAR. Mr. Chairman, I hope the gentleman from Florida, if the gentleman from Colorado would yield to the gentleman from Florida, I hope he will concur in our consideration.

Mr. MICA. Mr. Chairman, will the gentleman yield?

Mr. UDALL of Colorado. I yield to the gentleman from Florida.

Mr. MICA. Mr. Chairman, I thank the gentleman from Colorado for his remarks, also for his very sincere commitment to this issue.

As a member of the Committee on Transportation and Infrastructure and with the committee's jurisdiction on this legislation, I look forward to working with the gentleman from Colorado on this issue.

Mr. UDALL. Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The CHAIRMAN pro tempore. The Clerk will designate section 2.

The text of section 2 is as follows:

SEC. 2. AUTHORIZATION OF APPROPRIATIONS.

(a) FISCAL YEARS 2003–2006.—Section 1118(a) of title 49, United States Code, is amended—

(1) by striking ''and''; and

(2) by striking ''such sums to'' and inserting the following: ''$73,325,000 for fiscal year 2003, $78,757,000 for fiscal year 2004, $83,011,000 for fiscal year 2005, and $87,539,000 for fiscal year 2006. Such sums shall''.

(b) EMERGENCY FUND.—Section 1118(b) of such title is amended by striking the second sentence and inserting the following: ''In addition, there are authorized to be appropriated such sums as may be necessary to increase the fund to, and maintain the fund at, a level of not to exceed $6,000,000.''.

(c) NTSB ACADEMY.—Section 1118 of such title is amended by adding at the end the following:

''(c) ACADEMY.—There are authorized to be appropriated to the Board for necessary expenses of the National Transportation Safety Board Academy, not otherwise provided for, $3,347,000 for fiscal year 2003, $4,896,000 for fiscal year 2004, $4,995,000 for fiscal year 2005, and $5,200,000 for fiscal year 2006. Such sums shall remain available until expended.''.

Mr. DEFAZIO. Mr. Chairman, I ask unanimous consent that the remainder of the bill be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Oregon?

There was no objection.

The text of the remainder of the bill is as follows:

SEC. 3. ACCIDENT AND SAFETY DATA CLASSIFICATION AND PUBLICATION.

Section 1119 of title 49, United States Code, is amended by adding at the end the following:

''(c) APPEALS.—

''(1) NOTIFICATION OF RIGHTS.—In any case in which an employee of the Board determines that an occurrence associated with the operation of an aircraft constitutes an accident, the employee shall notify the owner or operator of that aircraft of the right to appeal that determination to the Board.

''(2) PROCEDURE.—The Board shall establish and publish the procedures for appeals under this subsection.

''(3) LIMITATION ON APPLICABILITY.—This subsection shall not apply in the case of an accident that results in a loss of life.''.

SEC. 4. SECRETARY OF TRANSPORTATION'S RESPONSES TO SAFETY RECOMMENDATIONS.

Section 1135(d) of title 49, United States Code, is amended to read as follows:

''(d) REPORTING REQUIREMENTS.—

''(1) ANNUAL SECRETARIAL REGULATORY STATUS REPORTS.—On February 1 of each year, the Secretary shall submit a report to Congress and the Board containing the regulatory status of each significant safety recommendation made by the Board to the Secretary (or to an Administration within the Department). The Secretary shall continue to report on the regulatory status of each such recommendation in the report due on February 1 of subsequent years until final regulatory action is taken on that recommendation or the Secretary (or an Administration within the Department) determines and states in such a report that no action should be taken.

''(2) FAILURE TO REPORT.—If on March 1 of each year the Board has not received the Secretary's report required by this subsection, the Board shall notify the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate of the Secretary's failure to submit the required report.

''(3) SIGNIFICANT SAFETY RECOMMENDATION DEFINED.—For the purposes of this subsection, the term 'significant safety recommendation' means a recommendation included in the Board's 'most wanted list'.

''(4) TERMINATION.—This subsection shall cease to be in effect after the report required to be filed on February 1, 2008, is filed.''.

SEC. 5. ASSISTANCE TO FAMILIES OF PASSENGERS INVOLVED IN AIRCRAFT ACCIDENTS.

(a) RELINQUISHMENT OF INVESTIGATIVE PRIORITY.—Section 1136 of title 49, United States Code, is amended by adding at the end the following:

''(j) RELINQUISHMENT OF INVESTIGATIVE PRIORITY.—

''(1) GENERAL RULE.—This section (other than subsection (g)) shall not apply to an aircraft accident if the Board has relinquished investigative priority under section 1131(a)(2)(B) and the Federal agency to which the Board relinquished investigative priority is willing and able to provide assistance to the victims and families of the passengers involved in the accident.

''(2) BOARD ASSISTANCE.—If this section does not apply to an aircraft accident because the Board has relinquished investigative priority with respect to the accident, the Board shall assist, to the maximum extent possible, the agency to which the Board has relinquished investigative priority in assisting families with respect to the accident.''.

(b) REVISION OF MOU.—Not later than 1 year after the date of enactment of this Act, the National Transportation Safety Board and the Federal Bureau of Investigation shall revise their 1977 agreement on the investigation of accidents to take into account the amendments made by this section and shall submit a copy of the revised agreement to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

SEC. 6. TECHNICAL AMENDMENTS.

Section 1131(a)(2) of title 49, United States Code, is amended by moving subparagraphs (B) and (C) 4 ems to the left.

AMENDMENT OFFERED BY MR. GREEN OF TEXAS

Mr. GREEN of Texas. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GREEN of Texas:

Page 5, line 2, before the period insert the following:

and any recommendation concerning 15-passenger van safety, railroad grade crossing safety, and medical certifications for a commercial driver's license

Mr. MICA. Mr. Chairman, I reserve a point of order against the amendment.

Mr. GREEN of Texas. Mr. Chairman, I am offering an amendment not only

on my behalf but also the gentleman from Colorado (Mr. UDALL) and the gentleman from Louisiana (Mr. VITTER), from what I understand, to require the Secretary of Transportation to report to Congress, on my part of the amendment, and the NTSB on the status of any recommendation that the NTSB has made on railroad grade crossing safety.

I appreciate the gentleman from Alaska (Mr. YOUNG) and the gentleman from Florida (Mr. MICA) on the Committee on Transportation and Infrastructure agreeing to discuss the ways we can address this problem further in future legislation. I would also like to thank the ranking members, the gentleman from Minnesota (Mr. OBERSTAR) and the gentleman from Oregon (Mr. DEFAZIO), for working with me so well on this amendment.

My community in Houston has a serious problem with railroad grade crossings; but it is a national problem, also. There are roughly 260,000 at-grade crossings in the U.S. In 4 years, from 1999 to 2002, over 1,600 people were killed in crossing accidents.

Thousands of these at-grade crossings have no protection devices at all, no lights, no barriers. Even in urban areas we have no protection.

I would like to enter into a colloquy with the gentleman from Florida (Mr. MICA).

Mr. MICA. Mr. Chairman, will the gentleman yield?

Mr. GREEN of Texas. I yield to the gentleman from Florida.

Mr. MICA. Mr. Chairman, just a point of clarification here. The Clerk read the amendment, but we want to make certain it is ''page 5, line 2, before the period insert the following.''

The CHAIRMAN pro tempore. The gentleman is correct.

Mr. MICA. Mr. Chairman, the gentleman wishes to engage in a colloquy, and I want to say that I agree with the gentleman that grade crossings are a serious problem in this country. There has been good progress over the past several years, but in the first month of 2003, 30 people were killed in grade crossing accidents.

I was going to ask that the gentleman withdraw the amendment, but I think we have an agreement to accept the amendment now.

The STB has jurisdiction over some of this matter, particularly relating to grade crossing safety improvements. The appropriate place to address this measure will, in fact, be in the reauthorization legislation and also with the Federal Railroad Administration. I think that the gentleman is correct in his pursuing this matter through that particular legislation and those appropriate agencies.

Our proposed Ride-21 bill will provide $60 billion in new infrastructure funding, including the elimination of all grade crossings on new highway speed passenger lines. Perhaps we would also welcome the gentleman as a cosponsor on this important legislation, and I am pleased that the gentleman has modified this particular proposal so that it is acceptable.

Mr. GREEN of Texas. Mr. Chairman, again, I would be more than happy to cosponsor the Ride-21, and we know, while the STB does have jurisdiction over all rail lines and crossings of these lines, it is true that their ability to enforce safety considerations is unclear.

I suspect they choose not to use this authority, if they have it. If in fact they have no authority on grade crossing safety, that needs to be changed immediately, but I realize I will have to come back on the STB authorization bill, and I thank the Chairman for his commitment to address grade crossing safety issues that affect highway agencies in the highway bill.

The CHAIRMAN pro tempore. Does the gentleman withdraw his reservation?

Mr. MICA. Yes, Mr. Chairman.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Texas (Mr. GREEN).

The amendment was agreed to.

Mr. VITTER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I just wanted to briefly thank my colleagues who worked diligently on the last amendment; and of course, I join the gentleman from Texas (Mr. GREEN) and the gentleman from Colorado (Mr. UDALL) on that.

I also want to specifically thank the gentleman from Florida (Mr. MICA) and the gentleman from Alaska (Mr. YOUNG) for their leadership on the overall bill.

A particular provision of the last amendment, specifically medical certifications for a commercial driver's license, is a very important issue for me and for tragic reasons.

Sunday, of course, we all celebrated Mother's Day, but it was also the fourth anniversary of a terrible tragedy and accident in Louisiana. The Mother's Day Bus Crash which was 4 years ago was the fourth worst bus accident in U.S. history. Twenty-two passengers were killed. The bus driver and 20 other passengers received injuries.

The driver, who survived the accident, actually died 3 months after the deadly crash from congestive heart failure, diabetes, and kidney ailments. He also had tested positive after the crash for marijuana. His congestive heart failure was spotted at a medical exam prior to the crash, which should have sidelined him automatically under Federal law, but he was recertified anyway.

The NTSB, of course, did a thorough investigation of this horrible crash; and basically, they blamed in the end the 1999 accident on the driver's poor health which had been caught and should have yanked him from behind the wheel. The agency also cited fatigue and the use of marijuana as contributing factors, and so that is why I worked with the gentleman from Texas (Mr. GREEN) and the gentleman from Colorado (Mr. UDALL) on this amendment and why I am so happy the leadership on the bill has accepted it, particularly the provisions regarding medical certifications for a commercial driver's license.

I also want to thank and congratulate the administration and the Department of Transportation. They just recently made announcements regarding certain provisions they will be pushing regarding the TEA–03 bill, and those recommendations included major implementation of these issues regarding medical certifications for commercial driver's license.

Mr. Chairman, unfortunately, this is a continuing issue. Just Tuesday, another Louisiana bus crash occurred in Lake Charles, Louisiana. A bus carrying 53 passengers, most of them elderly, crashed into a pickup truck, sending both vehicles into a ditch. Fortunately, the injuries were minor, and the accident is currently under investigation, but it certainly underscores the importance of these issues, particularly the medical certification issue which was at the absolute heart, the root cause of the deadly Mother's Day crash 4 years ago.

I want to thank again the authors, co-authors of the amendment, and the leadership on this bill.

AMENDMENT OFFERED BY MR. CARDIN

Mr. CARDIN. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. CARDIN:

After section 6 add the following:

TITLE II—PROVISIONS RELATING TO UNEMPLOYMENT COMPENSATION

Subtitle A—Temporary Extended Unemployment Compensation

SEC. 201. REFERENCES.

Except as otherwise expressly provided, whenever in this subtitle an amendment is expressed in terms of an amendment to a section or other provision, the reference shall be considered to be made to a section or other provision of the Temporary Extended Unemployment Compensation Act of 2002 (Public Law 107–147; 26 U.S.C. 3304 note).

SEC. 202. EXTENSION OF THE TEMPORARY EXTENDED UNEMPLOYMENT COMPENSATION ACT OF 2002.

(a) SIX-MONTH EXTENSION OF PROGRAM.—Section 208 is amended to read as follows:

''SEC. 208. APPLICABILITY.

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

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

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

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

the preceding sentence for any week beginning after July 31, 2004.''.

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

SEC. 203. ENTITLEMENT TO ADDITIONAL WEEKS OF TEMPORARY EXTENDED UNEMPLOYMENT COMPENSATION.

(a) WEEKS OF TEUC AMOUNTS.—Paragraph (1) of section 203(b) is amended to read as follows:

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

(b) WEEKS OF TEUC–X AMOUNTS.—Section 203(c)(1) is amended by striking ''an amount equal to the amount originally established in such account (as determined under subsection (b)(1))'' and inserting ''7 times the individual's weekly benefit amount for the benefit year''.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section—

(A) shall take effect as if included in the enactment of the Temporary Extended Unemployment Compensation Act of 2002 (Public Law 107–147; 116 Stat. 21); but

(B) shall apply only with respect to weeks of unemployment beginning on or after the date of enactment this Act, subject to paragraph (2).

(2) SPECIAL RULES.—In the case of an individual for whom a temporary extended unemployment account was established before the date of enactment of this Act, the Temporary Extended Unemployment Compensation Act of 2002 (as amended by this subtitle) shall be applied subject to the following:

(A) Any amounts deposited in the individual's temporary extended unemployment compensation account by reason of section 203(c) of such Act (commonly known as ''TEUC–X amounts'') before the date of enactment of this Act shall be treated as amounts deposited by reason of section 203(b) of such Act (commonly known as ''TEUC amounts''), as amended by subsection (a).

(B) For purposes of determining whether the individual is eligible for any TEUC–X amounts under such Act, as amended by this subtitle—

(i) any determination made under section 203(c) of such Act before the application of the amendments made by this subtitle shall be disregarded; and

(ii) any such determination shall instead be made by applying section 203(c) of such Act, as amended by this subtitle—

(I) as of the time that all amounts established in such account in accordance with section 203(b) of such Act (as amended by this subtitle, and including any amounts described in subparagraph (A)) are in fact exhausted, except that

(II) if such individual's account was both augmented by and exhausted of all TEUC–X amounts before the date of enactment of this Act, such determination shall be made as if exhaustion (as described in section 203(c)(1) of such Act) had not occurred until such date of enactment.

SEC. 204. EXTENDED BENEFIT PERIODS.

(a) APPLICATION OF REVISED RATE OF INSURED UNEMPLOYMENT.—Section 207 is amended—

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

(2) by adding at the end the following:

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

(b) ADDITIONAL EXTENDED BENEFIT PERIOD TRIGGER.—

(1) IN GENERAL.—Section 203(c) is amended by adding at the end the following:

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

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

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

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

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

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

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

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

(2) CONFORMING AMENDMENT.—Section 203(c)(1) is amended by inserting ''or (3)'' after ''paragraph (2)''.

Subtitle B—Unemployment Benefits for Individuals Qualifying Based on Part-time Work or an Alternative Base Period

SEC. 211. FEDERAL-STATE AGREEMENTS.

(a) IN GENERAL.—Any State which desires to do so may enter into and participate in an agreement under this subtitle with the Secretary of Labor (hereinafter in this subtitle referred to as the ''Secretary''). Any State which is a party to an agreement under this subtitle may, upon providing 30 days' written notice to the Secretary, terminate such agreement.

(b) PROVISIONS OF AGREEMENT.—

(1) IN GENERAL.—Any agreement under subsection (a) shall provide that the State agency of the State will make payments of regular compensation to individuals in amounts and to the extent that they would be determined if the State law were applied with the modifications described in paragraph (2).

(2) MODIFICATIONS DESCRIBED.—The modifications described in this paragraph are as follows:

(A) In the case of an individual who is not eligible for regular compensation under the State law because of the use of a definition of base period that does not count wages earned in the most recently completed calendar quarter, eligibility for compensation under this subtitle shall be determined by applying a base period ending at the close of the most recently completed calendar quarter.

(B) In the case of an individual who is not eligible for regular compensation under the State law because such individual does not meet requirements relating to availability for work, active search for work, or refusal to accept work, because such individual is seeking, or is available for, less than full-time work, compensation under this subtitle shall not be denied by such State to an otherwise eligible individual who seeks less than full-time work or fails to accept full-time work.

(c) COORDINATION RULE.—The modifications described in subsection (b)(2) shall also apply in determining the amount of benefits payable under any Federal law to the extent that those benefits are determined by reference to regular compensation payable under the State law of the State involved.

SEC. 212. PAYMENTS TO STATES HAVING AGREEMENTS UNDER THIS SUBTITLE.

(a) GENERAL RULE.—There shall be paid to each State which has entered into an agreement under this subtitle an amount equal to—

(1) 100 percent of any regular compensation made payable to individuals by such State by virtue of the modifications which are described in section 211(b)(2) and deemed to be in effect with respect to such State pursuant to section 211(b)(1), and

(2) 100 percent of any regular compensation—

(A) which is paid to individuals by such State by reason of the fact that its State law contains provisions comparable to the modifications described in section 211(b)(2), but only

(B) to the extent that those amounts would, if such amounts were instead payable by virtue of the State law's being deemed to be so modified pursuant to section 211(b)(1), have been reimbursable under paragraph (1).

(b) DETERMINATION OF AMOUNT.—Sums under subsection (a) payable to any State by reason of such State having an agreement under this subtitle shall be payable, either in advance or by way of reimbursement (as may be determined by the Secretary), in such amounts as the Secretary estimates the State will be entitled to receive under this subtitle for each calendar month, reduced or increased, as the case may be, by any amount by which the Secretary finds that the Secretary's estimates for any prior calendar month were greater or less than the amounts which should have been paid to the State. Such estimates may be made on the basis of such statistical, sampling, or other method as may be agreed upon by the Secretary and the State agency of the State involved.

(c) ADMINISTRATIVE AND OTHER EXPENSES.—There is hereby appropriated out of the employment security administration account of the Unemployment Trust Fund (as established by section 901(a) of the Social Security Act) $500,000,000 to reimburse States for the costs of the administration of agreements under this subtitle (including any improvements in technology in connection therewith) and to provide reemployment services to unemployment compensation claimants in States having agreements under this subtitle. Each State's share of the

amount appropriated by the preceding sentence shall be determined by the Secretary according to the factors described in section 302(a) of the Social Security Act and certified by the Secretary to the Secretary of the Treasury.

SEC. 213. FINANCING PROVISIONS.

(a) IN GENERAL.—Funds in the extended unemployment compensation account (as established by section 905(a) of the Social Security Act), and the Federal unemployment account (as established by section 904(g) of the Social Security Act), of the Unemployment Trust Fund shall be used, in accordance with subsection (b), for the making of payments (described in section 212(a)) to States having agreements entered into under this subtitle.

(b) CERTIFICATION.—The Secretary shall from time to time certify to the Secretary of the Treasury for payment to each State the sums described in section 212(a) which are payable to such State under this subtitle. The Secretary of the Treasury, prior to audit or settlement by the General Accounting Office, shall make payments to the State in accordance with such certification by transfers from the extended unemployment compensation account (or, to the extent that there are insufficient funds in that account, from the Federal unemployment account) to the account of such State in the Unemployment Trust Fund.

SEC. 214. DEFINITIONS.

For purposes of this subtitle:

(1) IN GENERAL.—The terms ''compensation'', ''regular compensation'', ''base period'', ''State'', ''State agency'', ''State law'', and ''week'' have the respective meanings given such terms under section 205 of the Federal-State Extended Unemployment Compensation Act of 1970, subject to paragraph (2).

(2) STATE LAW AND REGULAR COMPENSATION.—In the case of a State entering into an agreement under this subtitle—

(A) ''State law'' shall be considered to refer to the State law of such State, applied in conformance with the modifications described in section 211(b)(2), and

(B) ''regular compensation'' shall be considered to refer to such compensation, determined under its State law (applied in the manner described in subparagraph (A)),

except as otherwise provided or where the context clearly indicates otherwise.

SEC. 215. APPLICABILITY.

An agreement entered into under this subtitle shall apply to weeks of unemployment—

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

(2) ending before July 1, 2004.

POINT OF ORDER

Mr. MICA. Mr. Chairman, I make a point of order against the amendment.

The CHAIRMAN pro tempore. The gentleman will state his point of order.

Mr. MICA. Mr. Chairman, I believe I have a copy of the Cardin amendment that is being proposed at this point, and I make a point of order against the amendment on the grounds that it violates clause 7 of rule XVI of the rules of the House because it is not germane to the bill.

Clause 7 of rule XVI provides that no motion or proposition on a subject different from that under consideration shall be considered under color of amendment.

The gentleman from Maryland's amendment deals with an entirely different subject. The amendment that I have here deals with title II provisions relating to unemployment compensation, again having absolutely nothing to do with the subject under consideration.

The subject of the amendment is not addressed in the underlying text of the bill under consideration. The subject matter of the bill is confined to the National Transportation Safety Board or matters relating to the National Transportation Safety Board. And the amendment falls outside the confines of the bill. The amendment, therefore, Mr. Chairman, I believe is not germane.

Mr. Chairman, I insist on the point of order.

The CHAIRMAN pro tempore. Does any Member wish to speak on the point of order?

Mr. CARDIN. Mr. Chairman, if I might, let me raise three points as to why this amendment should be made in order.

The first, the bill deals with transportation safety. Over 70,000 people in the aviation industry alone have lost their jobs in the last 2 years. They are covered by the underlying amendment, and there are many more in the transportation industries that have lost their jobs; and without the unemployment insurance benefits that are provided for with the amendment that I have offered, it will jeopardize safety here in our country.

Secondly, Mr. Chairman, if I might, during the consideration of the rule, I know the Chair may not have been on the floor, so I want to make sure I quote this accurately. During the consideration of the rule on the floor, the floor manager on behalf of the majority stated very clearly that the rule allowed any amendment by any Member. Mr. Chairman, this is an amendment, and I am a Member.

Mr. Chairman, let me point out the third reason. We have shown resourcefulness in this body as the people's House, the body that is closest to the people, to let democratic procedures go forward to determine urgent issues. The underlying amendment deals with the extension of Federal unemployment insurance benefits that are due to expire at the end of this month.

□ 1315

This House, as I said before I was interrupted, this body has shown resourcefulness in the rulings of the Chair, resourcefulness within the actions of our Members to deal with legislation in a timely way when there is an urgent issue. We are the people's House.

As I pointed out, 1 million people have lost their unemployment insurance. They have exhausted it. Two million people will exhaust their State unemployment insurance benefits within the next 6 months. This underlying bill simply extends the Federal unemployment insurance benefit program for 6 months. It allows for those who have exhausted benefits to be able to receive their benefits, another million people, and makes it easier for us to deal with those who are seeking part-time employment.

I would urge the Chair to exercise the discretion of the Chair, with only 6 days remaining before the expiration of this program, to permit this amendment to be in order, considering the statements of the floor managers, considering so many people that are in the transportation industry that are affected by being unemployed.

The CHAIRMAN pro tempore (Mr. LAHOOD). Does any other Member wish to speak?

If not, the Chair is prepared to rule. The gentleman from Florida makes a point of order that the amendment offered by the gentleman from Maryland is not germane.

Clause 7 of Rule XVI, the germaneness rule, provides that no proposition on a subject different than that under consideration shall be admitted under color of amendment. Two of the central tenets of the germaneness rule are that an amendment should be within the jurisdiction of the committee reporting the bill and should not address subject matters not addressed by the bill.

The bill, H.R. 1527, was referred to and reported by the Committee on Transportation and Infrastructure.

The amendment offered by the gentleman from Maryland proposes to extend unemployment insurance benefits, a matter within the jurisdiction of the Committee on Ways and Means. By addressing a matter outside the jurisdiction of the Committee on Transportation and Infrastructure and beyond the range of matters addressed by the bill, the amendment is not germane.

The point of order is sustained.

Are there other amendments?

Mr. CARDIN. Mr. Chairman, I respectively move to appeal the ruling of the Chair.

The CHAIRMAN pro tempore. The question is, Shall the decision of the Chair stand as the judgment of the Committee?

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

RECORDED VOTE

Mr. CARDIN. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 225, noes 200, not voting 9, as follows:

[Roll No. 191]

AYES—225

Aderholt	Blunt	Burton (IN)
Akin	Boehlert	Buyer
Bachus	Boehner	Calvert
Baker	Bonilla	Camp
Ballenger	Bonner	Cannon
Barrett (SC)	Bono	Cantor
Bartlett (MD)	Boozman	Capito
Barton (TX)	Bradley (NH)	Carter
Bass	Brady (TX)	Castle
Beauprez	Brown (SC)	Chabot
Bereuter	Brown-Waite, Ginny	Chocola
Biggert	Burgess	Coble
Bilirakis	Burns	Cole
Bishop (UT)	Burr	Collins
Blackburn		Combest

Cox
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
DeMint
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Dreier
Duncan
Ehlers
Emerson
English
Everett
Feeney
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Goode
Goodlatte
Goss
Granger
Graves
Green (WI)
Greenwood
Gutknecht
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Houghton
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Janklow
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Kolbe
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCotter
McCrery
McHugh
McInnis
McKeon
Mica
Miller (FL)
Miller (MI)
Moran (KS)
Murphy
Murtha
Musgrave
Myrick
Nethercutt
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Porter
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Toomey
Turner (OH)
Upton
Vitter
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)

NOES—200

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

NOT VOTING—9

Brown, Corrine
Dunn
Gephardt
Jones (OH)
Knollenberg
Miller, Gary
Pastor
Schrock
Young (FL)

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (Mr. LAHOOD)(during the vote). Members are advised that there are 2 minutes remaining to vote.

□ 1338

Mr. ACKERMAN and Mr. WEINER changed their vote from ''aye'' to ''no.''

Mr. SHIMKUS and Mr. HOEKSTRA changed their vote from ''no'' to ''aye.''

So the decision of the Chair stands as the judgment of the Committee.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. JACKSON-LEE of Texas:

At the end of the bill, add the following:

SEC. 7. STUDIES.

(a) IN GENERAL.—The National Transportation Safety Board shall conduct a separate study on each of the following subjects:

(1) The impact of age on the competence and qualifications of airline pilots.

(2) The impact of the use of rail systems in high population density cities, including any city with a population of more than 1,000,000 persons.

(b) REPORT TO CONGRESS.—Not later than February 1, 2004, the Board shall transmit to Congress a report on each of the studies conducted under subsection (a).

Ms. JACKSON-LEE of Texas (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore. Is there objection to the request of the gentlewoman from Texas?

There was no objection.

Mr. MICA. Mr. Chairman, I reserve a point of order against the amendment.

The CHAIRMAN pro tempore. The gentleman from Florida reserves a point of order.

Ms. JACKSON-LEE of Texas. Mr. Chairman, first of all I would like to thank the chairman and ranking member for the opportunity to put forward these amendments even in the context of a point of order.

Mr. Chairman, as we note the legislation that is before us, the underlying legislation, the National Transportation Safety Board reauthorization, the word ''safety'' is emphasized or reinforced. As I discuss my amendments, might I just acknowledge the 22nd annual National Peace Officers Memorial Service and pay tribute to those law enforcement officers throughout the Nation who provide us with a safe coming and going.

My amendment, however, Mr. Chairman, simply focuses on the question of safety in two aspects, and it is simply a study to provide us with greater insight to enhance the safety of the travel of Americans and others in this system. My amendment requires a request, if you will, the question to be studied of the impact of age on the competence and qualifications of airline pilots.

Secondarily, Mr. Chairman, it also asks a very, I think, probing question that has faced both rural, urban, and suburban areas and that is the impact of the use of rail systems in high population density areas including any city with a population of more than 1 million persons.

Mr. Chairman, having spoken to some Members on the floor, I realize that this study may even need to be expanded, as I said earlier, to urban and rural areas as well.

Let me first briefly address the question of the age of pilots, currently the age of 60, the mandatory retirement age for airline pilots. The FAA rule prohibiting pilots over 60 from flying commercially has been on the books since 1959. Might I say to you, Mr. Chairman, that we realize that the age of Americans has exponentially grown since that time. We are healthier, we are living longer, we are stronger, and we are prepared to work. And so this is, of course, a concern as to whether or not this is a relevant age.

At the time, the agency was worried about older pilots making a transition to turbo jet aircraft. The FAA also cited concerns about heart problems, fatigue and reaction time. Consequently, each year over 1,000 seasoned employees as pilots are forced to retire. I believe medical science suggests that we minimally should study the question and whether or not the age of 60 is arbitrary as a cutoff time. A 1993 study has shown no increase in accidents as pilots approach age 60; but the FAA, of course, wants to consider such data. I believe it is important to look at the question again. I would hope my colleagues would consider such. In a letter sent to the U.S. Department of Transportation, the vice

president of the CAMA, Dr. James Almand, wrote: ''The consensus of the association is that mandatory retirement age for an airline pilot who has reached the age of 60 is without medical basis.''

So I believe it is an important question to study.

□ 1345

Secondarily, my amendment also hopefully provide relief, Mr. Chairman, to the thousands upon thousands of residential communities that are plagued by high-speed rail; when I say high speed, high-traffic rail. This is not in disrespect to the fact that rail is very important to America. In fact, I am a proponent of the light rail in the city of Houston, but I would simply like us to study the question of how we can diminish some of the problems that incur when these interstate trafficking or traveling interferes with the coming and going of residential neighborhoods. I believe it is an important safety, environmental and economic issue.

And one of the areas in my community that has been plagued is the housing development where people simply want to live with a good quality of life, but because they happen to live in a housing development, a housing project, they are suffering the intrusions of children being hit, losing arms and limbs, and an unfortunate and bad situation as it relates to their home.

I would hope my colleagues would consider the idea of studying and working with me on these issues. I realize that we have work to do and places to go.

Mr. MICA. Mr. Chairman, will the gentlewoman yield?

Ms. JACKSON-LEE of Texas. I yield to the gentleman from Florida.

Mr. MICA. Mr. Chairman, we appreciate very much the issues that have been raised by the gentlewoman from Texas. I think she makes some very valid points. They are issues that need to be considered, but we do not think they should be in the context of this particular legislative item before us. We are willing to work with her and also consider them in other appropriate legislation. So we thank the gentlewoman, and we hope that she would consider withdrawing her amendment.

Mr. OBERSTAR. Mr. Chairman, will the gentlewoman yield?

Ms. JACKSON-LEE of Texas. I yield to the gentleman from Minnesota.

Mr. OBERSTAR. Mr. Chairman, the gentlewoman raises very valid points, the rail safety. The impact of rail on both rural and urban communities is very significant. The appropriate place for such a study for this issue to be raised would be in the successor legislation to TEA–21, which our committee will be considering.

The CHAIRMAN pro tempore (Mr. LAHOOD). The time of the gentlewoman from Texas (Ms. JACKSON-LEE) has expired.

(On request of Mr. OBERSTAR, and by unanimous consent, Ms. JACKSON-LEE was allowed to proceed for 30 additional seconds.)

Mr. OBERSTAR. Mr. Chairman, if the gentlewoman will continue to yield, the flight surgeon of the FAA has over a period of 20 years conducted studies of the appropriateness of the age 60 rule. The conclusion of the FAA is that it is best left in place as it is. The NTSB does not have the personnel expertise to conduct a study of the magnitude the gentlewoman is proposing. The appropriate venue is the FAA, which does continue to monitor this issue, and we will be glad to continue to discuss with the gentlewoman her concern about this matter in another venue.

(By unanimous consent, Ms. JACKSON-LEE of Texas was allowed to proceed for 30 additional seconds.)

Ms. JACKSON-LEE of Texas. Mr. Chairman, let me say I am very appreciative of this dialogue and discourse. I wanted to thank the full committee Chair and the full committee ranking member as well as the subcommittee Chair and ranking member. This is a fair response to issues that we are very concerned about in my community, and I would like to look forward to working with them on this issue.

I would like to ask unanimous consent to withdraw my amendment and to proceed to work with the committee on what I believe are very crucial issues to the quality of life in my communities.

Mr. Chairman, I rise in support of this amendment that would lead to commission a study to determine the impact of the age factor on the competence and qualifications of airline pilots. The amendment also calls for commission of a study to determine the impact of the use of rail systems in high population density cities and/or cities with populations over 1 million persons.

Currently, age 60 is the mandatory retirement age for airline pilots. The FAA rule prohibiting pilots over 60 from flying commercially has been on the books since 1959. At that time the agency was worried about older pilots making a transition to turbo-jet aircraft. The FAA also cited concerns about heart problems, fatigue and reaction time. Consequently, each year over 1,000 pilots are forced to retire.

Times and medical science have changed, and now people are living longer, healthier lives. At this time the mandatory retirement age may or may not still be reasonable. This amendment is aimed at creating a study to determine the truth, one way or the other.

Some pilots argue the cut-off age is arbitrary, and that frequent physicals for airline pilots provide an adequate safeguard. All airline pilots, regardless of age, must pass a flight physical every 6 months.

A 1993 study has shown no increase in accidents as pilots approach age 60. But the FAA questions the data. The FAA says the accident rate for pilots age 60 to 63 was statistically greater than the accident rate for pilots age 55 to 59. However, the FAA has said that it cannot be certain whether raising the retirement age above 60 would maintain or raise the level of safety.

On the other hand, the Air Line Pilots Association opposes changing the mandatory retirement age. The Air Line Pilots Association says that medical science has not developed tests to identify those aging pilots who are, or will become, incapacitated. In fact, the Civil Aviation Medical Association, CAMA, the group that represents the flight physicians who test pilots every year, has called the retirement rule ''unjust and unfounded.''

In a letter sent to the U.S. Department of Transportation a CAMA Vice President Dr. James Almand wrote, ''The consensus of the Association is that mandatory retirement for an airline pilot who has reached the age of 60 is without medical basis. Flight physicians belonging to this Association perform the majority of physical examinations for these airline pilots and it is observed that most pilots who have attained the age of 60 are indeed healthy and do not show physical or mental adverse changes in their ability to pilot an aircraft.''

This issue is especially relevant now because the United States has faced a pilot shortage. At times, the shortage has caused airlines to cancel flights because a sufficient number of pilots just could not be found. In addition, reports say that nearly half the current airline pilots will be forced to retire in the next 10 years. That means less experienced pilots are moving into cockpits more quickly, while the Nation's most experienced pilots are being sent into retirement.

This amendment will lead to a study to determine the impact of age on the competence and qualifications of airline pilots. Such a study will allow us to set conjecture aside so that we may deal with facts when discussing age and the competency of our Nation's airline pilots.

The study will facilitate the determination of whether the mandatory retirement age of 60 is a prudent policy or simply an idea that's time has passed.

The second part of the amendment calls for a study on the impact of the use of rail systems in high population density cities. Such a study is crucial to determine the factors that impact the safety of such rails systems in our nation's cities.

There are safety, environmental, and economic issues that must be further evaluated to ensure the most beneficial use of such rail systems. This amendment would lead to a study to evaluate those matters.

I urge my colleagues to join me in supporting this amendment that aims to gather information to improve this country's transportation systems.

Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN pro tempore. Is there objection to the request of the gentlewoman from Texas?

There was no objection.

The CHAIRMAN pro tempore. There being no further amendments, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. TERRY) having assumed the chair, Mr. LAHOOD, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 1527) to amend title 49, United States Code, to authorize appropriations for the National Transportation Safety Board for fiscal years

2003 through 2006, and for other purposes, pursuant to House Resolution 229, reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. MICA. 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 H.R. 1527, the bill just passed.

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

There was no objection.

LEGISLATIVE PROGRAM

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

Mr. HOYER. Mr. Speaker, I ask for this time for the purposes of inquiring of the majority leader the schedule for the coming week.

Mr. DELAY. Mr. Speaker, will the gentleman yield?

Mr. HOYER. I yield to the gentleman from Texas.

Mr. DELAY. Mr. Speaker, I thank the gentleman from Maryland (Mr. HOYER) for yielding.

Mr. Speaker, the House will convene on Monday at 12:30 p.m. for morning hour and 2 p.m. for legislative business. We will consider several measures under the suspension of the rules, and a final list of those bills will be sent to the Members' offices by the end of this week. Any votes called on those measures will be rolled until 6:30 p.m. on Monday. For Tuesday and the balance of the week, we expect to consider additional bills under suspension of the rules, as well as H.R. 1904, the Healthy Forest Restoration Act of 2003, and the Department of Defense authorization bill.

And, finally, I would like to note for all the Members that we are waiting on Senate action on a variety of issues such as the jobs and growth package and the President's Global AIDS Initiative. Members should be aware that we are likely to be in session Friday next, possibly late into the evening, as we work to resolve these important pieces of legislation.

Mr. HOYER. Mr. Speaker, reclaiming my time, I thank the leader for his information with respect to our schedule for next week, and when we go in, and the fact that we expect certainly to meet on Friday or perhaps late on Friday.

With respect to the forest bill, Mr. Speaker, what type of rule does the gentleman anticipate? It is my understanding that an unlimited number of amendments were submitted to the Committee on Rules, and I would hope they would be made in order.

I see the chairman of the Committee on Rules on the floor. Obviously we are hopeful that we will have our opportunity to offer our alternatives to this bill. There are obviously some controversial items in it.

Mr. DREIER. Mr. Speaker, will the gentleman yield?

Mr. HOYER. I yield to the gentleman from California.

Mr. DREIER. Mr. Speaker, I thank my friend for yielding.

I will simply say that we just a couple of hours ago completed the hearing portion for consideration of the measure, and the gentleman from California (Mr. GEORGE MILLER), the ranking minority member on the Committee on Resources, came forward with a substitute which he asked that we make in order, and we had four other amendments that were proposed, and we are working with Members of the minority right now to see which of the proposals we might be able to accommodate. So we are going to try our darnedest to make sure there are options that our colleagues have as we proceed with this very important piece of legislation, which I am happy to see there is strong bipartisan consensus to move ahead with this bill.

I thank my friend for yielding.

Mr. HOYER. Mr. Speaker, I am always pleased to hear that they are considering the options, but considering the options and approving the options appear to be two different things.

Mr. DREIER. Mr. Speaker, will the gentleman yield?

Mr. HOYER. I yield to the gentleman from California.

Mr. DREIER. Mr. Speaker, I just do not want to predetermine what the Committee on Rules might do as we want the committee to work its will and take into consideration these proposals, and I know the gentleman would not want to predetermine what the Committee on Rules might do.

Mr. HOYER. Mr. Speaker, I understand the chairman's appreciation of the vigorous debate and differences that are sometimes debated within the bosom of the Committee on Rules. I remember those same kinds of disputes when we were in the majority. I am aware of the fact, however, that sometimes those vigorous disputes as to what ought to be and ought not to be in the rule are sometimes resolved by leadership suggesting alternatives that then create consensus very quickly. It has been my experience in the past. So I am hopeful that the leadership will work its will on the creation of consensus to allow full consideration.

We are being lighthearted in this effort, but I do not want anybody confused by the lightheartedness, that we feel very, very strongly about having full consideration of the alternatives that we offer, just as the gentleman, the chairman of the committee, felt so strongly about in 1991, in 1992, in 1993, and 1994 when we were in charge. And I would hope that the gentleman would pursue those concerns on behalf of the minority in our party as vigorously as he pursued them on behalf of the minorities of his party.

To the majority leader, the DOD authorization bill will be on the floor, I understand, as the gentleman pointed out. Again, we have the same situation, as he knows. There are some extraordinarily controversial items included within this authorization bill. I might say to the leader some of these, as the gentleman knows, are issues which have been brought up within the last 30 days that make some of the most sweeping changes that have been made in the Civil Service System since its creation and exempt fully, when we include Homeland Security, one-half of the Federal employees from protections that they now enjoy under title 5, title 41 and other pieces of legislation passed by the House and the Senate.

In addition to that, as the gentleman knows, there are some very substantial questions with reference to environmental statutes that are on the book and possible exemptions from certain statutory requirements dealing with endangered species, dealing with clean air, dealing with other items.

Could the gentleman tell me the rule that is contemplated and whether or not amendments will be made in order, particularly those two items, and there may be multiple amendments, but whether or not there will be full consideration of those very controversial items?

I will tell the gentleman, as he knows, I have consistently, since 1981, supported authorization bills and am a strong supporter of defense, and I have always supported appropriations bills, but at the same time the fact that something is included in a bill, if no opportunity is given to debate those items which may be controversial as opposed to those items which are ensuring the strength of our country and the capability of our Armed Forces and the quality of life for our personnel, we do not want to have to vote against those, clearly, and probably will not. But we do want the opportunity to debate these very controversial items and to provide alternatives.

Mr. DELAY. Mr. Speaker, will the gentleman yield?

Mr. HOYER. I yield to the gentleman from Texas.

Mr. DELAY. Mr. Speaker, I thank the gentleman for yielding.

As the gentleman knows, the Department of Defense authorization bill is a huge, huge piece of legislation, which includes providing for our national defense, fighting the war on terror, providing for the military and their families, particularly their quality of life. It is a very complicated, very important piece of legislation.

The gentleman is correct that some provisions were brought to some people's attention some 30 days ago, but

those two issues that the gentleman talks about, Mr. Speaker, are issues that have been worked on for a long time by a lot of people and have gone through regular order. Both the environmental issue and the personnel issue have been worked on by their respective committees, the Committee on Government Reform and the Committee on Resources, and have been voted on by those two committees to be sent out of those committees and put into the Department of Defense authorization bill.

□ 1400

I know that the chairman of the Committee on Rules is on the floor to make an announcement about the intentions of the Committee on Rules meeting and dealing with amendments and their submission to the Committee on Rules.

Again, it is very difficult to predetermine what type of rule would be written for the Department of Defense authorization bill, but I must say certainly this is vitally important to this country. We want to have a full and open debate about it, and I am sure the Committee on Rules will take a look at those amendments that will be offered and make a decision as to what kind of rule to write, but I do not think that will be done until next week.

Mr. HOYER. Mr. Speaker, reclaiming my time, I thank the gentleman, and yield to the chairman of the Committee on Rules.

Mr. DREIER. Mr. Speaker, I would like to say the majority leader is absolutely right. We know there is a full schedule which the distinguished majority leader has just outlined for next week, but, clearly, most of the time for next week will be spent on this House floor dealing with this very important issue, the defense authorization bill. In light of that fact, my friend from Maryland can clearly be assured that there will be a wide range of amendments that will be made in order for consideration of the measure.

Mr. HOYER. Mr. Speaker, reclaiming my time, I thank the chairman of the Committee on Rules for that assurance, and again would reiterate that I am presuming that those assurances go to the two particular items, as well as other items that clearly are in this bill. I thank the gentleman for his assurance.

Mr. Leader, you mentioned the tax bill, the jobs opportunity bill, that passed this House and which Senate is now considering, as I understand it. Assuming the Senate passes that piece of legislation today or tomorrow—I see the chairman of the Committee on Ways and Means on the floor—when is it your expectation that they will go to conference on this bill?

I yield to the gentleman.

Mr. DELAY. Mr. Speaker, I thank the gentleman for yielding. I do believe that the other body expects to complete consideration of the economic growth package later on this afternoon, or, if not this afternoon, sometime tomorrow. The final product that passes the other body will likely be dramatically different, if not dramatically less desirable, than what passed this body.

At this point I cannot give the gentleman a good sense of how or when this important legislation will be resolved. What I can say is that our hope is that we get the best, most robust growth bill to the President as soon as possible. As a tentative goal, we would like to get the bill to the President before we break for the Memorial Day recess.

Mr. HOYER. I thank the gentleman for that comment. I understand that he cannot, with any preciseness, give us an answer. Is it, however, the intent that this bill will be conferenced, that there will be a full conference on this bill?

Mr. DELAY. Mr. Speaker, I am not advised as to what procedures the House will take, only because we need to take a real good, hard look at what ultimately passes the other body before we can make a decision as to what options are available to us.

Mr. HOYER. Reclaiming my time, I thank the gentleman for his comment. I would only observe that we certainly on this side, whatever happens in the Senate, would hope and expect that regular order would be followed and that a conference would occur in which the minority, both in the Senate and the House, for that matter, would have an opportunity to make its observations and opinions clear on either alternative, or portions of each.

Mr. DELAY. If the gentleman will yield further, we are always interested in protecting the rights of the minority.

Mr. HOYER. I wanted time for that comment to resonate in the body, but I appreciate the observation, even though it stretches my credulity.

The debt limit, Mr. Leader, do you expect we will have an opportunity to have a full and open debate on this matter?

Mr. DELAY. If the gentleman will yield further, I am sure the gentleman is aware that the House has already passed an increase in the statutory debt limit. It is my understanding that the other body has a unanimous consent agreement to consider the House bill, along with a series of amendments.

Frankly, hopefully the Senate would not pass any of those amendments and pick up the House bill and pass it sometime next week and send it to the President.

Mr. HOYER. If the leader knows, is that debt limit extension still $894 billion? Does the gentlemen know?

Mr. DELAY. I am not advised at this moment. I apologize to the gentleman.

Mr. HOYER. The last item I would inquire about, Mr. Leader, is the unemployment compensation extension. As the gentleman knows by the efforts that the gentleman from Maryland (Mr. CARDIN) and the gentleman from New York (Mr. RANGEL) have been making, this is of great concern to us.

Does the leader have any expectation that the unemployment compensation extension will be on the floor next week?

Mr. DELAY. If the gentleman will yield further, I want to make sure that the gentleman is referring to the program that was created as a result of the economic impact of 9/11. The Federal unemployment insurance program that existed for decades is still around, and people need to understand is still around and working well. So it seems to me that if the gentleman and Members of this body are actually interested in a broad expansion of the unemployment insurance program, I would hope that those Members would work with the chairman of the Committee on Ways and Means and move it through regular order so that every Member of this body ultimately could have some impact on that piece of legislation, that very important legislation.

Mr. HOYER. Reclaiming my time, I thank the leader for those comments. I will be more specific so the leader understands what I am talking about.

In October of last year, as the gentleman recalls, we were hopeful that we would extend unemployment insurance in our last day in session in October and take up a Senate bill which was passed in a bipartisan, overwhelming fashion. We did not do that, as the gentleman recalls, notwithstanding the fact we gave our unanimous consent to that action. As a result of not doing that, 800,000 Americans went off unemployment insurance on December 28 of last year.

The President, of course, observed that he thought that was unfortunate, and he was for us extending it. However, that was not done, as the gentleman recalls, either until the last week in January or to the first week in February, I think it was probably the last week in January, which meant from December 28 through late January people who were unable to find jobs were not included in an extended unemployment insurance position. Therefore, they had no income coming in to their families, at least from their perspective. That is what we are concerned about.

I would reiterate, Mr. Leader, it is our view that there are some 3 million people at risk. It was 800,000 last October. We believe it is 3 million people under State programs and Federal programs that are at risk if we do not extend unemployment insurance, as we did in the 1990 recession, as we did in 1982. In fact, we extended it in both those instances beyond that which we had already. It was those programs which I was referring to, Mr. Leader.

I yield for any comments the gentleman may wish to make.

Mr. DELAY. Mr. Speaker, the gentleman is correct in reciting the history of extending benefits. What I seem

to remember was that the House passed a bill, and the Senate refused to pick it up back in October or November, I forget the time frame.

Mr. HOYER. Reclaiming my time, if I might, Mr. Leader, what happened, as I recall, was Mr. NICKLES and Mrs. CLINTON agreed on a bill that was then passed overwhelmingly by the Senate in response to our bill and sent here. In fact, some 2½ months later we adopted a very similar piece of legislation, but only after people had gone off for 4 weeks their extended benefits.

Mr. DELAY. If the gentleman will yield, I just remind the gentleman that our bill, the House bill, passed overwhelmingly by this House, and the Senate did pass their own bill, but our bills crossed in the night, and the Senate refused to take up our bill.

But be that as it may, the extensions are there, and certainly we are interested in taking suggestions from Members about how we would accomplish this in the shortest period of time. But I must tell the gentleman that the best way to take care of people that are unemployed is to find them a job, and, to do that, pass the job and economic growth package, the energy package, a transportation package and a pension security package.

All the economic development packages that this House has been in the lead on, it would be nice to get them through the other body and to the President so that jobs can be created and people can find a job, rather than have to rely on unemployment benefits.

Mr. HOYER. Reclaiming my time, I thank the gentleman for his observations. I certainly agree with him that in the long term the best solution is the creation of an economy that creates sufficient jobs for all Americans who are seeking jobs.

My friend knows that there are 6 million Americans who are unemployed at this point in time, the highest unemployment we have had in approximately a decade. It is nice to say that if we pass those bills, we will create new jobs, but the people who lose their unemployment at the end of this month and who will not have sufficient funds to pay their mortgages, to purchase groceries for their families, are going to have little solace because we are going to pass some bill that will create some jobs sometime down the road. But I appreciate the gentleman's observation.

Does the gentleman want to make an additional comment?

Mr. DELAY. Mr. Speaker, I must admit that I am not an expert on unemployment insurance, but it is my understanding that the unemployment insurance program is still in place, and 26 weeks, every State in the Nation gets 26 weeks when they are let off.

I know the gentleman is referring to those that are running to the end of their benefits. I might point out to the gentleman that that is not 6 million people, and those extensions of benefits are still in place for those that are still receiving benefits.

Having said that, there is time, if we can work out some sort of agreement, to do something for those that may have their benefits expiring. So there is time to work, and there are vehicles by which we could do it. But I hope the gentleman is not suggesting that we go beyond regular order in accomplishing passage of such legislation.

Mr. HOYER. Mr. Speaker, reclaiming my time, I tell the leader, on this side of the aisle regular order is a concept which we support, but it will not be of help to people if we do not act, and by May 31, you indicate 6 million, I am saying 3 million. I am not sure whether it is Federal-State, about a million are at risk on the State program, or maybe 2 million on State and 1 million on Federal. There is a total of 3 million at risk.

I tell the leader that it is my understanding in each of the recessions in the early 1980s and in 1990, we extended the existing program's coverage for substantially more weeks than we have done in this recession.

With 6 million people unemployed, with jobs difficult to find for those 6 million people, and, as the gentleman knows, under the program you cannot receive benefits unless you are, in fact, looking for a job, I would say that it would be appropriate for us to do this in the regular order. Of course, a suspension bill is in the regular order. As a matter of fact, we are going to do a number of suspension bills next week.

The leader pointed out correctly that we passed unemployment extension through the House last year in the fall on a largely, not largely, but a large bipartisan vote, so I think that could be done. But I thank the gentleman.

Mr. DELAY. If the gentleman would just yield further, I really do not want to tread in water that may get too deep for me, because, again, I am not an expert on this, but I understand in our looking through how we can accomplish what the gentleman may want or not want, it is my understanding that there is a significant amount of money left in the States at this moment, and that if the States themselves wanted to extend their unemployment benefits and it was in their best interests to do so, they could do it.

□ 1415

So I think it is a stretch to say that we are at a crisis point, that we have to move quickly and not deliberatively on this issue.

So we are looking at it. We are taking advice from Members. The Committee on Ways and Means is looking at opportunities to address this problem, and we will do it as soon as and as fast as we can.

Mr. HOYER. Mr. Speaker, reclaiming my time, I thank the gentleman for his observation. We may differ on the nature of a crisis, but my belief is that every family that faces its unemployment extension benefits ending on May 31 for themselves believes that is a crisis.

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

ADJOURNMENT TO MONDAY, MAY 19, 2003

Mr. DELAY. I ask unanimous consent that when the House adjourns today it adjourn to meet at 12:30 p.m. on Monday, May 19, 2003, for morning hour debates.

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

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

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

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

There was no objection.

PERMISSION FOR COMMITTEE ON INTERNATIONAL RELATIONS TO HAVE UNTIL MIDNIGHT, FRIDAY, MAY 16, 2003, TO FILE REPORT ON H.R. 1950, FOREIGN RELATIONS AUTHORIZATION ACT FOR FISCAL YEARS 2004 AND 2005

Mr. DELAY. Mr. Speaker, I ask unanimous consent that the Committee on International Relations have until midnight on Friday, May 16, 2003, to file a report on H.R. 1950, the Foreign Relations Authorization Act for Fiscal Years 2004 and 2005.

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

There was no objection.

ANNOUNCEMENT BY COMMITTEE ON RULES REGARDING AMENDMENTS TO H.R. 1588, THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2004

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

Mr. DREIER. Mr. Speaker, the Committee on Rules may meet next week, the week of May 19, to grant a rule which could limit the amendment process for floor consideration of H.R. 1588, the National Defense Authorization Act for Fiscal Year 2004. The Committee on Armed Services ordered the bill reported yesterday, May 14, 2003, and is expected to file its report in the House tomorrow, May 16, 2003.

Any Member wishing to offer an amendment should submit 55 copies of the amendment and one copy with a brief explanation of the amendment to the Committee on Rules in room H–312

of the Capitol by 10 a.m. on Tuesday, May 20. Members should draft their amendments to the text of the bill as reported by the Committee on Armed Services, which will be available tomorrow for their review on the Web site of both the Committee on Armed Services and the Committee on Rules.

Members should use the Office of Legislative Counsel to ensure that their amendments are drafted in the appropriate format. Members are also advised to check with the Office of the Parliamentarian to be certain that their amendments comply with the rules of the House.

UNBORN VICTIMS OF VIOLENCE ACT

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

Mr. FRANKS of Arizona. Mr. Speaker, a bill called the Unborn Victims of Violence Act has come before this Congress, and it simply seeks to protect unborn children from those who would inflict violence upon them against the will of their mother.

Mr. Speaker, as Americans, there is nothing in this world that we love more than our children. Indeed, one of the great founding principles of this Nation is the God-given duty to protect the innocent and the oppressed and the helpless, especially while they are still little children. Yet we have made no statutorial provision on the Federal level to protect unborn children from brutal acts of violence.

Mr. Speaker, unfortunately, in spite of what the pro-abortion groups may say, this bill does not protect those unborn children that may be subjected to the violence of elective abortion. But, Mr. Speaker, perhaps if we can find the humanity to protect expectant mothers and even a few of those, our defenseless little brothers and sisters today, perhaps tomorrow we can find the compassion and the courage to protect them all.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. CHOCOLA). 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.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

(Mr. PALLONE 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 Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON 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 Florida (Mr. MEEK) is recognized for 5 minutes.

(Mr. MEEK of Florida addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

EXCHANGE OF SPECIAL ORDER TIME

Ms. WOOLSEY. Mr. Speaker, I ask unanimous consent to claim the time of the gentleman from Florida (Mr. MEEK).

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

There was no objection.

MINI-NUCLEAR WEAPONS

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, I am here today to highlight a security issue that has been overlooked since September 11, 2001. That would be the number of nuclear weapons in the world today.

As I speak here on the floor of this House, the United States has 7,500 nuclear weapons deployed and ready for use. Their destructive power is equal to 80,000 Hiroshima-sized bombs. At the same time, Russia has more than 6,000 warheads scattered across Asia, some of them still on hair-trigger alert. I wonder if any are pointed at this building, this building that we are standing in right now.

Even India, Pakistan, and now North Korea have joined the nuclear club. These countries are motivated to obtain nuclear weapons for several reasons: security, global influence, and pride. These countries are motivated to obtain nuclear weapons because other countries have them or are trying to get them, including the United States. It is a Catch-22 with unthinkable consequences.

But make no mistake: every nuclear weapon built by any country on this Earth was built with money diverted from a school that should have been built, a hospital that should be saving lives, and food that should be feeding the poorest of the poor. The resources that human beings pour into weapons solely intended to facilitate their very own destruction is astonishing.

These weapons threaten not only individuals and nations, but the very existence of humankind. This is a threat that cannot be tolerated. This is the father of all weapons of mass destruction.

That is why I am so disappointed that the Bush administration supports funding research on so-called low-yield nuclear weapons. This is a terrible mistake. Even the so-called low-yield weapons planned by Pentagon bureaucrats will be almost as strong as the bomb dropped on Hiroshima. These low-yield weapons will spew radioactive dust miles into the atmosphere where it falls. It will spew dust of radioactive dust on mothers, babies, brothers and sisters, men and women, all of them innocent, all of them undeserving of a personal nuclear holocaust.

Nuclear weapons are humanity's biggest threat. Their greatest strength is that they corrupt human beings with misguided visions of power and security. We are fooling ourselves if we think more nuclear weapons means greater security and smaller nuclear weapons means guaranteed safety. These are the delusions that only lead closer to nuclear destruction.

Instead of researching the new nukes, we ought to be getting rid of the ones we have. That is why I will soon introduce the Nuclear Nonproliferation treaty, NPT, Commitments Act, which calls on the United States to live up to its commitments under the NPT to take immediate steps toward a nuclear weapons convention to eliminate all nuclear weapons.

I ask my colleagues to sign on to my bill, because our world will not be safe from nuclear destruction until we turn the tables on these horrific weapons and destroy them. In the Nuclear Nonproliferation Treaty which went into effect in 1972, the United States committed to work toward completely eliminating the world's stock of nuclear weapons.

The fact is that as long as these weapons exist, they will spread, bringing the threat of nuclear destruction to all. The only way to keep this from happening is to abolish nuclear weapons entirely and develop a strong, multilateral organization to prevent nuclear weapons from threatening the world ever again.

The Cold War is over; but, sadly, the threat from nuclear weapons has increased. Instead of wasting our resources building more weapons that can never be used and serve only to threaten the very existence of humankind, let us take the path away from nuclear war and toward a lasting peace for our children.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Colorado (Mrs. MUSGRAVE) is recognized for 5 minutes.

(Mrs. MUSGRAVE addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. FILNER) is recognized for 5 minutes.

(Mr. FILNER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

EXCHANGE OF SPECIAL ORDER TIME

Mr. BROWN of Ohio. Mr. Speaker, I ask unanimous consent to take the

time of the gentleman from California (Mr. FILNER).

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

There was no objection.

FCC POISED TO RELAX OR ELIMINATE RULES ESSENTIAL TO MAINTENANCE OF FREE PRESS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. BROWN) is recognized for 5 minutes.

Mr. BROWN of Ohio. Mr. Speaker, in about 3 weeks, the Federal Communications Commission is poised to relax or eliminate some rules that are essential to the maintenance of a free press.

Under long-standing FCC rules, giant media companies are limited as to how much control they can exert over any one medium market or any one medium generally. That is just good, common sense in American competition. But the Bush Federal Communications Commission is about to throw those sound public interest and market soundness principles out the window, allowing some of America's biggest companies to decide what you hear, when you hear it, what you see, and, in large part, what you think.

This decision on the part of the Bush administration smacks of back-room politics at its worst. It is a story of how three commissioners are working with corporate-owned media conglomerates to expand their control over what news the public receives. Already one radio company out of Texas, and the owner happens to be a friend of the President, already owns 1,200 radio stations in this country, including a half dozen, at least a half dozen in almost every city in America. Now, these three commissioners are working with corporate-owned media conglomerates to expand their control over the airwaves; and in the process of their decision, there have been no public meetings, no time for elected officials or outside groups to comment on the proposed changes. That has been the FCC's mode of operation the last couple of years.

What is most outrageous is these ownership rules were established to protect and promote a diversity of viewpoints and to encourage economic competition.

This pending decision only fuels the public's perception that the Bush administration has a policy of giving corporations what they want, regardless of the consequences to the Nation.

The energy industry writes the administration's energy plan, companies like Enron. Chemical companies write environmental law. Chemical companies also write safe drinking water laws. Wall Street writes legislation to privatize Social Security. The drug industry writes legislation for prescription drugs. It is over and over and over. Now, the corporate-owned media companies are writing FCC policies.

The Future of Music Coalition, a group representing artists from country music to rock and roll, released a report yesterday showing staggering public opposition to the Bush rule change. This coalition had volunteers review almost 10,000 comments received from the public that the Federal Communications Commission has made public on its Web site. There are an estimated 12,000 comments the FCC received that have not yet been reviewed. But of the 10,000 that have been reviewed, 9,065 citizens unaffiliated with any corporate media, 9,065 said they were opposed to changing this rule. Only 11 individuals wrote into the FCC in support of changing the rule. That is an 824 to 1 ratio.

□ 1430

The public is rightly skeptical of this back-room deal. What the FCC leadership does not understand is that they should be accountable to the very people whose opinions they are simply dismissing, Mr. Speaker.

If the FCC wants to dispute these numbers, then delay the vote, then schedule field hearings, then listen to people, then give this rule change the level of public scrutiny then that all ruling changes like that that affect the public interest deserve.

But if the FCC moves forward in relaxing ownership restrictions, this important agency loses its credibility with American consumers, and American radio and TV listeners and viewers. It violates the very principles on which it was established.

Interestingly, Mr. Speaker, yesterday a group of more than a dozen Democrats held a news conference to discuss corporate control of media. Almost always in news conferences like this media will show up. Yesterday when we held this news conference to discuss the corporate control of media, there was no corporate-owned media there. There was Congress Daily, and there was a small newspaper from Puerto Rico. No New York Times. No Washington Post. No networks. No Fox News. None of the large conglomerates that simply do not want to shine a light on some of the mischief they are creating as owners, as a few large owners of these large media conglomerates.

Unfortunately, Mr. Speaker, on June 7 the Federal Communications Commission's vote to undermine ownership restrictions will take place. We will probably find out on that June 2 date that the Federal Communications Commission just might change its name from FCC, Federal Communications Commission, to FCC, Furthering Corporate Control. That is what this issue is about, a few companies owning large numbers of radio stations, large numbers of television stations, telling the American public only what those corporate interests want them to know.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested.

S. 709. An act to award a congressional gold medal to Prime Minister Tony Blair.

HONORING CHRIS NEWTON AND THE PAPPAS SCHOOL FOR HOMELESS CHILDREN

The SPEAKER pro tempore (Mr. CHOCOLA). Under a previous order of the House, the gentleman from Arizona (Mr. HAYWORTH) is recognized for 5 minutes.

Mr. HAYWORTH. Mr. Speaker, today in the heart of Arizona's Fifth Congressional District in Tempe, graduation exercises at Arizona State University, commencement day, will soon commence. And, Mr. Speaker, I would like to bring to the attention of this House the endeavors of one who will be recognized and who will don the cap and gown today, even as we send congratulations to all who realize academic achievement on this day at Arizona State. His name is Chris Newton, and today as he puts on his cap and gown, he will take a significant step forward not only for himself, but also for the Pappas School for Homeless Children in Phoenix.

Mr. Speaker, Chris Newton spent the bulk of his young life as a homeless child. And while many different communities offer many different solutions, and, sadly, some here in Washington and others move to cut off the notion of schools for homeless children, this particular institution in Phoenix has done a lot to help a lot of children. But Chris Newton typifies the success.

Chris Newton was not only the first student from Pappas School for the Homeless to go to college, he now becomes the first Pappas student to graduate from college. Chris is no stranger to academic excellence, even as he dealt with the challenges of homelessness. He was the eighth grade valedictorian at Pappas School. He continued his education at Camelback High School and then stepped onto the campus at Tempe.

While debate rages among theoreticians and bureaucrats here in Washington as to the relevance of maintaining, or the alleged stigma of homeless children congregating and gathering together for education, dealing with those challenging needs, Chris offers an affirmation for what has worked for him and others in Arizona. He is quoted in the Arizona Republic in an article that chronicles the challenges he has confronted and the success he has reached: ''School is always there. You can always count on it. That is 8 hours a day. Your worries are gone. You think about what you are going to do in class, when recess is, things you will do with friends after school.''

Indeed, Mr. Speaker, the Pappas School for Homeless Children in Arizona is literally an oasis of stability on the desert for these challenged students. It was reaffirmed in the life of

Chris Newton, and it continues for so many others today.

We received much information about Chris and his undertakings. Ernalee Phelps, who is the director of resources development at the Pappas School, spoke glowingly of Mr. Newton. She writes, ''He could have blamed the world for his problems or chose another way by turning into another generation of homelessness, but through the giving of others and the Pappas Scholarship Foundation he was given the chance to succeed. Having said that, we recognize that to receive a scholarship is one thing, but to honor it and treasure it is another. He had to follow through with attending and keeping up with the classes. He could have given up at any time but he didn't. Sometimes society makes it easier for individuals who have already struggled with homelessness to fail.'' The sad fact is some will fail, but ''Chris knew that it takes determination to succeed.''

Mrs. Phelps continues, ''I have had the honor to know this young man for 7 years now. Chris never gave up, got angry, blamed anyone or asked me for a handout. He is always friendly, courteous and respectful. If Chris were my own son, I could not be more proud of him.''

Chris says, quoting Mr. Newton now, ''I tell kids you have to be open-minded. There are always obstacles, but do not let them stop you. I know people have set high expectations for me, and I never wanted to disappoint them.''

Mr. Speaker, Chris Newton is not disappointing. He is achieving. Congratulations to Chris Newton, today a graduate of Arizona State University and an alumnus of the Pappas School for Homeless Children.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

HONORING THE NETHERLANDS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. MCCOTTER) is recognized for 5 minutes.

Mr. MCCOTTER. Mr. Speaker, I rise to pay tribute today to a true and trusted ally, the Netherlands. It is a relationship that predates our Republic's founding and prospers into our Republic's future.

Our commodious ties span from Henry Hudson's 1609 Dutch East India Company voyage to today's annual trade of more than $18 billion. And in our pursuit, protection, and promotion of peace, the Dutch and the American people have always been and always will be the bravest of friends.

Recent notable examples of our common courageous bonds include Afghanistan, where the Dutch sent their own brave soldiers to eradicate terror networks, and in Iraq where they yet again lent their manpower and now pledge their aid and support to help the newly liberated people of Iraq to grow their Nation.

Mr. Speaker, please join me in extending our sincerest gratitude to our Dutch friends for all they have done for us and for all the world.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from the District of Columbia (Ms. NORTON) is recognized for 5 minutes.

(Ms. NORTON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

MOTIVATING CHINA—JAPAN'S NUCLEAR OPTIONS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. KIRK) is recognized for 5 minutes.

Mr. KIRK. Mr. Speaker, on the departure of the South Korean President, we have to look at the North Korean situation with new eyes. I think it is clear that U.S. pressure on North Korea will not be effective since North Korea is a very poor country under 50 years already of U.S. economic sanctions. There are few, if any, U.S. options to bring effective nonmilitary pressure to bear. It is also clear that the South Korean Government will not issue new effective pressure on North Korea. But Chinese pressure can be effective.

China is the primary donor to North Korea, and despite cool relations, China supports North Korea to prevent a collapse. China so far has rejected pressure because it fears any pressure may hasten the very collapse of North Korea they intend to prevent. Therefore, finding a motivation for China to help generate effective pressure from North Korea is asking the question, what do the Chinese regard as worse than risking a North Korean collapse? And the answer is the potential of Japanese nuclear armament.

Few of us have realized that Japan owns more plutonium than in the United States nuclear arsenal. Japan has a large nuclear power program. It is seeking to reduce its reliance on foreign uranium by recycling nuclear fuel that will make its plutonium stockpile grow even larger.

Today Japan owns 38 tons of plutonium, 5 tons located in the country and 33 tons at its European processors. That is enough for 7,000 nuclear weapons. Japan is also accelerating its production of plutonium. Once the Rokkasho-mura reprocessing plant comes online in 2005, Japan will be able to produce 100 tons of plutonium by 2015. North Korea recently complained in public about 206 kilos of missing plutonium from Japan's Tokai-mura facility.

Japan is also rethinking its defense policy. Prime Minister Koizumi is leading efforts to expand Japan's defense role. Japan's self-defense force won Diet approval recently of purchasing long-range strike aircraft, including four 767 tankers; power projection, including the formation of an air brigade; and missile defense, including software, hardware and AEGIS class cruisers.

Japan's perception of the North Korean threat is growing. North Korea shot a No Dong missile over Japanese territory in 1994. They shot a Taepodong missile over Japan in 1998. In December Japanese Coast Guard vessels clashed with North Korean spy boats.

There is a nuclear debate beginning in Japan. In April, opposition leader Ichiro Ozawa openly discussed the nuclear option. In May, Chief Cabinet Secretary Fukuda generally hinted at revising defense doctrine. And last month, Defense Minister Ishiba stated Japan might conventionally strike North Korea first.

Japan is also developing delivery vehicles. Japan's H–2 civilian rocket program is very advanced, and Japan is participating in missile defense focused on software, nose cones, infrared seekers, warheads and rocket motors.

All of these facts should be shared at the highest level with Japanese leaders. We can help China to understand that if North Korea fully develops a nuclear arsenal, Japan may develop a deterrent.

Japan's nuclear arsenal would quickly outpace China's. France's nuclear submarine costs just $13 billion and would be well within Japan's means. And Japan nuclear armament would encourage other Asian nations to also arm, even Taiwan.

These facts should be shown to be clear that the Chinese should act clearly to diffuse the North Korea crisis.

Article 9 of Japan's Constitution commits to no use of war to resolve international disputes. And it takes a two-thirds vote of both houses to amend the Constitution. Support for Article 9 in Japan now in the face of the North Korean threat is just 50/50. Japanese Prime Minister Sato formally studied a nuclear weapons program in 1967, and Japan would have to leave the Nuclear Nonproliferation Treaty that it ratified in 1977.

Some have said the Japanese reactor-grade plutonium would not be fully usable, but the U.S. detonated a reactor-grade plutonium device in 1962, and in order to discourage other countries from using plutonium as a fuel, President Carter declassified data on the feasibility of a reactor-grade plutonium for nuclear weapons in 1976.

We need to help China understand that other Asian nations maybe forced to develop a nuclear deterrent. To curb this crisis, China must act, otherwise there will be an historical reversal of power in Asia, something the Chinese should realize and seek to avoid.

□ 1445

CONGRATULATING NCAA MEN'S VOLLEYBALL CHAMPION LEWIS UNIVERSITY

The SPEAKER pro tempore (Mr. CHOCOLA). Under a previous order of the House, the gentlewoman from Illinois (Mrs. BIGGERT) is recognized for 5 minutes.

Mrs. BIGGERT. Mr. Speaker, Hollywood may have the script for its next sports movie classic. Think Hoosiers, the true story of how a small town high school basketball team became Indiana State Champions. Think David slays Goliath with little more than a wicked set, spike and serve. Think NCAA history. Just think about it.

No Division II team in NCAA collegiate history has ever won a team championship. In a sport dominated by California and other sun-soaked States, no men's volleyball team from a Midwest university has ever won a national title in the sport. No Chicago area university has won an NCAA national title in 40 years. That is, until now.

Mr. Speaker, I rise to congratulate the Lewis University Flyers, 2003 NCAA Men's Volleyball Champions, from Romeoville, Illinois, in my congressional district. Under the leadership of head coach David Deuser and assistant coach Ryan McNeil, Lewis University defeated second-ranked Brigham Young University in five breathtaking sets, in front of a national television audience and a sellout crowd.

Brigham Young has almost eight times the student body population of Lewis, not that they needed the extra motivation. Almost as impressive, the Flyers upset top-ranked and perennial powerhouse Pepperdine University in the semifinals to reach the title game.

Who are the Flyers? They are Enrique Escalante, Jose Castellano, Alex Karjavine, Weyni Johnson, Jeff Soler, Matt Miller, Ryan Stuntz, Fabiano Barreto, Gustavo Meyer, Kevin Miller, Brandon Sisk, Marco Quintana, Greg Pochopien, James Elsea and Jose Martins and student manager John Sullivan.

Mr. Speaker, all of Illinois, and especially the city of Romeoville, is proud of the team's accomplishments. In fact, alumni, educators and friends from across the country have called to personally congratulate the team and the university. These are exciting times in Romeoville.

There are two other things about these athletes that are not making the headlines and should. One, the team is a diverse group of student athletes. Four of them have received awards this year for outstanding academic achievement. Mr. Speaker, no matter the age, we all know how important it is for our student athletes to balance the books with time spent on the court.

Second, the Flyers have played the David versus Goliath role twice before. They reached the national semifinals twice in 1996 and 1998, losing both times to UCLA.

What, my colleagues might ask, was the big difference this year? As my friend and president of Lewis University, Brother James Gaffney, said recently, ''This year, David was well-armed.'' Even Brigham Young coach Tom Peterson graciously said, ''Give Lewis all of the credit. They are a great team.''

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. LINDA T. SÁNCHEZ) is recognized for 5 minutes.

(Ms. LINDA T. SÁNCHEZ of California addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

WARS AND CONTRACTS

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

Ms. KAPTUR. Mr. Speaker, I rise today to support an effort by the gentleman from California (Mr. WAXMAN), one of the most distinguished Members of this House. He has called for full disclosure of the massive unbid $7 billion contract, that is 7,000 millions of dollars, that Halliburton Corporation has just received from the Department of Defense for the reconstruction of the demolished nation of Iraq. The emergency no-bid contract for Halliburton, again not competitively bid, is supposed to fight oil fires.

Vice President DICK CHENEY just happened to head up Halliburton Corporation after he left the first Bush administration and before rejoining this Bush administration. Reports indicate he currently receives $180,000 per year in payments from Halliburton Corporation in the form of deferred compensation.

The company apparently will be able to expand this no-bid $7 billion contract, first, to operate the oil fields themselves and, second, to distribute the oil to which our Nation is so hopelessly addicted.

In a letter to Lieutenant General Robert Flowers, commander of the U.S. Army Corps of Engineers, the gentleman from California (Mr. WAXMAN) said he did not mean to suggest that the Corps has intentionally misled anyone about Halliburton's contract. However, the gentleman from California (Mr. WAXMAN) is concerned, as all of us should be, about the reluctance of the Bush administration to provide complete information about the Halliburton contract and other contracts for the reconstruction of Iraq.

The gentleman from California (Mr. WAXMAN) questioned how the long-term contracts for Halliburton could be reconciled with the administration's stated intent to give the Iraqi people control of the oil in Iraq.

The gentleman from California (Mr. WAXMAN) said, ''Only now, over 5 weeks after the contract was first disclosed, are Members of Congress and the public learning that Halliburton Corporation may be asked to pump and distribute Iraqi oil under contract.''

The gentleman from California (Mr. WAXMAN) repeated the Corps' statement that the contract could be worth up to $7 billion for up to 2 years. Mr. Speaker, as the United States begins the long and expensive process of rebuilding in the wreckage of Iraq, perhaps we should reflect on the process of massive unbid contracts, using taxpayer dollars, to the company that was formerly headed by the Vice President. If the press were awake in America, they would pursue this story to the very ends of the Earth.

If the Congress were more responsible in fulfilling its responsibility as a coequal branch of government to our taxpayers, we would have hearings into this connection. If the death of Vince Foster is worthy of congressional investigations, then certainly unbid billions of dollars of contracts to Halliburton and others close to this administration deserve at least the same level of scrutiny.

This Member of Congress intends to offer a bill to assure competitive bidding in any contracts related to rebuilding in Iraq or Afghanistan. It is amazing that I even have to do this, and it will be interesting to see who opposes me.

The Atlanta Journal Constitution said in a recent editorial that the secret Halliburton deal endangers U.S. credibility. The Constitution questioned why a Halliburton subsidiary was the only company invited to bid on the Iraqi contract, why the contract was kept secret from the public until 2 weeks after it was signed this March, and why the true scope of the contract was not disclosed until last week. All are legitimate questions, particularly in a Nation that is trying to inculcate the rule of law and transparency as part of the nation-building process in Iraq.

The Journal Constitution also raised questions about a previous contract between the Halliburton subsidiary and the U.S. Army during Mr. CHENEY's reign at Halliburton. The GAO determined in 1997 that Halliburton charged the Army more than $85 per sheet of plywood for building projects in Bosnia. A follow-up report in 2000 said the subsidiary's crews were being paid to clean offices as often as four times a day, and the company receives more than $2 billion for work being done in the Balkans.

Even if the Halliburton subsidiary were the only company capable of doing work in Iraq, which most oil industry people contradict, then why all the secrecy about the no-bid contract?

Mr. Speaker, Reuters News Service reported Halliburton has disclosed that it made approximately $2.4 million in improper payments to Nigeria, another oil regime getting favorable tax treatment.

The gentleman from California (Mr. WAXMAN) should be commended for his dogged pursuit of the truth. The American public should wish him well.

PRESCRIPTION DRUG PLAN

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, I rise again today to talk about the high cost that Americans pay for prescription drugs, particularly relative to the industrialized world.

As I have mentioned on the floor before, we believe that Americans should pay their fair share in terms of the cost of the research and development of these miracle drugs. We even feel that it is fair enough that we should subsidize some of the developing countries, such as those in sub-Saharan Africa. We think, however, that it is outrageous that we are required to subsidize the starving Swiss.

Let me talk a little bit about what we did in the last 3 weeks. I was in Germany 3 weeks ago, and one of my staffers was able to go to one of the pharmacies at the Munich airport. Most of us know that when we buy things at the airport, that is usually not the cheapest place to buy things; and we went to the pharmacy there at the Munich airport and bought some drugs.

Among those we bought was Glucophage. Glucophage for 30 tablets, 850 milligrams, we bought at the Munich airport for $5 American. That same drug at a pharmacy in Minnesota back in my district is not $5 but $29.95.

Cipro is a very effective antibiotic made by a German company by the name of Bayer. They came up with Bayer aspirins. They have been around a long time, but Cipro became very important when we went through the anthrax scare here in the Capitol complex. We purchased it at $35.12 for 10 tablets at 250 milligrams. That same package in Minnesota sells for $55; $35 dollars in Germany, $55 in the United States.

Actually the story gets worse. Another very popular drug, Zestril, we bought for $25.04 American. It sells in the United States for $59.95, more than double the price for the same drug, and the list gets worse.

One of the worst examples is this. This is a drug called Tamoxifen. Tamoxifen is a miracle drug. It is probably the best drug ever developed in terms of treating breast cancer. We bought this drug at the Munich airport at the pharmacy there, 60 tablets, 20 milligrams for $59.05 American. This same drug, if we buy it here in pharmacies in Washington, D.C., will sell for $360; $60 in Germany, $360 for exactly the same drug here in the United States.

What makes this story even worse is that the taxpayers paid for almost all of the research costs to develop this miracle drug. It was developed essentially by the NIH. The company went out and got the patents, and now Americans are paying again.

Many of my colleagues say, well, shame on the pharmaceutical industry; and it is easy to say that, but I do not say shame on the pharmaceutical industry. I say shame on us. We are the policymakers. We are the ones who have created an environment that the pharmaceutical companies are taking advantage of; and shame on us for letting this happen, and let me give my colleagues another shame on us.

There was research that came out just a few days ago, the first time I had seen it; and what it said was that 29 percent of the prescriptions written to seniors in this country go unfilled because they cannot afford them. Shame on us.

We have created an environment where seniors today cannot afford the prescriptions that doctors write for them to save their lives. Shame on us. That is the problem.

The answer is open up markets. We have open markets for virtually everything else. The Food and Drug Administration allows hundreds and millions of tons of food to come into our country with virtually no inspection; but if a senior tries to import Tamoxifen to save their lives from Munich, Germany, they are treated as common criminals. Shame on us.

The answer is to pass commonsense, reimportation language this year. We are going to be talking about prescription drug benefits under Medicare here in the next several weeks in the Congress; but if we do not start seriously talking about affordable, if we do not talk about what we are going to do to control prices in this whole thing, there is not enough money in the Federal Treasury to pay for that benefit because we know the Congressional Budget Office tells us that over the next 10 years seniors in this country will spend $1.8 trillion on prescriptions. We have allotted $400 billion in this budget resolution over the next 10 years to take care not only of a prescription drug benefit but also to modernize Medicare, which is the right thing to do, and equalize the reimbursements.

The bottom line is that there is not enough money in this budget or any budget to pay for these huge disparities. Americans deserve world-class drugs at world market prices.

TEXAS REDISTRICTING

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. EDWARDS) is recognized for 5 minutes.

Mr. EDWARDS. Mr. Speaker, hypocrisy. According to the dictionary, hypocrisy is defined as a feigning to be what one is not or to believe what one does not.

□ 1500

Mr. Speaker, I think hypocrisy is a good description of the recent statement of the Texas Speaker of the House, Tom Craddick.

Americans have watched with interest over the last several days where 52 courageous Democratic legislators left the Texas Legislature, broke a quorum, and went to Ardmore, Oklahoma, in order to allow Texas citizens to have a voice in shaping their new congressional districts for the next decade. They were the ones that stopped a secret plan of the gentleman from Texas (Mr. DELAY) and Mr. Craddick that very few people in Texas had seen; that would have eventually destroyed communities of interest, distorted communities of interest across our State. They stopped that from happening without public input or awareness.

I think these 52 Democrats are heroes. But Mr. Craddick, who did not like that walkout by those 52 legislators, called them, in effect, chickens, along with his other Republican colleagues. Whoops. Turns out that the Waco Tribune Herald, in my hometown in Texas, did a little research. Mr. Craddick forgot to tell the Texas people about this. It turns out in 1971, as a State House member, Mr. Craddick was part of a group called the Dirty 30 that did exactly what these members have done this week: He walked out of the Texas House of Representatives to express a protest over issues.

Hypocrisy. I find it interesting that Speaker Craddick has referenced the Alamo in regard to this incident. Well, in all due respect, Mr. Craddick is no Davy Crockett, and if he would review his Texas history, Mr. Craddick would remember that the defenders of the Alamo were committed people of conscience, committed to the high principle of fighting to see that all Texans had a voice in shaping their families' and their communities' destinies.

That is what these 52 courageous Democrats are doing in Oklahoma today. They are fighting with the courage of their convictions. They are profiles in courage trying to see that all Texans, not just Mr. DELAY and Mr. Craddick, who, with a secret, behind-closed-door map, are trying to shape the future of our congressional districts in our great State.

Hypocrisy, I think, is an apt definition for the statements of Mr. Craddick, given what he did in 1971, walking out of the Texas House of Representatives with 29 of his colleagues.

Now, one of the other things that I find very distasteful that we have watched in the last several days is that, with glee, Republican House Members in Texas put together playing cards to mimic the liberty cards that were put together to identify terrorists in Saddam Hussein's regime in Iraq. I find it deeply offensive, and I think most Texans will find it equally offensive, that Texas Republican legislators would try to compare Texas State officials, who have been elected by their citizens to stand up and fight for their freedoms and their opportunities, to

fight for their voice in shaping our government, comparing those brave Texans to people such as Hussein's Presidential adviser, the King of Spades; comparing them to the Republican Guard chief of staff, the Jack of Clubs; the Iraqi Intelligence Service, the Iraqi Armed Forces chief of staff, a jack of Spades; the Secretary of the Republican Guard and Special Republican Guard, along with other Iraqi terrorists who have been responsible for the death and murder and rape of hundreds of thousands of Iraqi citizens. Shame on Texas Republican legislators and whoever developed that cute little gimmick to compare our legislators in our country to Iraqi terrorists.

Mr. Speaker, a lot of folks in my district in central Texas are not yet aware of what would have happened had this Sunday night 52 Texas legislators not gone to Ardmore, Oklahoma, to break a quorum. This is the real story:

On Sunday, Mother's Day, when most families in my district were with their families honoring their mothers, Mr. DELAY and Mr. Craddick's forces had a different agenda that day. Their agenda was to put the final touches on a secret, unknown redistricting map that the public had never been able to see. It was going to dramatically change the 11th Congressional District in central Texas. I salute these heroes in Oklahoma for standing up to that kind of secret dealmaking that would have destroyed the 11th Congressional District as we have known it for over 100 years.

IN CONTINUED SUPPORT OF THE TEXAS DEMOCRATIC LEGISLATORS

The SPEAKER pro tempore (Mr. CHOCOLA). Under a previous order of the House, the gentleman from Texas (Mr. GREEN) is recognized for 5 minutes.

Mr. GREEN of Texas. Mr. Speaker, I am glad to follow my Waco, Texas, colleague. I come to the floor today to pay tribute, like my colleagues from Texas, to the very brave men and women of the legislature, those Texas heroes who have put their political lives on the line to ensure that the voting rights of all Texans will remain intact.

Again, I want to personally thank my State representatives, and of course there are 53 of them totally, but Rick Noriega, Jessica Farrar, Joe Moreno, Senfronia Thompson, Kevin Bailey, Scott Hochberg, and the other dozens of Texas heroes.

Yesterday, these Killer Ds, as they are now called, sent a letter to Texas Speaker Craddick, who I was honored to serve 13 years with in the statehouse. In this letter the members of the legislature said, ''During recent interviews, you indicated you were not willing to negotiate with us regarding the issue of congressional redistricting. You stated you were concerned if you negotiated with us on this issue, we would break a quorum every time we disagreed with you on other important issues of the day, such as our school finance, health care and homeowners insurance.

''We want to clarify this point so that your concern is addressed and no ambiguity remains. We are here because we strongly feel that congressional redistricting should only be taken up every 10 years, unless otherwise ordered to do so by the courts, and that it should not be a priority above other issues facing our State.

''If you are willing to assure us that congressional redistricting will not be taken up by the House during the remainder of this session and the special sessions to come, then we are willing to give you our word, through this letter, that we will not break a quorum on other issues during that same time, even when we disagree.''

And I am sure that there will be plenty of things to disagree about.

''We had no intention to break a quorum on issues following this one, and if you need this guarantee, then this letter provides it. In our system, negotiations and compromise are often the only way to make progress and improve our State. To that end and in that spirit, we respectfully ask you to accept our offer. We hope you will respond as soon as possible today, so we can return right away.''

And, again, this letter was sent yesterday.

''There is a lot of work we can do, and we would like to get that work done.''

During my 20-plus years as a State legislator, 13 as a State House member and 7 as a State Senator in Texas, the thing I treasured the most was the bipartisanship that existed in both our chambers. The problems occurring in the Texas Legislature now are not what is normal. I remember in my 20 years there that we had redistricting bills, and we fought them based on Democrats and Republicans. We had election code bills, and we fought based on Democrat and Republicans. But to have redistricting overshadow the important issues facing the State of Texas, or any State for that matter, I think is frustrating.

We see sometimes that Washington politics, the partisan nature of that, has invaded our State legislatures. In all honesty, my friends on the Republican side that I have served with in the Texas Legislature both say we should sit down and talk about problems without it being such a partisan issue. Maybe we can learn something from our legislators here that say, wait a minute, we will fight over redistricting, we will fight over election codes, but when we talk about school finance, insurance reform, health care, or the State budget, you will not see us try to break a quorum in Texas.

Today, this Fort Worth Star-Telegram said, and I quote, ''Once upon a time, TOM DELAY killed vermin and varmints and other disreputable critters for a living. Now he's trying to prove that he remembers how, by exterminating any remnants of bipartisanship in the Texas House.''

And continuing the quote, ''Little does DELAY, the U.S. House majority leader, care if he incites a blood feud in Austin; he'd just as soon suck the Democrats dry in his lust to make himself master of the universe. In his insatiable ambition to obliterate the two-party system, DELAY apparently expected the Texas House Dems to roll over on their backs like roaches on Raid and let his water boys roar undisturbed through the Capitol with a new congressional district map.

''When Texas Democratic House members hightailed it north of the Red River, it wasn't to avoid thorny problems still facing the State. It was out of exasperation that neither Mr. DELAY nor Texas House Speaker Tom Craddick would let earnest, hard-working lawmakers of both parties focus on the vital business that the legislature ought to be spending its energy on as this session winds down.''

Mr. Speaker, I served with Mr. DELAY as a State legislator. I served with a lot of Members on the Democratic and Republican side, and I would hope that we could get past this partisan issue and let those folks go back and deal with the problems we have in the State of Texas. Hopefully, we will learn something from them and develop a better bipartisan spirit up here.

PARTISAN POWER GRAB IN TEXAS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. SANDLIN) is recognized for 5 minutes.

Mr. SANDLIN. Mr. Speaker, the improper and purely partisan power grab by TOM DELAY and Washington, D.C., Republicans to redistrict Texas and destroy rural representation is an affront to the citizens and the voters of the great State of Texas.

This arrogant play is not about our State, our communities, our constituencies. This is political gluttony, selfishness. Even the Republicans' own witness in their 2000 redistricting battle has acknowledged that this plan is a partisan feeding frenzy. Listen to what the Republican witness said in a trial in 2001. The Republican expert witness, Rice University Professor John Alford, called the plan ''a pro-Republican partisan gerrymandering, on top of an already pro-Republican existing plan.'' That is what their expert has said about the current map.

Mr. Speaker, in Texas, we say pigs get fat, hogs get slaughtered. Overreaching is apparently the word of the day. Mr. Speaker, this plan does not just destroy Democratic representation, this map destroys rural representation. This map displaces rural northeast Texas into a Dallas suburban district. Southeast Texas becomes dominated by Houston suburbs. Deep east Texas becomes a Tyler district just

east of Dallas. Waco would become a part of Fort Worth. And Abilene would be dominated by Lubbock.

In addition to arrogant politics, this is poor public policy. Urban districts and rural districts have different interests, different needs, different representations. My district has issues such as water, timber, rural health care, steel. Issues are different in urban areas. Texarkana, meet Plano. Sulfur Springs, this is Highland Park. Tatum? Houston is calling. Red River County's median income, $28,000 a year; Collin County's median income, $73,000 a year.

If you live in Texas, you know this plan will not work, yet the Republican powers that be in Washington continue to run roughshod over the Texas Legislature, both Democrats and Republicans.

Everyone knows this process is a sham, a joke, an embarrassment, and illegal. In fact, it is no process at all. This is an insult to the word ''process.'' It is a naive, weak-kneed Republican-controlled statehouse letting Washington, D.C., insiders run over it. As a result, 53 principled Democrats in the statehouse stood up for the citizens of our State and said, enough. They broke the politically decreed quorum. Thank God these men and women stood up against the tyranny and heavy-handedness of the mindless majority. Thank God fierce independence still lives.

But, Mr. Speaker, let us step back and see what Republican representatives in Texas, not Republican Representatives in Washington, D.C., working their will are saying. Let us see what they say in Texas. Representative Charlie Geren, Republican, Fort Worth, said the Democrats were doing what they believed they needed to do in order to represent their constituents. ''I understand what they're doing. It's just really the only tool in their toolbox,'' Geren said. ''They're passionate about the map that's in front of us not being good for their constituents.''

Representative Pat Haggerty, Republican, El Paso. ''It's the smartest move they could have made,'' Haggerty said. ''Under the circumstances, it was the only alternative they had. It's been done before. It's in the rules, and they're playing by the rules.''

That is what the Republicans in Texas said. The Democrats are working hard, standing tall, standing up for their constituents and playing by the rules.

Let us stop this Tom and Gerrymandering dead in its tracks. Let us get the State back to the issue of education, back to the issue of the budget, back to the issue of taxes, back to the issue of homeland security. Mr. Speaker, let us get the State House back to the issues of the people. That is what they expect, and that is what they deserve.

□ 1515

The SPEAKER pro tempore (Mr. CHOCOLA). Under a previous order of the House, the gentleman from Texas (Mr. FROST) is recognized for 5 minutes.

(Mr. FROST addressed the House. His remarks will appear hereafter in the Extension of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. TURNER) is recognized for 5 minutes.

(Mr. TURNER addressed the House. His remarks will appear hereafter in the Extension of Remarks.)

TEXAS REDISTRICTING

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. LAMPSON) is recognized for 5 minutes.

Mr. LAMPSON. Mr. Speaker, I am proud to follow my colleagues from the Texas congressional delegation who have just previously spoken and also prouder to stand up here and be able to speak in behalf of some of my colleagues who are serving in the Texas House of Representatives, my constituents in the Ninth Congressional District of Texas, people like Joe Deshotel, who is a former vice president of Lamar University in Beaumont; Allan Ritter, who owns a successful lumber company in Nederland, Texas; and Craig Eiland, who is a successful attorney on Galveston Island, all honorable members of the Texas legislature, which is a citizen legislature, not a full-time legislature like our Congress is. I am so proud of them.

As we heard my colleagues say in the last few minutes, these ladies and gentlemen have stood up for principle, and it is magnificent to see their unity and their willingness to put their political lives on the line. They put Texans before their own personal political ambitions, and I am proud of them for doing the right thing. The real victims of this redistricting plan that is before Texas is not the members who hold those seats right now but it is the communities, certainly not the Members of Congress who may be here. The fight is not about Nick Lampson. It is not about the Democrats or the Republicans. It is about the people of Texas who deserve to be represented fairly and fully in Washington, D.C.

Jefferson County, Chambers County, Galveston County, the areas that I represent along the upper Texas gulf coast, have been in the same congressional district for over 3 decades. They have in common the size of their communities, the large petrochemical industry, and interests which run throughout that area, coastal and water transportation industries and a whole lot more beyond that. Splitting these counties apart and even further splitting Jefferson County and my hometown of Beaumont itself dilutes the strength of the interests and the ability of the people who live there to be represented as those citizens want to be represented. Splitting these communities is in a sense a disenfranchisement of the people within those communities.

This fight, however, is about more than redistricting. It is about the infusion of partisanship that exists in Washington, D.C., into the Texas legislature. I am absolutely astounded to learn of some of the things that I have heard in the last several days following the action of those brave Texas legislators who chose to go across the Texas border into Oklahoma. I am astounded at the fact that my friend Craig Eiland, that State representative that I just mentioned, his wife, Melissa, who has recently had twin babies who were born prematurely and are in the hospital in Galveston, knowing that State law enforcement officials were directed by the Governor of our State and by the Speaker of our House to go and question the nurses in that hospital, wanting to know the whereabouts of State Representative Craig Eiland. And even after it was published in the newspaper that our legislators were in Ardmore, Oklahoma, they went to Craig's wife's home where Craig was not there and harassed her about his whereabouts, when their babies are in the hospital being treated.

We are seeing an abuse of power. We are seeing an abuse of Federal resources even. The fact that Federal resources, according to the newspapers in Texas, the homeland security agency had an airplane that was tracked. The airplane belonged to a cotton farmer/State legislator, citizen legislator, Pete Laney. It was through the information that our United States Federal homeland security agency gave to the State of Texas that led to the whereabouts of our legislators who were trying to send a message to the Speaker of the House and to the Governor of Texas. We used the wrong kind of resources because interestingly enough about 2 miles from here down the road stands a hotel called the Watergate, a place of historical significance and a symbol of the use of Federal law enforcement resources for private political gain. I am not sure where TOM DELAY stays when he is in Austin, but maybe someday that hotel will carry the same significance as Watergate. It might remind us all of the outrageous diversion of Federal law enforcement authorities to pursue Democratic legislators.

I am proud of these folks who stood up in Texas. When we shut out the interests of the people because of partisan politics, it is the people who are the ultimate losers. The people of Texas are not losers.

It might remind us all of the outrageous diversion of federal law enforcement authorities to pursue Democratic legislators who fled to Oklahoma

In this current time when we face the threat of terrorism, asking the Department of Justice, Homeland Security and the FBI to participate in personal politics is despicable

When we shut out the interests of the people because of partisan politics, the people are the ultimate losers

This is the people of Texas versus one man

Lest someone think that all is well in the U.S. House of Representatives, please consider that the level of frustration has hit a new low. Long-serving members tell us story after story of their being shut out of the legislative process which in turn causes the loss of voices of millions of American citizens. We need real leadership here. People who will reach out and heal the divisiveness, people who are willing to change the direction that our legislative bodies are going.

I repeat: When we shut out the interests of the people because of partisan politics, the people are ultimate losers.

This is the people of Texas versus one man. TOM DELAY's interests cannot and will not be allowed to win out over the interests of the good people of the great State of Texas.

THE 53 TEXAS DEMOCRATS COURAGEOUS PROTEST

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, on May 12, 2003, 53 courageous and selfless Democratic members of the Texas legislature departed en masse from the Texas Capitol in a display of protest, solidarity, and community pride. Included in these 53 courageous souls are Harold Dutton, Al Edwards, Senfronia Thompson, Garrnett Coleman, and Jessica Farrar from my district. Also, Joe Moreno, Kevin Baily, Scott Hochberg, and Rick Noriega from the Houston area.

The Texas Democrats are protesting the new Texas Redistricting plan proposed by the Republican members of the Texas Legislature. This plan is a sham, an outrage, and an insult.

The Republican redistricting plan is an unnecessary, partisan initiative. Redistricting maps are drawn the year following a state census. Accordingly, in 2001, the Texas district lines were drawn and certified by a unanimous federal district court. By law, the present district lines are fair to the public and both political parties. It is an unprecedented and possibly illegal action to redraw the lines so soon after a census.

For example, the Republican goal of increasing the minority percentages in the 30th district could lead to that district being declared illegal under either the Voting Rights Act for ''packing the minority community'' or illegal in a racial gerrymandering challenge because the district as proposed under Representative KING's plan is not narrowly tailored.

Also, the Republican's elimination of the 24th District as a minority opportunity district would retrogress black voters in Texas in clear violation of the Voting Rights Act.

The only possible justification for redrawing the district lines is so that the Republicans can advance their malicious, mean-spirited goals of party dominance. In advancing their partisan goals the historic 5th Ward will simply be destroyed.

The Republicans have violated over 120 years of congeniality and compromise. During the Democrats' time as the majority party in the Texas legislature, bi-partisan compromise, party parity, and harmony was the rule of the day. The power hungry Republicans have insulted all Democrats by shattering this longstanding policy of working together.

The Republican insults have stretched all the way to Washington, DC. The Majority Leader of the U.S. House of Representatives TOM DELAY made the bizarre request to have federal authorities like the U.S. Marshals or the FBI pursue the Democratic members of the Texas Legislature.

The 53 Democratic members of the Texas Legislature are not criminals, they are champions of justice.

There are some Republican supporters out there who have begun a mail campaign against the Democratic members of the Texas legislature. They have encouraged people to mail letters calling the Texas Democrats villains and scoundrels.

The vast majority of the public, however, has spoken out in full support of the 53 Texas Democrats. Stanley Tolliver of Cleveland, Ohio, the President of the Norman S. Minor Bar Association, called in with a better idea. Mr. Tolliver encourages us to begin our own mail campaign calling the Texas Democrats what they really are—heroes and sheroes, patriots, the patriotic 53.

These brave individuals are standing up for democracy. They are doing the work of the people of Texas, not the dirty work of TOM DELAY.

I stand today to applaud my colleagues and friends in the Texas Democratic coalition. I salute you and I support you. All of us who believe in justice, fairness, and equality are with you in mind and in spirit. You are our heroes.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. HINOJOSA) is recognized for 5 minutes.

(Mr. HINOJOSA addressed the House. His remarks will appear hereafter in the Extension of Remarks.)

TEXAS REDISTRICTING

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. BELL) is recognized for 5 minutes.

Mr. BELL. Mr. Speaker, this gives us a great opportunity to talk about what has transpired in Austin, Texas, and Ardmore, Oklahoma, over the course of this week and what really has transpired throughout the Nation and to set the record straight. I appreciate having this opportunity. During the course of the debate which has taken place this week, there have been some very large misstatements of fact. This gives us a chance to correct the record on some of those issues.

There has been a lot of finger-wagging by the majority leader, Mr. DELAY, along with the Speaker of the Texas House, Mr. Craddick, acting as if they were terribly surprised by the Democrats' reaction to this redistricting bill that was going to be jammed down their throats.

Mr. Speaker, we can look back to editorials in almost every major Texas newspaper dating back to January of this year where almost every major newspaper took an editorial position that because of the problems facing the State of Texas, because of the challenges that the Texas legislature would be facing because they only meet every 2 years and they have a very limited amount of time to address those challenges, every major newspaper editorialized that redistricting should be stayed away from. Redistricting had already been accomplished by the courts just 2 years ago. There was absolutely no reason to take an absolutely unprecedented course of action and take up redistricting in what was obviously nonsense this year.

But despite those warnings and the warnings set forth very clearly that redistricting would be an incredibly partisan issue, an incredibly divisive issue and would distract from everything that the legislature needed to accomplish, despite those warnings, the majority leader of this body decided to march forward with this very partisan power grab. And so what we saw happen this week with 53 very courageous Democrats from the State House of Representatives going to Ardmore, Oklahoma, had to be expected. There was no surprise. Everybody knew that they would take a stand, that they would fight back. For them to now act as if they were completely shocked is absolutely absurd and absolutely ridiculous.

Another question that has been raised during the course of this debate is that is this not politics as usual and now that the Republicans have a majority in the State House, should this not be expected; should they not try to change the majority of congressional districts in the State of Texas since Texas is a majority Republican State. Again, that is a little bit misleading. Because Texas already has a majority of Republican congressional districts. In fact, if one looks at the voter percentages and the voter history in each of the congressional districts in the State of Texas, there are 20 Republican districts and there are only 12 Democratic districts.

Why then is there a Democratic majority? Why are there 17 Democrats and 15 Republicans elected to Congress from the State of Texas? That is rather simple. Because in five of those Republican districts, the voters, Mr. Speaker, have decided that they like their Democratic Representatives and have returned them time and time again to the U.S. House of Representatives. That is what in Texas and I think everywhere else in the United States we call democracy. Under this plan, the secret plan that finally saw the light of day that Mr. DELAY is proposing, Mr. Speaker, it would change all that by going in and tearing apart districts, tearing apart communities that have been together for years and years, destroying those districts as they exist today to make it practically impossible for the Representatives, the

Democratic Representatives who currently serve in those districts, to be reelected. That is not what we call democracy, Mr. Speaker. That is what we call a very partisan power grab.

The heroes from the State House of Representatives in Texas who went to Ardmore, Oklahoma, this week have been criticized by many on the other side of the aisle. They have said that they should be in Austin carrying out the people's business, they should be there to vote on the legislation which is before them. But interestingly, I heard none of those same complaints just last week when the majority leader of this body decided it was more important to be in Austin, Texas, to lobby for his secret redistricting plan instead of being here in Washington, D.C., along with the rest of us voting on the legislation which was before us. I heard nobody from the other side of the aisle rise to the podium and say the majority leader should be here in Washington, D.C., carrying on and representing his district back home.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. RODRIGUEZ) is recognized for 5 minutes.

(Mr. RODRIGUEZ 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 Texas (Mr. GONZALEZ) is recognized for 5 minutes.

(Mr. GONZALEZ 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 Texas (Mr. STENHOLM) is recognized for 5 minutes.

(Mr. STENHOLM addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) is recognized for 5 minutes.

(Ms. EDDIE BERNICE JOHNSON of Texas addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. REYES) is recognized for 5 minutes.

(Mr. REYES 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 Texas (Mr. ORTIZ) is recognized for 5 minutes.

(Mr. ORTIZ addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

THE GROWING CONCENTRATION OF MEDIA OWNERSHIP

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 2003, the gentleman from Vermont (Mr. SANDERS) is recognized for 60 minutes as the designee of the minority leader.

Mr. SANDERS. Mr. Speaker, in my view the issue that I and some of my colleagues are about to discuss, which is concentration of ownership in the media and the implications of more media deregulation as proposed by the Bush administration and FCC Chairman Michael Powell, is one of the very most important issues facing this country. One of the ways that we can know how important this issue is is precisely by how relatively little media attention has been paid to it. The growing concentration of corporate ownership of media in the United States is in fact one of the least discussed major issues in this country because the media itself is in a major conflict of interest and chooses not to discuss it.

As bad as the situation is today, and when we examine this chart we will find out how bad it is, how few major multinational conglomerates like Viacom, AOL Time Warner, Disney, Clear Channel, News Corporation and a few others, to what degree a few major corporations control what we see, hear and read, as bad as it is, it is likely to become much worse, much more dangerous for the future of democracy in this country if, as is proposed on June 2, the FCC votes for further media deregulation, regulations that have been on the books for years to protect localism, to protect diversity of opinion, to protect the clash of ideas.

Needless to say, there are many people and many organizations all across this country regardless of political orientation who are strongly opposed to changing these regulations and who do not want to see more media consolidation in this country. Millions of Americans do not want to see the handful of corporations who determine what we see, hear and read become three, become two, become one perhaps as a result of mergers and takeovers. These groups range across the political spectrum from progressive groups to conservative groups. According to the Associated Press yesterday, and I quote, ''The National Rifle Association joined the ranks of consumer groups, musicians, writers and academics who oppose easing the restrictions.

□ 1530

''The NRA asked its members to write Powell,'' that is the FCC Chairman, ''and lawmakers in support of the existing rules, said Wayne LaPierre, the NRA's executive vice president.'' Quote from Mr. LaPierre: ''These big media conglomerates are already pushing out diversity of political opinion.''

Further, we have heard recently from organizations representing black broadcasters and Latino broadcasters. We have heard from musicians. We have heard from a wide spectrum of people who say what America is about is freedom, and we cannot have freedom if we do not have a clash of ideas. And it will be very dangerous for this country when a tiny number of multi-multibillion-dollar international conglomerates own virtually all of our newspapers, all of our radio stations, all of our television stations, all of our book publishing companies, all of the companies that produce the films that we observe.

At issue now is the FCC's review of rules that seek to protect localism so that back home they will have local news, that there will be a local radio station telling them what is going on in their community, that will preserve competition and diversity. These rules, among other things, currently limit a single corporation from dominating local TV markets. Do people want to live in a community where all of the local television stations are owned by one company? These rules that we have in place right now will prevent the merging of local television stations, radio stations, and a newspaper. Do people want to live in a community where one company owns their local TV station, owns the newspaper and owns radio stations? Do they think they are going to hear different points of view when that happens?

These regulations deal with the merging of two major television networks so that we will have just a few networks controlling all of the TV stations facing our country. Honest people might have differences of opinion on this issue, but one would think that there would be massive amounts of public discussion all over America. I can tell the Members that in my small State, the State of Vermont, which is one of the smallest States in this country, we recently had a town meeting on this issue, and 600 people came out to hear FCC Commissioner Michael Copps talk about that issue. We should be having town meetings like that all over America, and in my view and in the view of many of us in Congress, the FCC should delay making any decisions on June 2 and let the American people get involved in the process.

Mr. Speaker, it is my privilege now to yield to the gentlewoman from California (Ms. WOOLSEY) who has been very active on this issue. I thank the gentlewoman for being with us.

Ms. WOOLSEY. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I am here today to join my colleagues and to thank the gentleman from Vermont (Mr. SANDERS) for pulling this evening together so that we can speak out against a threat to America. It is not a threat to American lives, but a threat to American values. It is a threat to everything that this Nation stands for, every principle that this Nation was founded on, and every memory of every soldier that has fought and died or been harmed for the free exchange of ideas.

Today bureaucrats of the FCC and the overwhelming complacency of this Congress threaten that freedom. This past Monday I hosted a forum in my district, which is the two counties north of San Francisco across the Golden Gate Bridge. We had a forum with Federal Communications Commissioner Michael Copps about his agency's rules on media ownership. Nearly 400 of my constituents at 1 o'clock in afternoon, packed into an auditorium at Dominican University in San Rafael, were there to declare their opinions about what the FCC rules on media ownership will mean, and their opinion was that this is extremely important. This is an issue, however, that has been underreported by the very media that will be most affected.

In fact, as proof of that very underreporting, yesterday over a dozen concerned Democratic Members of Congress held a press conference right here on the Hill on the issue of media consolidation. I suppose no surprise, but not one member of the broadcast press showed up, and until a reporter from Roll Call, our newspaper here on the Hill, came to experience a press conference without press, we did not have anybody. So we disbanded and came back in honor of the person that was there from Roll Call.

It reminds me of the cliche about a tree falling in the forest. If Members of Congress speak out about media ownership, and the media does not cover the event, is democracy already dead?

No newspaper, radio station, or TV network is perfect. Allowing single corporations to monopolize the information that average Americans receive give big corporations like Rupert Murdoch and Ted Turner absolutely too much power.

On June 2 the Federal Communications Commission has scheduled a vote on new regulations that would break down the decades-long firewall between media ownership and single markets. Gone will be the prohibition against corporations owning newspapers and TV stations in the same town or cable TV networks and TV stations in the same town. Gone also will be the limits on number of TV stations and cable stations a corporation can own nationally.

The threat of a veto by President Clinton kept these rules from being changed in 1996, but now under the Bush Administration, FCC Chairman Michael Powell and a Republican majority on the Commission that is drunk on the ideology of the free market, these changes are very likely to be approved.

It is a sham and it is a shame that in a Nation of 280 million people, the FCC has held only one official hearing on this subject, just outside the Beltway in Virginia. If it was not for the FCC Commissioners, Commissioner Michael Copps and Commissioner Jonathan Adelstein, it is really doubtful that this discussion would have gone beyond a few lobbyists and public interest activists in the first place.

Since radio ownership regulations were relaxed under the Telecommunications Act in 1996, radio ownership diversity has decreased in our Nation by at least one-third. In the San Francisco market alone, seven stations are now owned by Clear Channel Communications, seven by Infinity Broadcasting, and three by ABC.

Across the Nation 10 companies broadcast to two-thirds of the Nation's radio audience and receive two-thirds of the broadcast revenues. Hear me: Ten companies broadcast to two-thirds of the Nation's audience and receive two-thirds of the broadcast revenues. That is not okay, and it is going to get worse.

Has the quality of radio broadcasting improved because of these changes? Is there more local programming, more local news, a greater variety of programming? Is there free flow of information? Or is there censorship? Just ask the Dixie Chicks. They know what censorship is.

Power over ideas should not be subject to individuals with only ideas of profit on their mind. In America ideas are not just another commodity like butter or steel or cloth. Ideas are the lifeblood of our Nation. The FCC should be defending the free exchange of ideas, not giving corporate executives, not always too different from Enron's Ken Lay, not giving them the power to shut off the flow of ideas to American citizens.

Mr. Speaker, my colleagues and I are cosponsoring House Resolution 218 that calls on the FCC to examine and inform the public of the consequences of the new round of deregulation. It asks that the FCC allow for extensive public review and comment on any proposed changes to media ownership rules before issuing a final rule.

The least the FCC and Michael Powell can do is allow the people of America the opportunity to speak their mind about the elimination of freely exchanging ideas.

I thank the gentleman from Vermont for doing this Special Order.

Mr. SANDERS. Mr. Speaker, I thank the gentlewoman.

Before I yield to the gentlewoman of Illinois (Ms. SCHAKOWSKY), I want to just emphasize a point that the gentlewoman from California (Ms. WOOLSEY) just made. I think sometimes when people turn on a television or they pick up a newspaper, they say, well, a company owns this newspaper, and a lot of companies put out different newspapers, different types of television stations, and so forth and so on. What people are not aware of is the degree, the number of separate companies that one large corporation owns.

Let me start off with an example and go to Viacom. I suspect that most people have never even heard of Viacom. Who is Viacom? What is Viacom? So let me tell the Members a little bit about Viacom. Viacom is a huge multinational corporation that owns TV stations, radio stations, TV networks, and many other media outlets. For example, this is just Viacom, just Viacom. When we turn on CBS network, that is Viacom. We turn on the UPN network, Viacom. MTV, Nickelodeon, TV Land, CMT, TNN, VH1, Showtime, Movie Channel, Sundance Channel, Flick, Black Entertainment, Comedy Central. One would think they are watching different companies. They are not. That is Viacom.

They get off the TV now, drive into work, turn on the radio. There are 180 Infinity radio stations owned by Viacom.

What about local television stations? We have got the big CBS. What is about the local television stations? They must be locally owned. Wrong. We have 34 stations that Viacom owns in Philadelphia, in Boston, in Dallas, in Detroit, Miami, Pittsburgh, among other places.

They are in radio. They are in television. But at least when I go from the movies I am getting away from this corporation, right? Not quite. When we watch Paramount Pictures, it is Viacom. MTV Films, Viacom. Nickelodeon, Contentville, the Free Press, MTV books, Nickelodeon books, Simon & Schuster.

I am into music now. That is not Viacom. Wrong. Famous music publishers: Pocket Books, Viacom. Star Trek franchise; Scribner's Publishers, Viacom. Touchstone, Spelling Entertainment, Big Ticket TV, Viacom Productions, King World Productions, all one company. One company. And they say it is not enough. We do not own enough media. We need to own more media. Break down the regulations so we can own more television stations, we can own more book publishing companies, and so forth. A very dangerous trend.

Now it gives me a great pleasure to yield to the gentlewoman from Illinois (Ms. SCHAKOWSKY), clearly one of the outstanding Members of the U.S. House of Representatives.

Ms. SCHAKOWSKY. Mr. Speaker, I thank the gentleman from Vermont (Mr. SANDERS) for giving me this opportunity because it is not every day that we get to come down to the floor of the House and defend the essentials of our democracy, to talk about defending the Constitution of the United States, the first amendment, freedom of speech, freedom of the press.

It is the very core values of this country that we are talking about today. This is definitely the most important telecommunications issue of our time and, more than that, whether or not ordinary people are going to have access to divergent views. This is a value that our country has embraced from its beginning that we should have the opportunity to hear different voices, to get different opinions and make up our own mind.

So I am here today to call on Federal Communications Commission, its Chairman Mr. Powell, and President Bush to listen to the American people,

to support media diversity and localism, and to not allow even more concentration of the media.

The Bush administration and the FCC have tuned out public voices and tuned in Rupert Murdoch. I suppose the gentleman will probably talk about him, and media barons, because people need to know who is controlling the messages that they hear when they want to get the news, when they want to know what is going on in the world and in our country.

□ 1545

People in my district and around the country are demanding that the FCC hear their voices. That is why just last week the Chicago City Council unanimously approved, by a vote of 50 to 0, a resolution that urges the FCC to strengthen existing media ownership rules, not to weaken them.

Today and yesterday I received 1,000 e-mails from my constituents. I am going to read one of them:

Dear Congresswoman Schakowsky, Congress shall pass no law restricting the right to free speech. Letting one big business control all available news organs for any locality is a monopoly. Since when do corporations have a right to control our free speech? Since when do their rights trump the average citizen's? Is the Bush administration trying every means conceivable to control our means of debate dissent?

I urge you and your colleagues in Congress to promote a diverse balance and competitive media. Please stop the FCC rule change on June 2nd.

We allow media companies to use the airwaves in exchange for their assurance that they are serving the public interest, and it is the FCC's job to make sure that is so. Please hold the FCC to its mandate and oppose the rule change.

This is from one woman in my district. But imagine now two full reams of paper from individuals in my district with the very same message. They are sounding the alarm.

A free and open media is essential to our democracy. It promotes civic discussion, encourages public participation and policy debates, ensures representation of ideological, cultural and geographic diversity. I cannot overstate the importance of the FCC's review of media ownership rules in deciding whether the principles of the first amendment will be embraced in everyday reality, or only in theory.

Media ownership concentration is already a major threat to our democracy. In the last 25 years, the number of TV station owners has declined from 540 to 460, and the number of TV newsrooms has dropped almost 15 percent. Three-quarters of cable channels are owned by only six corporate entities, four of which are major TV networks. Seventy percent of all markets have four or fewer sources of original TV news production. In 1965, there were 860 owners of daily newspapers. Today there are less than 300.

The Supreme Court has maintained that the first amendment is designed to achieve the widest possible dissemination of information from diverse and antagonistic sources. Media ownership diversity is critical to ensuring that we protect the first amendment. Over the years, the courts have supported the belief of Congress that independent ownership of media outlets results in more diverse media voices, greater competition, and more local content.

Over the last few years, we have seen considerable ownership consolidation in the media, while, at the same time, we have seen important public interest protections eliminated. For the first 50 years after the enactment of the 1934 Communications Act, people had a right to petition the FCC if they found coverage to be one-sided. We called that the Fairness Doctrine. It required broadcasters to cover issues of public importance and to do so fairly, until, in 1987, under immense pressure from the media, it was eliminated.

Eliminating the law of the Fairness Doctrine, a major blow to consumers, was supposed to be alleviated by a blossoming of independent local outlets that would expand diversity by increasing competition. In other words, consumers would no longer be able to use the Fairness Doctrine to ensure that their views were represented on a specific media outlet, but the thought was we would be able to present those views through competing media in the same market.

Unfortunately, the public is now faced with increased concentration, not increased competition, and no longer has the Fairness Doctrine to fall back on. The FCC should reinstate the Fairness Doctrine. At the very least they should not even allow more ownership concentration that makes the loss of the Fairness Doctrine more onerous. Greater media ownership concentration limits the public's access to diverse viewpoints.

Radio provides an example of what can happen when media ownership rules are abolished. In 1996, Congress eliminated the national ownership caps for radio. The result? Greater consolidation in the radio industry. In almost half of the largest markets, the three largest corporations control 80 percent of the radio audience. This has made it harder for diverse opinions to be heard.

Just last month, Clear Channel refused to air an advertisement in which I was inviting people to an event that was organized for people who opposed the war in Iraq. It was a gathering, and I wanted a commercial to air on the radio to see if people wanted to come. Clear Channel refused to put that advertisement on the air.

Mr. SANDERS. I am assuming you were prepared to pay for that ad?

Ms. SCHAKOWSKY. Absolutely. This was a paid-for ad.

Mr. SANDERS. What we have now, and I think people should be aware of this, is it a bad situation when the media does not provide adequate coverage for different points of view, and that is what we are seeing. What the gentlewoman is saying is that when individuals want to buy time at the going rates, they are not even allowed to do that. That is an outrage, that is unacceptable, and we are seeing more and more of that.

If I like your point of view, you can buy an ad on my radio station; if I do not, sorry, we do not want your money.

Ms. SCHAKOWSKY. That is exactly right. This was not a public service announcement. This was not asking a favor of the radio station. This was we want to buy an ad that invites people to a public gathering on the issue of most importance in the country at the time, and we were not able to buy that ad. They would not sell it to us, even as its affiliates were organizing pro-war rallies around the country on the air.

Yesterday, as has been pointed out, 11 Members of the United States House of Representatives, the Democratic whip, the Democratic leader of our caucus, the gentleman from Vermont (Mr. SANDERS), who has been organizing around this issue of media concentration, an expert on the subject, held a press conference, and nobody came. There was not one TV camera, not one radio station. Two small print outlets came, we are grateful to them; but clearly, a decision was made not to cover this. And I want to challenge those media giants who did not come to explain how that blackout was not motivated by a conflict of interest.

Mr. SANDERS. If I could interrupt for a moment, we are a Nation which, as I think everybody knows, is pretty equally divided. The last election, Mr. Gore and Mr. Nader received somewhat more votes than Mr. Bush and Mr. Buchanan. Congress is almost equally divided. The Senate is almost equally divided. Polls show a certain number of people are Democrats, an equal number are Republicans, and you have a lot of independents out there. This is not an extreme right-wing country. It just is not.

I would ask people to think for a moment about the phenomenon of talk radio. In a Nation which is divided pretty equally politically, people on the left, people on the right, let me just mention the folks who are on talk radio: Rush Limbaugh, G. Gordon Liddy, Oliver North, Sean Hannity, Armstrong Williams, Blanquita Collum, Michael Savage, Neil Boorts, Bob Grant, Bob Dornan, Michael Medved, Michael Reagan, Matt Drudge, Laura Schlesinger, Don Imus, Michael Graham, Ken Hamblin, Laura Ingraham, and many, many others.

What do they have in common? They are all extreme right wing.

And now let me read you the names of the progressive voices.

That is it. There are not any. There are not any. Liberal voices, virtually none.

Now, how come in a Nation in which more people voted for Gore than for Bush, there are no national voices speaking for working families, speaking for the middle class, speaking for the environment, speaking for women's

rights? No voices. I am not talking about a minority; I am talking no voices.

Is that an accident? Well, as the gentlewoman from Illinois (Ms. SCHAKOWSKY) was saying, I do not think it is an accident. I think one has to be very naive not to see the connection between the large corporations who own the media, their desire for lower taxes for the rich, their desire to take American jobs to China, where people are paid 20 cents an hour, their anti-unionism, their lack of respect for the environment, and the fact that talk radio is dominated by these right wing forces.

Ms. SCHAKOWSKY. If I could just add, here is the final request I have, and it is so simple, that the Federal Communications Commission, before it makes a decision on June 2 to allow even greater concentration, would travel around the country and hold more public forums, listen to the people, give an opportunity to the 1,000 people that wrote to me and the thousands and millions more who want to participate in this decisionmaking, let their voices be heard.

Finally, I want to say, let us consider, and I hope pass, House Resolution 218, offered by the gentleman from New York (Mr. HINCHEY), which calls on the FCC not to weaken current ownership rules that protect media diversity, and also calls on the FCC to better examine and inform the public about the consequences of further media concentration and allow the public to comment on any proposed changes. This is the least we can do to protect freedom of speech.

Mr. SANDERS. Mr. Speaker, I thank the gentlewoman for all of her efforts on this issue. I think her appeal is exactly right. Why should the American people not be able to participate in this debate?

Mr. Speaker, it is my pleasure to yield to the gentleman from Washington (Mr. INSLEE).

Mr. INSLEE. Mr. Speaker, I thank the gentleman for letting me join him.

I think this is perhaps one of the most important and least talked about issues in American democracy during this Congress, and it is fascinating to me that an issue that has such large ramifications, has such a bearing on Americans' ability to know what is going on in their government and their world, is such a closely held secret from the American people. The reason it is a closely held secret is it is not reported in the media.

This is one of the most important, contentious issues. This should make great fodder for TV talk shows and radio talk shows and newspapers. It ought to sell a lot of newspapers because it is contentious. Yet there is a blackout on this subject for the American people, and that is why I want to thank the gentleman for doing this Special Order to talk about it.

The reason I came to the floor this afternoon is I think it strikes at the very heart of a basic American value. There are five values actually inscribed on the bar of the House right behind the gentleman from Vermont (Mr. SANDERS). I can read them. They are Union, Justice, Tolerance, Liberty, and that is the one that is in question here, is the liberty interests of Americans, because you cannot have liberty or democracy if you do not have multiple sources of information.

Clearly, when the rules were amended years back to allow further consolidation in the industry, guess what you got? You got further consolidation in the industry. It is not exactly rocket science that will be required to predict the results if the FCC allows this further deregulation of the industry. If they do allow further consolidation in the industry, you will have further consolidation in the industry, and when you have further consolidation in the media industry, you have fewer real choices to get access to diverse opinions. Republican, Democrat, up or down, left or right, tall or short, you will have less real choice.

Let me say why that has been borne out in real practice. Some of the people who have advocated for this change, to allow further consolidation in the industry, to allow the bigger to get bigger and swallow the smaller stations, have suggested that because, for instance, there are a lot of radio stations out there, that in fact there is no damage to the value of liberty and diverse opinions.

But they forget one very central fact: when you want to know whether there is diverse opinion in the media, you have to follow a rule, and that rule is this: follow the money. You might have 10, 15, 100 radio stations; but if they are all owned by the same corporation or individual, you do not have 100 voices. You have the same person with 100 megaphones.

Does that help American democracy? Does that help diverse opinions? No. It centralizes it. It reduces the number of voices that America has, and that is exactly what the empirical evidence has shown.

Since the last effort to allow consolidation in the industry, we have 34 percent fewer owners of radio stations. Now, it is of academic interest how many stations we have; but we have fewer voices because we have fewer owners of radio stations, and we have fewer views on the spectrum of political thought and historic thought and spiritual thought than we should have, because we allowed more consolidation, and we got more consolidation; and we have less liberty interests as a result because there are fewer voices in the spectrum to be heard.

□ 1600

Now, I want to say just one more thing, and then I will yield to the gentleman from Vermont (Mr. SANDERS).

To me, a taste of what is coming in the media we have in what we got from the FCC, which is a blackout. Because here we have this incredibly important rule to American democracy, and what did the FCC do? What did they do? They are supposed to be working for us. They held one hearing in Virginia.

Mr. SANDERS. Mr. Speaker, after being begged to do that.

Mr. INSLEE. After being begged by multiple people, they held one hearing 2,500 miles from my district.

Mr. Speaker, the Forest Service, by contrast, when they considered the roadless rule, which is another important rule, they held six hearings, multiple hearings in Washington. This is under the cover of darkness. This avoids sunlight, which is the best anecdote to any virus of political thought; and it is a rotten shame the FCC has to do this under the cover of darkness.

Mr. SANDERS. Mr. Speaker, if I might, I would mention to my friend that the FCC has a Web site that people can currently e-mail to, and the overwhelming majority of people who are contacting the FCC are saying, do not go forward with more deregulation, which I find interesting. And the gentleman's point is well taken. I think that there would be tens of thousands of people from California to Maine coming out to these hearings if they had the courage to meet the people rather than just talk to the big corporate bosses.

Mr. INSLEE. Mr. Speaker, if I may report from Seattle what happened, two courageous members of the FCC came out and were willing to listen to citizens on their own time a few months ago; and over 300 people, I think, turned out, once we got a little bit of the news out. We did not have much cooperation from the media, of course, who about 99.9 percent of them in the audience were very, very concerned about this further consolidation. And I think that voice is an overwhelming one across America.

Mr. SANDERS. Mr. Speaker, before I yield to the gentlewoman from California (Ms. WATSON), I want to touch on another aspect of this. People may say, well, this is outside the Beltway. Maybe Members of Congress are complaining, they did not get a good story, they are angry about their lack of courage. That is not the issue here.

The issue here is that in a democratic society, we do not know what goes on unless all issues of importance are discussed. It is not whether somebody gets a good story or whether they are on TV or not; it is whether whole segments of American life get the discussion that they need.

Now, we know, we know that we have seen everything that we ever wanted to see about Michael Jackson, about all the other scandals that we have heard about. But here is an issue that gets very little discussion.

We have been told that with all of the explosion of technology, with the global economy, with the use of computers and e-mails and faxes, what we are told, which is true, is that the productivity of the average American

worker has substantially increased. That is the good news. The bad news is that the tens of millions of Americans today, despite the increase in productivity, are working longer hours for lower wages. The reality is that in America we have lost several million jobs, decent-paying jobs in the last few years because of a disastrous trade policy where companies are throwing American workers out on the street and running to China. Have we seen much discussion about that on the TV? in the newspapers? I do not think so.

The reality is, the middle class in this country is shrinking. The rich are becoming richer. The richest 1 percent own more wealth than the bottom 95 percent. How does that touch into the media? What the media does, to a large degree, is deflect attention. Here is a scandal, we hope you get involved. Here is a ball game, maybe you are interested in that. But do not worry if your job goes to China; do not worry if the minimum wage has not been raised in years and you are making $5.15 an hour. You do not have to worry about that. Do not worry if a pharmaceutical company has contributed tens of millions of dollars to the Republican Party so you end up paying the highest prices in the world for prescription drugs. You are too dumb to worry about that. We have another scandal for you.

So the issue does relate to the lives and well-being of every American in our country. We have a right. We are not stupid people. We believe in democracy. We understand honest people have differences of opinion, but we want to be able to discuss the most important issues facing the middle class, facing working families. And we are not able to do that because of the enormous conflicts of interest that exist between these very, very large corporations.

Mr. INSLEE. Mr. Speaker, if the gentleman will yield, just one more quick point. This is an issue that ought to unite Republicans and Democrats. It really should. I know the gentleman from Vermont (Mr. SANDERS) has talked about talk radio. But I just believe, no matter whether you are vanilla or chocolate or Neapolitan here, you ought to stand up and say that it is not healthy when America has 20 or 30 percent less TV stations and half as few newspapers. This should be an all-American, bipartisan statement that America deserves diverse opinions so that they can make decisions and do not have to trust just one.

Mr. Speaker, I thank the gentleman for his efforts.

Mr. SANDERS. And I thank the gentleman for his efforts.

Mr. Speaker, the gentlewoman from California (Ms. WATSON) is courageous and active on this issue, and I thank her for being with us.

Ms. WATSON. Mr. Speaker, on June 2, the FCC is scheduled to meet to discuss a proposal by Chairman Powell to relax regulations on media ownership. The proposal will allow large media companies to acquire a bigger share of the national market and more television stations in any given local media market. Other restrictions on cross-ownership, owning radio stations, TV stations, and newspapers in the same local market will also be lifted.

Many of us here in Congress are concerned that the rule changes proposed by Chairman Powell have not been properly vetted for public and congressional comment and that their impact on minority media ownership and content could be deleterious. Minority owners and their share of the radio and television market is at an all-time low due to media consolidation during the last 2 decades. Chairman Powell's proposed rule changes could provide the knock-out blow, not only to minority ownership, but to a diversity of opinions and viewpoints that are critical to the free flow of information in a democratic society.

I am very concerned during this period of time that there is a climate that says you cannot say this, you cannot say that, you cannot dissent. It is a threat to democracy.

Now, as a Member of the Congressional Black Caucus, we are getting to Chairman Powell our concerns, because the FCC, as a Federal regulatory agency for mass media communications, has long-established rules following the 1945 Supreme Court declaration that the widest possible dissemination of information from diverse and antagonistic sources is essential to the welfare of the public; that a free press is a condition of a free society.

Over the past 2 decades, however, many rules designed to enhance diversity, competition, and localism have been weakened, creating unprecedented consolidation of media sources. For example, since the passage of the 1996 Telecommunications Act, the number of radio station owners has decreased by at least 1,100, representing a 30 percent decline. Among the remaining radio station owners, only 175 minority broadcasters owned 426 stations in 2000, or about 4.0 percent of the Nation's 10,577 commercial AM and FM radio stations. Furthermore, most of these minority owners continue to own AM, rather than FM stations, thus facing limited listenership.

Minority owners' share of the commercial television market is even more distressing. As large conglomerates continued to consolidate ownership of television stations throughout the 1990s, only 23 full-power commercial television stations were owned by minorities at the end of the decade, representing only 1.9 percent of the country's 1,288 licensed stations. That level is the lowest since the tracking of such data. In addition, since most minority owners are primarily single-station operators, they face additional difficulty in competing against the larger group owners.

The consolidation of media ownership has also adversely impacted programming diversity. For example, Clear Channel Communications, which controls over a quarter of the Nation's commercial radio market, has instituted homogeneous play lists nationwide, eliminated play time for local musicians, and severely cut back most local news services. Black Entertainment Television, after its merger with media giant Viacom, canceled many of its popular public affairs programs, including ''BET Tonight with Ed Gordon,'' ''Lead Story,'' and ''Teen Summit.'' These examples are object lessons on how media consolidation can limit creative voices, dissenting views, and consumer choice. Our airways need to have the widest range of viewpoints that are representative of American society.

So, Mr. Speaker, it is an outrage that we would be considering even more consolidation. Where are our voices going to be heard? I am very troubled with the atmosphere in which we live in America today, because we are being muzzled, we are being gagged by the big boys, and that is troubling for a democratic system.

Mr. SANDERS. Mr. Speaker, I want to pick up on a point that the gentlewoman made. She mentioned Clear Channel; and some people say yes, well, Clear Channel is a radio network, but they are much more than a radio network. And the point that I am trying to make and that all of us have been trying to make today, getting back to this chart, is that a handful of giant media conglomerate corporations are owning more and more of what we see, hear, and read; and this is not what a democracy is about.

I would remind my colleagues in Congress and all Americans that in the last days of the Soviet Union, which was a totalitarian society, people thought, well, I guess they had one newspaper and one television network, and that was it. It was a totalitarian society. That is wrong. There were dozens and dozens and dozens of different newspapers, different magazines, different television stations, all over the totalitarian Soviet Union. The only problem was that all of those television stations, radio stations, newspapers, and magazines were only controlled by either the government of the Soviet Union or the Communist Party. Many, many different outlets, but limited ownership. What we are seeing here is many, many outlets and increasingly fewer owners.

Let me say a word about News Corporation; people probably do not know. What is News Corporation? Well, it is owned by a gentleman named Rupert Murdoch, who was born in Australia, part of a newspaper publishing family in Australia. News Corporation today owns much of the media in Australia. Big deal. Well, they also own much of the media in the United Kingdom. They own a lot of the media in Eastern Europe. They are increasingly owning more media in China. And guess what? They already own a whole lot of media

and other companies in the United States, and they want more.

□ 1615

So what you are looking at is one man who happens to be a right-wing billionaire controlling huge amounts of media all over the entire world, which makes him, in fact, one of the most powerful people in the world.

In the United States, news corporations owned by Mr. Murdoch, 22 television stations, including stations in New York, Los Angeles, Chicago, Dallas, Washington, Minnesota, Houston, Orlando and Phoenix. He owns the Fox Broadcasting Network. He owns Fox News. He owns Fox Kids, Fox Sports, the Health Network, the National Geographic. He owns TV Guide. He owns the TV Guide Channel. He owns Fox Sports, radio, the Golf Channel. He also is not content with broadcast media. He happens to own the New York Post. And this is really a small number of what he owns. He owns the Times in London, one of the leading papers in the United Kingdom. He owns the Sun in the United Kingdom, one of the large circulation tabloids there. He owns the News of the World. He owns the TV Guide Magazine in the United States. He owns a conservative magazine called the Weekly Standard.

But that is not all that he owns. He owns Harper Collins, one of our major publishing houses. He owns Regan books. He owns Amistad Books. He owns William Morrow and Company. That means if you want to get a book published, you have got to go through these guys.

Not only that, he has tremendous impact on sports in America. People say, I do not care about books, but I really am interested in sports. Well, he happens to own or at least be part owner of the Los Angeles Dodgers, the Los Angeles Kings, the Los Angeles Lakers, the New York Knickerbockers, the New York Rangers.

Well, I am not interested in sports, but I am interested in music. He owns Festival Records. He owns Mushroom Records, and he owns much, much more.

Now, the point here is it is not just Mr. Murdoch and news corporations. I have talked about Viacom before. It is not just AOL-Time Warner. It is not just Disney. It is not just Clear Channel. It is a handful of corporations that control more than you think they do, and the end result of that is that entire issues of great concern to the American people are not discussed at all because these guys really are not interested in discussing it.

I read recently that Mr. Bush's proposal for $720 billion in tax breaks is gaining support in America. Well, I can see why: Because there has been relatively little opportunity in the media for those of us who disagree, who think that it is a bad idea that the richest 1/10 of 1 percent get as much in tax breaks as the bottom 89 percent. How many people know that? How many people know that as a result of that budget, there will likely be cutbacks in Medicaid, Medicare, veterans needs, education, environmental protection? Because if you give away all of that money, you will have less for the needs of working families and the middle class.

How many people know that if you do that huge tax break, you are going to end up with a $10 trillion national debt that we are leaving to our kids and our grandchildren? Not a whole lot of discussion about that because Mr. Murdoch and the guys who make tens of millions of dollars a year want tax breaks for the rich. They want the American taxpayer to subsidize them, to give them billions of dollars in corporate welfare.

Do you think General Electric, which owns NBC, is going to be talking about all the welfare that General Electric gets through its nuclear power efforts? Maybe, but I do not think so. Do you think that General Electric, which owns NBC, will be talking about all the jobs that GE destroyed in the United States, all the American workers they threw out on the street as they moved to Mexico and China? I do not think so.

So this issue is not some kind of inside-the-Beltway abstract issue. It gets to the heart and the soul and the core of what America is about, and that is if we are to remain a democracy where honest people have honest differences of opinion, we have got to get all of the information. We cannot have a handful of conglomerates who have their own special interests determining what we see, hear and read. And that is why, just to recapitulate what all of my colleagues who have been up here have said, it is enormously important that on June 2 the FCC does not go forward and further deregulate the media so you will end up with even an even smaller number controlling what we see, hear and read.

At the very least, Mr. Powell has got to stop the process. He has got to have public hearings all over America. We need studies to understand what this will mean, what more deregulation will mean to the quality of American democracy, what it will mean to the ability of communities to get local news, what it will mean to small businesses and the ability of small businesses to function within the media area.

This is an enormously important issue. I would hope that anyone who needs more information about this can go to my website at Bernie.House.gov.

I hope that more people will get involved in this extremely important issue. I want to thank all of the Members of Congress who have been here today.

FAST FREE ALTERNATIVES TO SPEEDY TRANSPORTATION

The SPEAKER pro tempore (Mr. CHOCOLA). Under the Speaker's announced policy of January 7, 2003, the gentleman from Minnesota (Mr. KENNEDY) is recognized for 60 minutes as the designee of the majority leader.

Mr. KENNEDY of Minnesota. Mr. Speaker, I rise today to talk about the very significant transportation issues that are facing our country.

Why, just today those who have read the Washington Post would read that Virginia backs off plans for two road projects; how the State is abandoning studies to widen Interstate 66 through Arlington and building an outer beltway. This is a road that is heavily used and is limited to two lanes in each direction in highly congested areas, yet they are going to be seeking proposals from companies that might want to build a toll road or other type of highway to serve the same needs, and they are doing this because Virginia is struggling to pay the bills for these roads projects.

That is something that is not just faced in Virginia, but is faced around the country. And right now if they were trying to address these needs, where they are looking for other roads, looking at tolls or other forms of private financing, they cannot do that on interstate roads right now.

In my view, and what I am going to be talking about today, is a proposal that I put forth along with the gentleman from Washington (Mr. SMITH) for fast, free alternatives to speedy transportation. What I am going to be talking about is that we do not want congestion. We do not want congestion that is experienced here in Washington, D.C., or like is experienced all around the country. And we do not want the tolls that we have seen in other areas where you have to slow down and stop at a toll booth, where you have to have the tolls that are collected on that road paying for all types of projects around the area, some of which have nothing to do with transportation. And that is going to be the focus of my remarks.

What is this alternative? This alternative that we are putting forth called FAST I think addresses many of the issues that we are facing today. If you look at it, part of what we are struggling with is the fact that right now we are almost completely reliant on the gas tax as a means of funding our roads, and that has been problematic.

It has been problematic for several reasons: Number one, gas tax does not go up with inflation even though the costs of roads do. We have higher-mileage cars, which are good things. We want higher-mileage cars, but when you have higher-mileage cars that are using less gas for every mile driven, there is less gas tax received for every mile driven on the road.

You also have continued exploration of alternative fuel vehicles, which again is a good thing. Just a few months ago the President from this Chamber put out a challenge for hydrogen-based vehicles. In that challenge he said our children's generations would be driving in hydrogen-based vehicles. But do you know how much gas

they are using in hydrogen-based vehicles? Nada. And how much gas tax will we be receiving from them? Nothing.

So we need to be looking and exploring for alternative ways of funding the important transportation needs that we have. There is also always the reluctance of having our energy costs be higher, so we have to be looking at ways that we can ultimately have supplements to the gas tax.

The funding needs are significant. The gap between what we have available and what we need is just monumental, and it has been a big drag on our economy. In my own State of Minnesota, $1 billion a year by some estimates is the shortfall of what we need. So this is above and beyond what many or any are really talking about for addressing. We have major road projects like just in our area I–94 from St. Cloud to the metropolitan area which are not on our 10-year road plan for the State of Minnesota. Our major intersection, 35W and 694 in the southern portion of the Minneapolis-St. Paul metropolitan area, that project could take upwards of $1 billion itself to correct the congestion issues in that interchange, and yet that is not provided for in a 10-year road plan in the State of Minnesota.

So those are just a couple of examples in a couple of metropolitan areas, Washington and Minnesota, Minneapolis-St. Paul area, as examples of the many, many needs across this country that are not being met.

As we think about our competitiveness as a country, we are in a global economy. There is no question about it. Part of the advantage that we have had is we have had very efficient transportation systems. But when we add costs to the system by having this congestion, we certainly are hurting our competitiveness.

We also have, in addition to a shortfall in resources, we have a confidence issue. We have people that are not confident that their road dollars are going to be spent in the way that they would really like them to be spent. We see projects where there is just a phenomenal amount of Federal highway gas tax dollars being spent on just one project.

Right here in the Washington area, the Woodrow Wilson Bridge, over $1.6 billion in Federal funds alone on one bridge, and when we think about that amount of resources going in the one bridge and how many other projects that that prevents from being funded, we need to look at alternatives.

Boston Big Dig, the Federal contribution to that is $8.5 billion of an overall $14.5 billion price tag so far, and it is still climbing. It is because of this that many of the referendums that we have had on gas taxes for increases have failed, whether it be in Missouri in August of last year, or Washington State in November of last year, or closer to home and closer to my opening comments about right here in the Washington metro area that in northern Virginia and Hampton Roads in November of last year failed.

So we need to address not just the shortfall, we need to give people the confidence again. We need to give people belief that the resources that they are devoting and giving to transportation are being spent on the transportation projects that they are asking for. And for the most part, they are looking, yes, for more options, but in many areas they are looking for more concrete, more asphalt, more lanes on our congested interstate highway systems.

If you think about what this is costing economically, traffic congestion costs in the United States more than $67 billion annually, $67 billion. That is more than we spend federally on roads and other transportation investments. So this is something that we are not really being smart about this. We are spending $67 billion annually on congestion, but we are not spending $67 billion annually here to relieve that congestion.

We also spend more than 3.6 billion hours consumed with delays, 3.6 billion hours. Just think of what you could be doing with that time. Think of how much more time you could be having with your family. Think of how much more time that American workers could be working and being productive rather than just sitting in traffic. Think of how much more time you could do whatever it is you enjoy doing, hunting, fishing, being out on the golf course. America deserves to have that time with their family, that time at work, or that time doing what they enjoy rather than being stuck in traffic.

And importantly to the environment, 6 billion gallons of fuel are wasted in traffic jams every year, 6 billion.

□ 1630

We have a great concern about being overly reliant on foreign oil, overly reliant on these types of energies that we are importing to keep our country going. Just think of how less reliant we would be if we were not putting 6 billion gallons of fuel into the environment every year just because we are stuck in congestion. Just think of how much better our environment would be if we were not spending that six billion of gasoline on being stuck in traffic.

There are huge issues here. We look at the average cost of congestion for commuters stuck in traffic which is about $1,160 a year per person. That brings it down to a very significant cost for most families having to pay a lot more just to be stuck in that traffic and now drivers waste on average 62 hours per year per person on traffic. So we can free up a lot of that time, and in my own State of Minnesota we have had amongst the highest increases of congestion of any other metropolitan area in the country.

This is something that is costing us individually dearly in terms of time and money. It is costing our economy very significantly in terms of time away from employment, time away from other activities and the resources that we are investing; and it is costing our environment as well. So this is something we need to deal with.

We here in America view ourselves as the champions of freedom, the champions of reaching out to market alternatives, to saying how can we embrace our private sector, how can we embrace innovative ideas; and certainly our heritage in that regard has inspired many countries and many peoples around the world to try to emulate us and is very responsible for the expansion of democracy and market-based economies around the world.

Yet in the area of transportation, we are behind. We are not really leaders in that regard. We are still in more of a planned-market type of approach to how we do it. If we look at the case of Italy, they have turned over their national network, the Aus Estrada to a private network, to a private sector. Canada has sold off part of its Ontario Beltway for private people to run.

In China, a country that will be a significant economic competitor for years to come and in growing ways, they are investing significantly in their transportation infrastructure by doing it in a way that embraces public-private partnerships, and this is allowing them to put massive projects on the ground and really help them be even more competitive economically.

Japan is also considering privatizing their national highway network. Australia is doing something very innovative. Every time that there is a major project, the Australian Government requires the public highway organization to have a private entity bid on that and say can we do it better, and those are the types of things that we just have not really considered to the same extent here in this country.

Many States, though, have been innovative in exploring those. Around the country, even though it is prohibited, as I said, with outdated restrictions on Federal roads, it is allowed on State roads. Some States have been very innovative in using these user fees to major transportation problems. Riverside Freeway, for example, in Orange County, California, $130 million project, four-lane facility in the median of one of the most congested 10 miles in the country, it has proven to be very successful, a private entity coming forward and doing this.

The Pocahontas Parkway, closer here to Washington, Richmond, Virginia, area, $400 million project used to connect two interstates, Interstate 95, Interstate 295. This is an $8.8 million four-lane connection that really helped relieve congestion in the Richmond area.

In the Austin-San Antonio area, $3.2 billion project, controlled access highway, with capacity for managed lanes.

In many of these cases, these are being funded by private entities stepping forward and offering to do these projects. There are many ways where we can embrace these private entities.

The way that I would encourage is to consider having either the public utility commission in the State or the State highway committee offer to set a rate of an acceptable rate of return and to guarantee that rate of return to private entities that will step forward and do highway projects that are in need; and if they were planning on originally paying for it in 15 years and the project was very successful and more drivers chose to use it and it could be paid off in 12 years, to get the rate of return, that is when the fee would fall away.

If it were not quite as successful in terms of usage as they were planning on and it maybe took a couple more years, it would maybe continue to have a fee on it for a little bit longer than 15 years; but in that way, we would not either have excessive, over-the-top returns that are above what should have to be paid for a private entity, and in a similar way, we would not have a project that is a bust, that just is not paying for itself, that would require and have the private entity come back in many cases to try to renegotiate with the State.

So embracing these types of rate-of-return approaches to encourage private entities to step forward would really encourage them to partner with us more as it relates to getting our congestion relieved. Right now we have a lot of these private entities over there in Iraq and Afghanistan building roads, and they would be happy to, I think, embrace this type of a market approach here in Minnesota and around the country.

If we look at what the solution is to this, it is to take this same type of innovation that we have in other States on State roads, the same type of innovation that in ways is being used all across this world, to our own interstates. That is what we are searching to do, and this is why the gentleman from Washington (Mr. SMITH) and I introduced the FAST Act, Freeing Alternative to Speedy Transportation; and this is a bipartisan bill. We have Members from both sides of the aisle supporting this bill, and it is a bicameral bill. I was very pleased that Senator WAYNE ALLARD from Colorado has agreed to introduce this in the Senate as well.

It is really a solution-based approach. It repeals the outdated provisions in Federal law that prevent highway expansion with user fees and in many ways is a commonsense approach that unites all those that have been really arguing over other approaches to solve our congestion areas.

What are some of the restrictions, though, that we place? We take away this prohibition, but we do it only assuming that certain requirements are met. Those requirements are few, and they are focused on restoring that consumer confidence.

Fees would only be collected voluntarily so no one is forced to be in these lanes, and they would only be collected using noncash electronic technology. No one wants more toll booths. When we are looking to get things moving quicker, we do not want to have to slow down and stop to pay a toll, and we do not even want to have to slow down to just run through a booth area for electronic recognition. This is something that there is proven technology out there where it could be as simple as being a tube that goes up in a U-shape over the interstate. It has electronic sensors in it and can tell when a car moves into a charge lane and that car would have an electronic sensor that a person might hang from a rearview mirror or it might be included as part of a person's license or somewhere else that would electronically say, yes, I recognize that person is in this lane, we will deduct that from their account or send a bill for it.

There is also technology for those that do not have the electronic sensor that we would obviously be able to flash a picture of their license plates and send them a bill that way, but this can be done where people can decide to move in and out of a lane at 50 or 60 miles an hour, whatever the posted speed limit is, and do it in a way that we do not have to have massive capital expenditures to delineate one lane from another. This would facilitate the ability to convert this at the period of time when the fees had paid for the road into a lane that no longer had a fee on it.

So that is one key criterion. Voluntary, electronic, no toll booths, no tolls.

Second, is that these fast fees are charged only when drivers use the new lanes, and they are charged only on those new lanes. We are talking about all existing concrete and pavement, would not add new fees to them, but it would only be these existing lanes.

Finally, once that lane was paid for, that fee would expire.

These are the criteria that our FAST Act provides to make sure that those consumers, those travelers, those commuters that are paying for this can have the confidence that their dollars are going to be used well.

If we look at what are some of the benefits of this, there are significant benefits. First, of course, less congestion, less all of those other costs that we talked about earlier that are really grinding down our economy in so many ways, and that is one big thing.

What this does is it gives a new funding source at a time when clearly a new funding source is needed. Also, by being able to empower local areas, it helps these roads get built quicker. A similar type of approach was used with these types of lanes in the Katy Freeway in Houston; and rather than the road getting built in 10 years, it is getting built in 4. So we are addressing the problems now when we have the need.

By doing so, we are doing it in a way that reduced the cost because when we build something today versus 10 years from now, not only do we save the time-value money, but with the appreciating values of lands along the right of ways with the escalating costs, this is a much cheaper time to be addressing issues that we have today rather than bury our heads in the sand and let them just build into the future with the escalating costs of the buildup of construction along these roads, making the purchase of rights of way and other easements so much more expensive.

This is clearly something that is going to relieve congestion, new sources of funding, get those roads built quickly, and importantly, right now. As I mentioned with the Wilson bridge or the Boston Big Dig, we have major projects that could clearly be funded in this way, partially at least, that are absorbing significant shares of our transportation resources.

By addressing many of the projects where this would be appropriate using fast lanes, we are going to free up dollars for all of the other projects that our cities, that our rural areas have, and have more resources to address their very important needs as well.

I think the other big thing this does is it pushes power out of Washington and empowers the States. Right now with many major road projects, we are the only game in town. A person has to come to Washington to sort of make sure they maybe get an earmark or get a little help pushing this forward. We have got a lot of those requests and continue to put through a lot of those requests and are happy to work in response to those in whatever way we can, but what this does is it puts more tools in the tool box of State and local entities or private firms to step forward and address an unmet need.

I think that is why nationally the American Association of State Highway and Transportation officials have supported this. This is a tool that they should have to address their needs. If a project is not met through the normal approach, the State can step forward using this type of approach, or as in the case of Houston, as I mentioned earlier, Harris County did that project for the Katy Freeway, have the county step forward or private entity come knock on the county or State's door and say, listen, I see a need here; I would like to fill it.

Having more people involved, encouraging innovation across the country, very similar to what we do with welfare, is what we really need to do, unlocking that innovation. More people addressing this very significant issue is what we are trying to achieve with this FAST Act.

I would say also that a key part of what we are doing here as well is restoring that consumer confidence. We are restoring that consumer confidence with the criteria that I talked about earlier, only charge on new lanes, only voluntarily, only electronically, used for those new lanes, and goes away when it is done. That will restore the confidence because we are giving them a true user choice. No one will pay for

this unless they deem that the amount that they are paying they are getting back the return with a value that is worth it.

□ 1645

And some may say, well, this is only going to be used for the wealthy, but that is proven by studies not to be true. The need to get to your doctor's appointment on time or pick up your child at an after-school program or get to an important interview does not happen only in one income group or one demographic or another. This is used across the section of our society. And in cases where it has been done on State roads, that has proven to be the case.

Also, everybody benefits. Even if you are not using the FAST lanes, there is less people driving in the other lanes. So you are freeing up that congestion, besides the benefits of spending less as an economy on gasoline and putting less gasoline in the air and all the other costs that I spoke of earlier that would be relieved. So this is really a fundamental question of if you are stuck dead in traffic in the middle of the interstate at 10:00 in the morning or 2:00 in the afternoon, or any time of day, should you have a choice of being able to move into an additional lane and move across that lane and along that lane in a much quicker way?

I believe fundamentally that that is a choice that should be there, and this approach ensures that if the market would support a choice being there, then multiple people are empowered to make sure that that option is provided to our passengers, to our commuters.

So this is something that is critically important. And if we look right now, some of the other issues that this really addresses is it really not only embraces the private sector, but it embraces the possibilities for transit. There are many ways of embracing transit with these lanes. One of those might be that you can use congestion pricing. You can vary the level of pricing based on what kind of need there is, and that could either be predescribed as to a time of day, a different fee, or it could be even variable. You could have an electronic sensor that would say what do I need to charge in order to make sure I can maintain a set miles per hour along this lane and make sure that there is a benefit to being in that lane. Those technologies exist, they can be used, and this would be allowed under our bill.

I think the other thing that that would really facilitate is bus rapid transit. Too often folks are saying, well, I do not really want to take the bus because the bus is going in the same congested lanes that I am going in, and there is really not going to be an advantage to that for me. But if you had congestion pricing along these FAST lanes that would ensure a more predictable speed, you could also have more predictable times on a bus rapid transit that would use this. By having your major interstate corridors having these types of lanes available to them to work with bus rapid transit, you could provide this, as far as transit goes, a very economical transit alternative as well as a very flexible transit alternative.

Transit began with and is still primarily focused on bringing people in and out of the center cities, like an accordion. But the world has changed. Not all the jobs are downtown, and not everybody lives outside of the downtown and the outer areas of the suburbs or the exurbs. A lot of time it is between the areas that surround the center cities where the transit needs are, and a lot of times that might change from one year or one decade to the next. So being locked into a more permanent type of transit might not be the most efficient way.

This embracing of bus rapid transit would be an ideal way for us to help with those transit needs, to help provide alternatives and make sure that we are addressing the transportation needs of our area.

People ask, can you use high-occupancy vehicles? You certainly could, and you could do this in a way where you just only issued electronic sensors to those who are registered car pools or registered van pools. But also there is technology available, required, in fact, in most new cars, which is being phased in over the next several years to require that there be electronic sensors in our cars to be able to tell what the weight of a person is sitting in the passenger seat so that you can adjust the degree to which when an air bag expands, the kind of force that uses so that it is reflective of the weight of the passenger.

These sensors can also tell whether it is an animate or an inanimate object, so you cannot just do the sack of potatoes there. You might be able to get by with putting Rover, or, in our family, Indy, in the car and get away with that, but you cannot get by with just a rock or a sack of potatoes.

If we had that electronic signal that is being sent out to the sensor that was being made available for this purpose, we could also have HOV lanes that could be electronically monitored.

So there are countless opportunities in our modern day of high technology to really embrace transit alternatives and FAST lane alternatives in a similar way, in a very cost-efficient way.

A couple of the other things our bill provides. Our bill provides for the fact that States would not be penalized for embracing these types of approaches. The amount of Federal gas tax dollars that they would have otherwise received would remain the same. The other thing, though, that it encourages is that we look at innovation; that for any highway project over $50 million, that the State authority looks at whether or not FAST lanes could be used, and it looks at whether or not you could embrace public-private partnerships. As we look at the vast needs we have and the limited resources we have to meet those needs, those types of approaches, I think, are very severely needed.

So this is something that we certainly need to approach, and it is important for so many other reasons. Last night I had an opportunity to talk about the significant focus we have on creating jobs. Our economy is in tough shape. We have too many people unemployed. A big focus that we have to have, and what those unemployed people want, they want a job, and we need to create them. This unlocking of this alternative innovative way of approaching our transportation needs are not only going to help our economy long term, by having a better transportation infrastructure, it will not only help us be far more competitive on the world stage, but they are also going to create jobs in the making of those highways. The Joint Economic Committee has said that $1 billion of transportation spending would create 42,000 jobs.

In a hearing we had before the Joint Economic Committee, Bob Poole of the Reason Foundation said that this could bridge the gap between many of the alternatives we are looking at; that it could result in tens of billions of dollars of projects if we did this right and provided other alternative help for our private entities and our public entities that I will talk about in a second. He identified that there was a $43 billion need in just the top eight metropolitan areas that these types of projects could help finance. Now, $43 billion is a significant amount of money, but it is also a significant amount of jobs. That could be upwards toward a couple million jobs that this would be creating. That is even more than what the jobs and tax relief bill we passed in this House last week would create.

So this is very important not only in ending our congestion, but in also getting this economy going again and getting people employed. And, again, as we are proposing it, the costs will be next to nothing to the Federal Government, because these projects can be funded, in many cases, by the fees that would be generated, the FAST fees that would be generated on these FAST lanes, and then you would be able to bond them. And by doing that, you are not going to be using revenues from the Federal Government, from the State governments, or the local governments. You may need to have planning dollars to get it going and get it started, but this is something where the fees will be covering the costs in paying for it in a way that does not otherwise strap the resources of any of those bodies.

It is because of the attractiveness of this that so many people back in my own State of Minnesota have supported this. It has really brought together those that are fighting over many other transportation issues, like gas tax, in Minnesota. It has brought together clearly the Minnesota Transportation Alliance, which is supportive of

this. They are looking to have more transportation options, more investment in our transportation, more lanes, more roads, as well as opening up alternatives like bus rapid transit, as I spoke of. But it is also supported by our chamber in Minnesota. They know how important this is to our economy. They know how important it is to our competitiveness. They know how important this is to jobs, and so they are supporting it. It is being supported by the Taxpayers League in Minnesota because they understand that this is a true user choice; that people only pay when, in fact, they are getting a return that is worth it.

I am very pleased that our own Governor, Tim Pawlenty, and his Lieutenant Governor, and Transportation Commissioner Carol Molnaw have also stepped forward and endorsed this. It has gotten great support on a bipartisan basis in Minnesota, just as it is a bipartisan bill here. And I think we need to build on that to make sure that we continue to build that support nationally, which I am expecting will happen.

It is a big concern here, because we are admitting that we do not have all the answers here in Washington; that we want to embrace those local and State and private entities that can help us with this. Admitting that is sometimes difficult, but it is critically and fundamentally important.

One other thing that we need to do, though, to make this whole equation work is that we need to look at how can we help finance these projects. Right now public entities with the ability to issue municipal type bonds that are tax-free have an advantage over private entities. Having private activity bonds and expanding the use of those is something that we need to encourage. So I will soon be introducing a bill that encourages that as well; that picks up on an idea that the prior Senator CHAFEE had to put forward private activity bonds which give these private entities, when they are doing the public work of expanding transportation corridors, the same tax benefit that would otherwise be available only to public entities. In many of these public-private partnerships that I talked about earlier, that is what is being used.

We just came from a hearing where we heard the administration's proposals on SAFETEA, and I am very pleased to see that they included private activity bonds as part of their proposal. I applaud them on that and will look to maybe see if we cannot even expand it beyond what they have done.

I also applaud them for continuing programs like the TIFIA program, the Transportation Infrastructure Finance and Innovation Act, that helps provide financing components that make it easier for public-private entities to step forward and be involved in this. I also applaud them for inching towards the type of loosening up of the outdated restrictions that are currently in law. And as I spoke with Secretary Mineta and Administrator Peters, I encouraged them and was pleased with their response that they were willing to work to take a couple of further steps along the path of what we are talking about here in FAST to move in that direction.

□ 1700

I would just conclude by saying that this is not new. Prior to President Eisenhower stepping forward with the bold new program to build an interstate highway system for national security purposes, the idea of using user fees was the predominant idea for how we funded and expanded our core transportation corridors. Since that time, we have gotten our interstate system largely built. I believe for many it was an expectation when that was started half a century ago that we would return to that after the interstate was built. I think we need to.

This is an innovative approach, a new source of transportation resources to help bridge that gulf between what we need and what we have available to invest in our significant transportation needs. It does it in a way that empowers the States, empowers public-private partnerships, empowers local areas, yet assures the confidence of the consumers that they are going to get something that is a return for what they are giving in, that they can be assured that the resources they are devoting to transportation are in fact going to be addressing needs that they see, needs that they want to be addressed.

I would just encourage all my fellow Members to consider joining with us in pushing for the passage of the FAST Act, Freeing Alternatives for Speedy Transportation. Let us end congestion. Let us encourage local control. Let us restore consumer confidence. Let us not have congestion. Let us not have more tolls, but let us let people get to where they want to get to fast, along fast lanes, and get this economy moving again fast.

CONCERNS IN THE AFRICAN AMERICAN COMMUNITY

The SPEAKER pro tempore (Mr. CHOCOLA). Under the Speaker's announced policy of January 7, 2003, the gentleman from New York (Mr. OWENS) is recognized for 60 minutes.

Mr. OWENS. Mr. Speaker, there was a historic leadership summit held yesterday. Today is May 15. Yesterday, on May 14, there was a historic African American leadership conference held here in Washington. I want to salute the sponsors. It turns out that most of the sponsors, practically all the sponsors, are Republican. Every year the Congressional Black Caucus Foundation sponsors a legislative weekend where people in the African American community, certainly leaders from all over the Nation, assemble here in Washington; but they are nonpartisan. Republicans come, corporate heads, the labor people. It is wide open as a nonpartisan event. Everybody discusses common problems.

It is very interesting that this African American leadership conference, which is very new, I suppose I want to say at the outset, is certainly welcome. The attention African Americans are getting from Republicans is welcome. We have no problem with that. The myths that arise as a result of past Republican Party behavior, we would like to see put to rest. There is a myth that Republicans do not care at all for the concerns of the African American community, and, therefore, they are left to the Democrats who take them for granted because they are sensing or knowing that the Republicans do not care to be bored with the concerns of the African American community; the Democrats take us for granted, and they do not exercise themselves too much either over our concerns.

Those myths, neither one probably is true. Republicans are showing that they do care. They recognize simple arithmetic, that even if they got 15 percent of the African American vote, which would be unusual, it would be 15 percent taken away from the Democrats certainly in a national election, and it would go a long way toward guaranteeing victory. If they got 25 percent, of course, they would be unstoppable. So the arithmetic is understood by the Republicans as well as Democrats. If they did not understand it before, they understand it now. Democrats have never ignored taking African Americans for granted. The history of legislation, of positions and actions in the Democratic Party, when you look at them quickly, make it quite clear that they are very much concerned about African American concerns.

Democrats are concerned with things that benefit most Americans. What is good for most Americans is good for African Americans and vice versa. What is good for African Americans is good for all Americans. Attention paid by the Republican majority to African Americans will not only redound to the benefit of African Americans, but I expect it will help a lot of other Americans out there at the same time, because African Americans are on the cutting edge when it comes to suffering, when it comes to being at the bottom of the pile and receiving resources, when it comes to being at the top of the pile when it is time to lay off people and fire people. They are barometers.

We know what is coming with the larger community when we look at what takes place in the African American community. This is something that we have said for a long time. We had problems with diseases. The drug problem when it first arose was primarily in the African American slum communities where it could breed because people had all kinds of problems and the rackets could flourish; but it

got so powerful, the rackets flourishing in those communities, that they were able to branch out and swept all over America like an octopus that leaves no community untouched, the drug trade and all of the kinds of addictions and diseases that are spawned by the drug trade.

And so it is with any other problem. The health care problem is deepest and most egregious in the African American community. New figures have shown that instead of 40 million Americans not being covered by insurance, we are now at a point where it is more like 60 million Americans are not covered by any insurance. Among those not covered percentage-wise, within the whole African American community, a greater percentage of African Americans are uncovered, and they have been that way for a long time in terms of health insurance. So our cry for universal health care, health insurance for all is certainly good for the African American community, but it is good for all of America. Therefore, I welcome the African American leadership summit.

I am taking the time now to just tell my colleagues here who did not know about it that it did take place. It started Tuesday with a welcome reception in the Russell Caucus Room. Senator RICK SANTORUM and Senator KAY BAILEY HUTCHISON gave welcoming remarks at that session. And none other than Senate majority leader BILL FRIST opened it up as a guest speaker, the keynote speaker. You cannot beat that in terms of the importance, the elevation of it in the priority scale of the Senate. You had the top leadership there.

Then they had a continental breakfast on Wednesday. You had Senators HUTCHISON and SANTORUM again, I guess they are the primary sponsors here, opening up. The African American leadership summit was addressed by U.S. Secretary of Education Rod Paige. That is quite a coup, because as the chairman of the Congressional Black Caucus education brain trust, I have been trying for 2 years to get Secretary Paige to come to our annual fall legislative conference, and both times I have gotten no response. He is the Secretary of Education. We wanted to hear from him and invited him just as we invited all previous secretaries of education, and he has never responded.

So this leadership summit for the African Americans yesterday pulled a coup. Secretary Paige was there. Of course he was part of a process which involved a panel of distinguished people: Ed Dorn, the dean of the LBJ School of Public Affairs at the University of Texas; Dr. Ernest Holloway, the president of Langston University; and the great Robert Woodson, Sr., founder and president of the National Center for Neighborhood Enterprise, which usually focuses on problems related to African American housing. Then they had a health care forum after that and a luncheon with a keynote address delivered by none other than the chief of staff of the President, Mr. Andrew Card. Then they had an economic empowerment panel after lunch with the Honorable Johnny Ford, Alabama State House of Representatives; Kay Coles James, the director of U.S. Office of Personnel Management; Karen Johnson Street, Office of Entrepreneurial Development; and the U.S. Secretary of Commerce, Don Evans. Then later on they had an affirmative action discussion, ''Expanding Opportunity and Diversity,'' it was called, with HUD deputy Secretary Alphonso Jackson; Veterans Affairs deputy Secretary Leo Mackay; and Maryland Lieutenant Governor Michael Steele.

I have taken time to run through this schedule quickly because so many of my colleagues knew nothing about it. Many of them would have welcomed the opportunity to participate in a nonpartisan way, but let us salute the Republican majority for taking this initiative. There were a few other ceremonies, I understand, in addition to that, with the Speaker involved at the Frederick Douglass House. There was a ceremony at the White House, also. It is just important to note.

I would like to take that as my starting point by saying what is good for the African American community is good for America as a whole. If it is good for Americans as a whole, it is good for the African American community. Let us go back to the fact that Secretary Paige was there and they were addressing matters relating to education. Because I am alarmed, I am upset, I am angry about what is happening to education all across America. We have done a 180-degree turn in terms of the progress that was being made. After all the hype and the high pitch of success that we decreed after passing the No Child Left Behind legislation, we are now in worse shape than ever before, not only with respect to the Federal Government's support for education but also, in general, local and State support.

In this year, 2003, we have numerous States and local governments, local education agencies facing the situation where they are not sure they have the money to get through the school year. They are not sure they can pay their teachers and administrators and all the other costs. At a time when we expect education reform, education improvement to be going forward at a more rapid rate to meet needs that are definitely there in our society, we are going backwards. The Federal Government's refusal to live up to its promises, this administration's refusal to live up to its promises is complicating things.

We are not just not improving the situation; we are making it worse. We have mandates out there, requirements out there that require resources, dollars, to fulfill. In the absence of those dollars and those resources, we are putting an extra burden on the school systems. We have increased the bitterness and the cynicism. It comes down in very concrete terms in a system like New York City's large school system, where they are projecting the layoff of 1,000 or more teachers, at a time when we have worked hard to get more teachers and smaller classes, at a time when No Child Left Behind says that we require that every teacher be certified, that they meet certain standards.

It is imperative that the teachers really know what they are doing, especially those in the early grades who have generally been neglected when it came to certification and standards. We are in the situation now where we are laying off teachers. In the process, we increase the class sizes. In the process we make the job of teaching more difficult and we lose many talented people, who were interested in teaching, under this set of conditions.

There is no relief being offered in any way for the problems that plague schools in terms of facilities. No teacher relishes the idea of getting a bachelor's degree or a master's degree and going to work in a building which has safety and health conditions worse than the average factory. So many of our schools are more hazardous than the average factory. In fact, we would fine some factories if they had the kind of conditions that have existed in some of our schools. The buildings get older every year. In big cities, especially like New York where many buildings are more than 100 years old and many more than that over 75 years old, there is almost no turning back renovations, and various attempts to maintain these buildings is a losing proposition. But there are no new buildings on the horizon for most of these communities. Many of those that were on the horizon, in a building program, now are forced to step back because the funds are not there.

What does all this have to do with the Federal Government and the budget-making process here? What does it have to do with the African American leadership summit? The African American leadership summit, the people there ought to know that of all the communities that are suffering most from the dearth in resources in respect to education, the minority communities are suffering the worst situation. As we strive to improve the Federal performance in the area of helping African American schools, schools where most of the students are predominantly African American in the inner cities, some rural areas, we will also raise the level of assistance for other schools.

Title I was primarily designed to help youth, children who are poor. The proportion of children in the African American community who are poor is greater than the proportion in the population as a whole. African American children and Hispanic children make up the bulk of the children who are eligible for title I funds. Title I funds were supposed to be increased, doubled,

over a 5-year period. That is what the administration promised. They backed away. In the first year, instead of getting $6 billion of an increase, we are getting $3 billion of an increase.

□ 1715

There are definite concrete dollars-and-cents reasons why the suffering that is setting in out there taking place, definite reasons why principals and teachers and education officials are feeling bitter, are feeling more overwhelmed, are feeling more cynical about the commitment of their Nation and their government and the leaders to education.

If we are not committed to education, what are we committed to? We are committed, very much so, to the expansion of our military might. We voted overwhelmingly for a $79 billion budget for the war in Iraq and the effort related to the war in Iraq. I am not going to discuss in great detail how much of that is going to be wasted, how it is going to be counterproductive, but the point I want to make is that if we can go further into deficit, and we do not have the money, it is going to be borrowed as part of the deficit financing, if we can go $79 billion into deficit related to the war in Iraq and related activities like bribing our coalition partners and making certain that they support us and numerous other activities that are not specified, if we can do that, we certainly could use deficit financing to come to the aid of the cities and the local education agencies and the States that now are faced with the prospect of not being able to finance the education system through the whole year.

Why not have a revenue-sharing bill which helps to close the gaps that the States and the cities and the education agencies are fielding? Why not go further? Let us take $79 billion and divide it over a 3-year period and phone it into the States and the cities for specific expenditures related to education, maybe half of it to go to education-related expenditures and the other half to go to municipal and State functions that are suffering as a result of the layoffs.

It is getting worse every day. New York State, New York City, has a huge budget gap between revenues and expenditures. At the same time they have a constitution, a charter, which does not allow them to go beyond the revenue collected. They have to have a balanced budget. Most States in the country are in the same position. They have to have a balanced budget.

The United States Government does not have to have a balanced budget. We are able to do deficit financing, and we have embarked on a course of deficit financing that is unprecedented under the Bush administration, the present administration.

There was a time when Mr. Gingrich was the head of the majority here that the great emphasis was on balancing the budget. We heard nothing from one end of the year to the other except the ideology of the need to balance the budget. Suddenly nobody talks about balancing the budget anymore, and I do not want to raise the issue. At this point balancing the budget is not half as important as coming to the aid of our cities and our local education agencies with Federal dollars. Where else will the dollars come from?

So I want to say to the African American leaders who gathered at summit that it is important for them to make a case with Secretary Paige and with the other hosts for the summit that there is an education emergency in the United States right now, and the worst part of the emergency is unfolding in the African American community.

A very interesting event occurred and was written up in the New York Times last week. The teacher of the year for 2001 was a black teacher from South Carolina, a young lady who was selected because of her outstanding performance in the classroom as teacher of the year, and she was given a $25,000 prize, given a fancy car by one of the automobile manufacturers to drive for a little while, lent to her, and showered with all kinds of accolades, et cetera. This year she is facing unemployment. This same teacher, the best we had in 2001, the system cannot find a place for her in South Carolina. When she came back from that 1-year hiatus she had, she was put to work training teachers because the model teacher, outstanding teacher, that is the best use for her, to train teachers, and she had a job that was very useful. She enjoyed it. They have eliminated the position now, and they are not sure they have a place for her, but they probably will find some teaching position somewhere for this exceptional teacher who has shown great leadership ability and the ability to train other people.

Is this going forward, or is it going backwards? That is going backwards in an obvious way. But the school system in South Carolina that she worked for is laying off quite a number of people. They have to balance their budget.

We are giving the American people the impression that America is almost bankrupt, that they should tighten their belts and go with it because what else can we do? Where if my colleagues would just open their eyes and our constituents would just open their eyes, what could we do? We could borrow money for education and for municipal services just the way we borrowed money for the war in Iraq or any other defense expenditure we want to make. We have already busted the budget. We are already into deficit financing during this period of recession, which everybody assumes is a temporary period of recession, and it probably will be. We do not foresee the collapse of the American capitalistic economy. We are going to come back, but this is a period of crisis. Why not in this period of crises come to the aid of our citizen States?

African American leaders should tell Secretary Paige that we are dying. A generation cannot wait until the recession blows over. We need to have the education there now. We need educated people everywhere more than ever before.

Even in our military there is a gross problem of education. In the first days of the war in Iraq, we were losing people to friendly fire and human error at a faster rate than we were losing them as a result of enemy fire, because we have a high-tech military. We have a high-tech apparatus that requires some very outstanding minds to operate. Even under on the ground at lower levels, there is a lot of need for a more educated population. That is going to get worse in terms of the need. I should say get better. There is nothing wrong with needing more educated people, but the society must rise up to the challenge and guarantee that educated people are there.

Most of the people in our Armed Forces, everybody concedes, more than 90 percent are people, men and women, from working class families, working families. They are from families that need public education. They cannot go to private schools. They are from families that need help from government in various ways, including housing. Too many of our military personnel are forced to utilize food stamps, and a small percentage are forced to go on welfare in order to maintain their families. That is a disgrace. That is not just.

One of the criteria for success in the war on Iraq and the surrounding occupation of Iraq and the creation of a democracy in Iraq is the degree to which we bring justice to Iraq. We will succeed or fail. And this war has not been won. The war has just gone through phase one. Phase two is can we occupy Iraq and really create a democracy as a result of our efforts there, or will we be consumed by something that gets totally out of control and we end up in a violent malaise with the people of Iraq in urban guerrilla warfare where all of our advantages of high-tech warfare go out the window because it is on the ground, man to man, bayonets, rifles, block-by-block fighting. I hope we are not consumed in that kind of quagmire.

But even if we do not go into that kind of quagmire, the question is will we be able to really convince the people of Iraq to go forward and establish a just and democratic society? The degree to which we succeed there will depend on the degree to which we bring justice to Iraq. One of the problems with our bringing justice to the people of Iraq is we do not know much about justice at home if we do not find ourselves able to create a healthcare system here that covers everybody. If we cannot find the money for a public education system that educates our children adequately, how are we going to bring justice to Iraq and provide those kinds of benefits? Justice in Iraq right

away means do we care about whether they have running water? Do we care about whether they have electricity? Simple matters like that are evidences of whether the occupying power cares about justice.

We secured every oil field. We boasted of that. It has been repeated over and over. Every oil installation in Iraq was immediately secured. We got the military to guard it, no looting, no abuse, no stealing of equipment and machinery, and we also got technicians in there right away as a part of Halliburton's $7 billion contract, technicians and people there on the ground to make sure that a speedy effort goes forward to get them running. In many cases they never stopped running. We want to maximize the output of every oil well. We care about oil wells, and we have let the whole population of Iraq know we care about oil wells because that is what we focussed on. We left the museums unguarded. They got looted, trashed. We left the schools. We left the hospitals unguarded. So the looters went in there and looted hospitals and looted whatever was unguarded because the occupying power showed those things were less important.

The New York Times had in the front page the day before yesterday a front picture of an insane asylum in Baghdad, a maximum security insane asylum which was set up to hold the most worst and the most violent people who were insane, and the story that the director told was very heartbreaking. The insane asylum was secure until the marines came with battering rams and knocked down the walls, and some of them were screaming, ''We are here to liberate you.'' I guess they did not know where they were, and they liberated all of the insane prisoners, insane inmates, and they are gone. They left the place unguarded, of course, and some of the patients there, particularly women patients, were greatly abused. They raped the women patients, and it is a nightmare, on the front pages of the New York Times.

We sent a message about justice that is the wrong message. We do not care about sick people. Hospital beds are still begging for security. They want somebody to come and guard the hospitals because they have rampant lawlessness in a nation of 24 million people that we expect to occupy on a shoestring. We say we have 150,000 to 160,000 troops there, but the military certainly never tells what it has. I am sure we have more than that. But even if we have 200,000 troops there, it is a nation of 24 million people, 24 million people. It is going to take more than 200,000 troops to establish order, for technicians and other kinds of people to get the electricity running again, to get the water system running.

All these things are doable. There is no magic needed to make the electricity flow again. We have the technicians and the people to make it happen, but we have to assign priority to it. Justice for the average Iraqi family is do we care enough to get their electricity back on? Do we care enough to have decent drinking water for their kids? Those are the first signs of justice.

Iraq sits on an oil pool that is second only to Saudi Arabia. So Iraq eventually will pump enough oil for whatever it needs. From beneath the soil of Iraq, with the more efficient, effective systems of modern oil pumping and production, they will be a rich nation on paper. All they need is there. The question is are we going to be just and make certain that the oil revenues that come from the soil of Iraq, the first priority is to go to people of Iraq?

They do not have to have aid from the United States. They do not have to raid our Treasury to pay for their education system or their healthcare system or anything else if we would just let them use the oil revenue from their own soil.

Justice means directing the resources of Iraq to help the Iraqi people. We are off to a bad start if we will not give them electricity, we will not give them water. There is great fear that the oil barons of the world would descend on Iraq with contracts and various schemes, are going to carve up the oil resources of Iraq, and the money flowing out of the oil wells will flow out of Iraq into the hands of others. That is a great challenge. I hope we meet it. I hope we do not make the error of assuming that we can use the resources of Iraq and expect the people to believe in democracy and capitalism as being a good system for them. We are going to have to have justice, or we are off to a bad start because we have not cared about electricity, water, food, basics.

□ 1730

So, I say all this to say that African Americans who went to the leadership summit who have the ear of this administration now, great, it is wonderful they are listening. Tell them that we need examples of justice here at home.

There are too many hungry African American children. There are too many situations where African American children go to schools that are more dangerous than their homes in terms of health hazards, because of the still existing problem of lead paint, of various erosions in the buildings, of situations in the wintertime where kids have to sit huddled in their coats and all winter long, are racked with colds, with situations that have a lack of appropriate ventilation, and asthma is exacerbated, and on and on it goes.

We need justice for the children of America. I heard a speech by the President early in the war where he said, do not worry, we will guarantee that every Iraqi child has a good education, that every Iraqi child will have a textbook. Well, I hope so. But I would believe it if we had guaranteed, first of all, that every American child, African American and others, had the textbooks they need. So justice at home here has to be practiced before we can really believe that it is going to happen abroad.

We are going to fail in Iraq, we are going to have a monumental failure, if we do not bring justice to that foreign land. With all of its various problems, its violent history, its different religions, all the things that are there, they cry out for the maximum effort being made by the occupying power to convince people that we are indeed a just society. MacArthur did it in Japan, the Marshall Plan did it in Europe, in Germany. It is not undoable, it is not impossible, but it has to have leadership that understands and is committed to justice.

It is very interesting, at the end of World War II, the people who were able to succeed so marvelously in occupying Japan and Hitler's Germany, what was left of it, were all people who favored Social Security here; people who created Social Security, people who created social programs here; people who led the government into an unprecedented commitment on safety nets; people who created the first farm subsidies. The administrations of those people were in power when we occupied Japan and Germany. So it was not by accident that they were able to bring a sense of justice and move on from justice to create a democracy that the people themselves in Japan and Germany could take over.

I say to the African Americans who have the ear of the administration, please send this message: We have an education crisis. We also have a health care crisis. There are individuals out there dying who should not be dying, because we have the modern science, the modern pharmaceutical tools, we have everything it takes to keep those people alive. But they are dying because they are poor. It just comes down to that.

You may have countries in the world with far less wealth than the United States of America who are providing decent health care systems. I hope that on economic empowerment, there was a special panel for the African American Leadership Council there, I hope they understand economic empowerment means, first of all, creating jobs for people on the bottom.

Henry Ford was not a great lover of poor people necessarily. He was not a great lover of his workers. He fought them tooth and nail in their attempts to unionize his plants. He looked out there and said, if I pay these guys a better wage, they can buy my cars. He had common sense.

There is nothing sounder in economic theory than the simple Henry Ford theory. If I pay these guys a better wage, they can afford to buy my cars. The American consumer has become the engine of the economy because we pay them well, because we fought to get decent wages, we fought to have leverage implemented, executed, by our labor unions.

We have a situation where people are making a decent wage. They can buy the products, and, boom, we took off. Nothing in the history of the world has existed like the American economy. At the heart of the economy is the consumers.

The heart of the recession is the consumers have run out of money, and it is now snowballing because of the increasing automation, because of high-tech production. You can produce products without human beings. You can produce products by using foreigners.

We even have listening complaint setups in the health care systems now, where you are an HMO in New York or New Jersey, and if someone calls to complain, if the person calling has a problem to be resolved, the person who answers the phone sounds like they are from Brooklyn, New York, or New Jersey, but it is an Indian young woman. The Indians speak English, and they study very carefully the accents in America, and we have contracts with groups in India answering our telephones. The cost of high-tech transmission from the U.S. to India is so low that you can let young ladies from cities in India take over the job. They get paid in 1 year what the same American operator on the telephone would get paid in 1 month.

That is the kind of undercutting of the economy that is taking place. You are wiping out the consumers. The Indians will be paid less, but they will spend their money in India. They will not spend it in the economy of the United States. On and on it goes with examples of that kind.

So, African American leaders who were at the Economic Empowerment Panel, creating jobs and wealth, will you please try to get the ear of the Republican host and make them understand that a stimulus package advocated by the Democrats, advocated by the Congressional Black Caucus, advocated by the Congressional Progressive Caucus still is a package that puts people to work by establishing public works projects, by creating revenue-sharing.

That stimulus package would revive the economy at a far faster rate than a tax cut of billions of people for people who already have plenty of money. If you give them more money, they are not going to spend it in this economy in the way the people at the bottom will, the consumers who are forced to, who have needs and have to meet the needs.

The suffering can be brought to a halt with simple, time-honored measures. We have had public works projects in the past. We have had revenue-sharing in the past. Nothing proposed by the Democratic minority or the Congressional Black Caucus or the Congressional Progressive Caucus is radical and new. We have had it before.

So, Mr. Speaker, I submit this draft timeline of the African American Leadership Summit for the record. It is an historic document, and it ought to be part of the RECORD.

AFRICAN AMERICAN LEADERSHIP SUMMIT

TUESDAY, MAY 13, 2003

3:30–5:30 p.m.: Early Bird Registration—Hyatt Regency.

5:30–7:00 p.m.: Welcome Reception—Russell Caucus Room, 325 Russell Senate Building.

5:40 p.m.: U.S. Sens. RICK SANTORUM and KAY BAILEY HUTCHISON welcome remarks.

6:15 p.m.: Guest Speaker: Senate Majority Leader BILL FRIST.

WEDNESDAY, MAY 14, 2003

8:00–8:20 a.m.: Continental Breakfast.

8:20–9:15 a.m.: Opening Briefing: Sens. HUTCHISON and SANTORUM (15 mins each w/25 mins Q&A).

9:15–10:30 a.m.: Education: Raising American Achievement.

9:15–9:55 a.m.: U.S. Secretary of Education Rod Paige (15 mins w/25 minutes Q&A).

9:55–10:30 a.m.: Panel: (5 mins each w/20 mins Q&A). Ed Dorn, Dean, LBJ School of Public Affairs at the University of Texas; Dr. Ernest Holloway, President, Langston University; President's HBCU Board of Advisors; Robert Woodson, Sr., Founder and President, National Center for Neighborhood Enterprise.

10:30–11:35 a.m.: Health Care: Ensuring Affordable Access and Quality.

10:30–10:45 a.m.: Panel: 4 mins. each w/15 mins Q&A after Dr. Carmona speaks). Harry Alford, President, National Black Chamber of Commerce; Renee Amoore, Founder and President, The Amoore Group; Dr. Natalie Carroll, President, National Medical Association.

10:45–11:20 a.m.: U.S. Surgeon General Richard H. Carmona, M.D., (15 mins w/20 mins Q&A).

11:20–11:35 a.m.: Balance of Panel Discussion (Alford, Amoore, Dr. Carroll).

11:35–11:45 a.m.: Transition to Lunch in another room.

11:45–1:00 p.m.: Luncheon with Keynote Address.

11:45–12:15 p.m.: Lunch.

12:15–1:00 p.m.: Keynote Speaker: Chief of Staff to the President of the United States Andrew Card.

1:00–1:15 p.m.: Transition back to General Session room.

1:15–2:30 p.m.: Economic Empowerment: Creating Jobs and Wealth.

1:15–1:50 p.m.: Panel: (5 mins each w/20 mins Q&A). Hon. Johnny Ford, Alabama State House of Representatives, 82nd District; Kay Coles James, Director, U.S. Office of Personnel Management; Kaaren Johnson Street, SBA, Office of Entrepreneurial Development.

1:50–2:30 p.m. U.S. Secretary of Commerce Don Evans (15 mins w/25 mins Q&A).

2:30–3:45 p.m.: Affirmative Access: Expanding Opportunity and Diversity.

2:30–3:45 p.m.: Panel (7 mins each w/45 mins Q&A). HUD Deputy Secretary Alphonso Jackson; Veterans Affairs Deputy Secretary Leo Mackay; Maryland Lt. Governor Michael Steele.

3:45–4:00 p.m.: Summit Wrap-Up/Adjournment. Sens. HUTCHISON and SANTORUM.

Mr. Speaker, I want to just continue for a moment by saying that there are solutions. We went from an April unemployment rate of 5.8 percent to 6 percent. It is going up. Things are not getting better as a result of the first tax cut that we have given, and are not likely to get better at this point when we are talking about more tax cuts. And, even if we achieve them, it is not likely to get better.

The reality is that we are in a recession that will exist until jobs are created. So I want everybody, my colleagues and everybody, the African American Leadership Summit folks, to understand that the simple matter of creating wealth through providing means to earn high income has to be on our agenda first.

Just one final note on the African American Leadership Summit. I wonder if they discussed the fact that a recent report of the Federal Reserve showed that in the African American community, the median family wealth was at $17,000 per family, versus the median family wealth for white families being at $120,000; $120,000 versus $17,000. There is a great gap there that I hope the African American Leadership Summit people will suggest to their Republican hosts as rapidly as possible.

One solution I would propose for the immediate situation is an old, time-honored solution. I have introduced a bill which I would call on my colleagues to think very seriously about, because it is an old-fashioned remedy to the problem. I am introducing this bill, and another one next week, a companion piece, called the Domestic Budget Protection Act, H.R. 1804. I welcome all of my colleagues to join me in getting on H.R. 1804. H.R. 1804 is legislation that will raise revenue and reduce increasing budget deficits which are due to the cost of the war in Iraq.

Beyond the $79 billion we have already authorized, increased defense spending for the Iraqi war and occupation and rebuilding of the country will grow rapidly and uncontrollably. Nobody should be fooled by the fact that $79 billion has been appropriated. That is not going to be the cost. It will be far greater than that. Collected revenues will continue to be substantially less in this country than projected Federal expenditures, placing strains on the budget appropriations process.

Vital federally funded programs are already facing devastating financial assistance cuts. Education, public housing, Medicaid, Medicare, Temporary Aid to Needy Families, these are only a few of these programs. Currently the proposed budget cuts over a 10-year period, Medicaid will be cut by about $93 billion, Medicare has no protection, $28.3 billion in veterans' health care benefits, $38.5 billion from education, training and Social Service programs. All these cuts are leaving the American family behind at a time when 90 percent of our troops in the field are from working families.

Historically a special tax placed on the profits of the Nation's largest corporations has been used to fund the U.S. war effort. I repeat, historically a special tax placed on the profits of the Nation's largest corporations has been used to fund the U.S. war effort. The Domestic Budget Protection Act follows in these historic steps, and it offers a solution to increased assistance to domestic programs by placing a surcharge on corporations with assets greater than $10 million.

This special revenue will be used to fund the war and the occupation, and

because it will be used to fund the war and occupation, it will free up revenue to fund domestic programs.

In the last 25 years, corporations have borne less and less of the overall tax burden. Their share, while dropping as low as 6 percent within the last 20 years, is currently 8 percent of overall tax burden. Corporations are paying only 8 percent of the overall tax burden.

On the other hand, individual income taxes as a share of the overall burden has risen from 13.6 percent in 1940 to the present level of 46.3 percent. So individuals and families who can afford to pay income tax the least are paying more, and corporations that are very rich, you look at the Fortune 500 list, you know corporations are not suffering at all, they are paying less and less income taxes.

On the back of my ''Dear Colleague,'' I have some excerpts from my Domestic Budget Protection Act, and I quote:

''The Congress finds that there is an established precedent for the long-term financing of a U.S. war effort. A special tax on the profits of the Nation's largest corporations would be in accordance with previous precedents, World War I, World War II, Korea and Vietnam.

''The Congress finds that in the last 25 years corporations have borne less and less of the overall tax burden, and, therefore, the corporate share of tax burden has dropped, while the individual's has gone up.

''The Congress finds it is necessary to suspend further reductions in assistance to domestic programs, and it is also imperative that any increases in revenue be utilized for assistance to these vital domestic programs.''

In other words, if we take away the competition of the military budget for Iraq and have the corporations finance that through a surcharge on their profits, we would be able to have the vital domestic programs funded at a higher level, minus all of the cuts that are taking place at this point. The profits of some of our corporations are mind-boggling.

□ 1745

If you look at the Fortune 500 report, or the Forbes 500 report, corporations like Wal-Mart, $8 billion in profits last year; Exxon Mobile, $11 billion in profits; General Electric, $14 billion-plus; Citigroup, $15 billion-plus. On and on it goes. Microsoft, $7 billion-plus. So long before you get to those little corporations down there who have assets of $10 million, you would be able to fulfill the need to fund the war in Iraq.

Mr. Speaker, I am submitting for the RECORD at this point in its entirety my letter to my colleagues, which is entitled, ''You Are Invited to Cosponsor the Domestic Budget Protection Act, H.R. 1804.''

INVITATION TO COSPONSOR THE DOMESTIC BUDGET PROTECTION ACT—H.R. 1804

While the Congress has allocated 79 billion dollars for the Iraq War and occupation, unprecedented hardship devastates state, local, and education agencies.

Thousands of teachers and government employees are threatened with layoffs.

Since the Bush Administration offers no revenue sharing relief, taxes are being increased in states and localities across the nation.

During past wars a surcharge on corporate profits has lessened the competition of the military budget with domestic budget priorities.

DEAR COLLEAGUE: I am writing to ask for your support in cosponsoring H.R. 1804, legislation that will raise revenue and reduce increasing budget deficits due to the cost of war in Iraq. Beyond the 79 Billion already authorized, increased Defense funding for the Iraqi War, occupation, and rebuilding the country of Iraq will grow rapidly and uncontrollably. Collected revenues will continue to be substantially less than projected Federal expenditures placing strains on the Budget/Appropriations process. Vital federally funded programs are already facing devastating financial assistance cuts. Education, Public Housing, Medicaid, Medicare and Temporary Aid to Needy Families (TANF) are only a few of these programs.

Currently, the proposed budget cuts over a period of ten years; Medicaid by $93 billion; no protection for Medicare; $28.3 billion in Veterans' health care and benefits; $38.5 billion in education, training and social service programs. We are leaving the American Family behind at a time when 90 percent of our troops in the field are from working families.

Historically, a special tax placed on the profits of the nation's largest corporations has been used to fund the U.S. War effort. (See findings on back) The Domestic Budget Protection Act follows in these historic steps and offers a solution to increase assistance to domestic programs by placing a surcharge on corporations with assets greater than 10 million dollars. This special revenue will be used to fund the war and occupation and thus free up revenue to fund domestic programs. In the last 25 years corporations have borne less and less of the overall tax burden. Their share, while dropping as low as 6 percent within the last 20 years, is currently 8 percent. On the other hand, individual income taxes as a share of the overall burden has risen from 13.6 percent in 1940 to the present level of 46.3 percent.

Cosponsoring H.R. 1804 sends a clear message to American Families as well as their relatives on the front lines. We continue to support them here at home. Please join me by supporting the Families who need vital domestic programs. To co-sponsor H.R. 1804, ''The Domestic Budget Protection Act of 2003'' please contact Mary S. Anderson at 225–6321.

Sincerely yours,

MAJOR R. OWENS,
Member of Congress.

EXCERPTS FROM FINDINGS OF THE DOMESTIC BUDGET PROTECTION ACT

The Congress finds that there is an established precedent for the long-term financing of a U.S. War effort. A special tax on the profits of the nation's largest corporations would be in accordance with previous precedents: World War I, World War II, Korea and Vietnam.

The Congress finds that in the last 25 years corporations have steadily borne less and less of the overall tax burden. The corporate share of the tax burden has dropped from a high of 35 percent in 1945 to a level of 8 percent in the year 2002. At the same time the individual income share of the tax burden has grown from 13 percent in 1940 to 46 percent in 2002.

The Congress finds that it is necessary to suspend further reductions in assistance to domestic programs. It is also imperative that any increases in basic revenue be utilized to increase assistance to vital domestic programs.

CORPORATE PROFIT CHAMPIONS

[In millions of dollars]

Fortune 500 rank and name of corp.	Total assets	Profits before taxes
1 Wal-Mart	94,552	8,039
2 General Motors	370,782	1,736
3 Exxon Mobil	152,644	11,460
4 Ford Motor	289,357	(980.0)
5 General Electric	575,244	14,118
6 Citigroup	1,097,190	15,276
7 Chevron Texaco	77359	1,132
8 Int'l Business Machines	96,484	3,579
9 American Intl. Group	561,000	5,518.9
10 Verizon Communications	167,468	4,079
15 Boeing	52,342	492
19 Cardinal Health	16,438	1,056.2
20 McKesson	13,324	418.6
22 AT&T	55,272	(13,082.2)
31 Proctor and Gamble	40,776	4,352
34 Johnson and Johnson	40,556	6,597
37 Pfizer	46,356	9,126
38 Metlife	277,385	1,605
44 Allstate	117,426	1,134
45 Walgreen	9,878.8	1,019.2
47 Microsoft	67,646	7,829.0
49 United Technologies	29,090	2,236
56 Lockheed Martin	25,758	500
92 Coca-Cola	24,501	3,050
98 Bristol-Myers Squibb	24,905	1,895
99 Northrop Grumman	39791	64
100 Abbott Laboratories	24,259.1	2,793.7
103 Wellpoint Health Networks	11,302.5	703.1
172 Eli Lilly	19,042	2,707.9
252 Occidental Petroleum	16,548	989

As I said before, along with this domestic budget protection act, I am introducing a companion piece next week which is called The Emergency Revenue Sharing Act, and it simply states that during this period of recession, for the next 3 years, effective immediately, as soon as possible, we should have a revenue-sharing act which sends money back to the States and the localities from the Federal Government. A good figure to begin with would be $79 billion. We should have an amount equal to the amount of money we have appropriated for the war in Iraq and related activities. Why not $79 billion over a 3-year period going to the States, going to the cities to make up these gaps so that we do not lay off teachers at a time when we are trying to improve education, so that we can go forward with the modernization of our schools, so that we can go forward with maintaining decent health care in our hospitals?

We are not going to go backwards. Everybody should understand out there that America is not broke. We are not near bankruptcy; we are not paralyzed. It is only the will of the people reflected through the decisionmakers here in Washington that has to express itself appropriately to solve the problem. We are doing deficit financing anyhow; we can go forward and do more deficit financing to take care of the needs of the cities and the States.

I have numerous people who are friends of mine who have been laid off already, paraprofessionals in the schools. They laid off 3,000 people in city government last week. Those people came half from the school system and half from other municipal services. Those in the school system were paraprofessionals, people who are not

teachers, but who are classroom aides, lunch room aides, et cetera. Those are people who live in the community, those are people who are mothers and fathers and relatives of the poor children who attend our schools, and most of our children in our schools are poor children. The other people laid off in municipal services were sanitation workers. Large numbers of them live in our communities. They are people on the bottom. They are laid off.

I think along with my other colleagues from New York, we want to join with our colleagues across the Nation to send a message that we do care. We are not impervious to the fact that this is going on. Tip O'Neill said, ''All politics is local.'' In the same manner, all taxes are local. Taxes do not come from Washington, D.C.; they come from localities, from States. They come here, so there is nothing wrong with sending some of it back and revenue-sharing. Revenue-sharing is a simple answer. We send it back, we might earmark it, we spend half of it for education and the other half we can spend on any other municipal State services. But that is a simple process of helping to close a budget gap. The budget gap in New York is not the largest. I think California is ahead of us there. There are some other States that do not talk much about it, and they are in such serious trouble that symbolically and proportionately they are in as bad trouble as we are.

An article in The New York Times on March 25 I think expressed it very well. It is entitled, ''Budgetary Shock and Awe.''

''The American public transfixed by the unfolding invasion of Iraq may some day look up and discover too late what the Republican Congress did while the world's attention was elsewhere. Led by the Bush administration, the House and Senate are about to march under the public's radar screen and lead the Nation into a decade of budget disaster.

''The country is facing plenty of financial problems: the economy, the cost of the war on terrorism and the war in Iraq. Stunningly, Congress is preparing to make these far, far worse with more than $500 billion in tax cuts for the upper 1 percent of taxpayers. To finance these spoils for the wealthiest Americans, House leaders, who have taken the lead in hammering a budget together, plan deep cuts in vital programs for the bottom 99 percent. These direct hits will raise from Medicaid to child care, education to food stamps, environmental protection to emergency doles for the poor.

''This plan, in the form of a budget resolution tied a firm tax cut mandate, is moving forward,'' et cetera. I will enter this editorial piece from The New York Times on March 25 entitled ''Budgetary Shock and Awe'' into the RECORD at this time.

BUDGETARY SHOCK AND AWE

The American public transfixed by the unfolding invasion of Iraq may someday look up and discover too late what the Republican Congress did while the world's attention was elsewhere. Led by the Bush administration, the House and Senate are about to march under the public's radar screen and lead the country into a decade of budgetary disaster.

The country is facing plenty of financial problems: the economy, the cost of the war on terrorism and the war in Iraq. Stunningly, Congress is preparing to make things far, far worse with more than $500 billion in tax cuts for the upper 1 percent of taxpayers. To finance these spoils for the wealthiest Americans, House leaders—who have taken the lead in hammering a budget together—plan deep cuts of $475 billion in vital programs for the bottom 99 percent. These direct hits will range from Medicaid to child care, education to food stamps, environmental protection to emergency doles for the poor.

This plan, in the form of a budget resolution tied to a firm tax-cut mandate, is moving forward on Capitol Hill even as lawmakers' boilerplate speeches resound with calls for shared wartime sacrifice by all Americans. How an average $90,000 tax cut for each millionaire counts as sacrifice is only one of many unexplained mysteries as Republican leaders fiercely protect President Bush's second wave of tax cuts. The gallant troops in Iraq who are being invoked daily in speeches by members of Congress might be interested to know that the array of cuts includes an estimated $14 billion reduction in military veterans' programs.

Last week, Senate moderates failed to pass what amounted to an embarrassment-reduction plan to halve President Bush's $726 billion tax cut. Now they talk of a last-ditch attempt to revive that half-loaf approach this week, before the tax cuts are written in parliamentary stone. But a few key liberals are so far refusing, furious at approving any new tax cuts that will increase the deficits of postwar America. We sadly urge reviving the half-loaf strategy, if only as a symbolic protest of the Republicans' shameful use of the fog of war in their budget scheming. As for shared sacrifice, tell it to the Marines.

Mr. Speaker, the process that they talk about there is still moving forward. The House has passed a tax cut of $550 billion. The Senate is debating still, maybe they have passed it today, or they will pass it probably before the week ends, a tax cut bill. Thank God for the more sensible, commonsense advocates in the Senate who at least want to cut it back. At a time during the war in Iraq, there were some who said look, we have to make some sacrifices. Instead of going for the full $550 billion, why do we not cut it down to $300 billion, or $350 billion. That makes sense.

So probably what the Senate passes is going to have to go into conference in the House, and we should tell our constituents out there that here is the time for them to rise up and let it be known that they know America is not broke, not bankrupt and they would like to see a more reasonable, commonsense approach taken, because every dollar we give in our tax cut will have to be borrowed. It is borrowed. It is part of the deficit financing, which is the least productive part of it.

If we were borrowing money to create jobs directly through a stimulus package which built bridges and schools and renovated hospitals and gave jobs to people, then we would be feeding a process whereby the money returns to the economy. But what we are doing is giving the money to the richest people under the banner that they are going to invest. What are they going to invest in? Why are you going to invest more in the creation of products when there are no consumers to buy your products? Why are you going to invest more in services when there are no consumers who can afford your services?

The simple law that Henry Ford understood, you first have to have somebody with money before your product becomes profitable, is not understood by the decisionmakers in the majority party here. We have to put aside our partisan blinders. Let us not have any more conferences with just Republicans or just Democrats. Let us put aside our partisan blinders for the good of the African American community, for the good of working families. After all, I cannot stress too much the fact that working families out there are on the front line in every respect. When it comes to homeland defense, it is going to be working families. They were there at the World Trade Center by the thousands. They are the ones who came in to do the rescue work. They are the ones who came in to do the wrecking and the clearing and so forth. The workers were there. The workers were there when we needed them on the front lines in Iraq, Afghanistan, and, if necessary, North Korea. There will be people from working families. We cannot abandon those families with these myopic policies that only benefit the rich in America.

The rich in America are rich because an order is maintained. A law and order society is maintained. And the Armed Forces protects them. If you get rid of what the working families provide, the rich certainly could not exist. So no rich person should assume that the money belongs to me and, therefore, I have no stake in trying to make certain that this economy works. I am not concerned about the emergence of America. I am not concerned about education. I am not concerned about the need to create more jobs. That is the most blind approach to their own self-interests. But we are not going to sit still and wait for their own self-interests.

The important thing is that this is a democracy, and I still have faith that if the facts are out there, if we continue to pound away at the commonsense, ridiculous position that the tax cut places us in, if we continue to insist that our cities and our States deserve to get some money back from the Federal Government in the form of revenue-sharing to pay for the needs that are there because, after all, it is the people's money. It came from the cities, it came from the States. Now that they need it back immediately, let us take care of what really is a man-made disaster.

In the past we have not hesitated to rise to the occasion if a city was wiped out by a tornado or if there was a hurricane that caused great damage or if

there was an earthquake. We always rise to the occasion in Congress and go to the aid of places that are affected. Well, now we have a man-made disaster in terms of the economy; and in New York, it is even worse because of the recession on top of the recession when we had the attack on the World Trade Center, which dislocated a major part of our economy. The Federal Government should come to the aid of New York, not only in the same way it comes to all parts of the country with respect to the recession, but we still need help in building back what was taken away as a result of an act of war against the United States.

Osama bin Laden and the terrorists did not attack New York City because it is New York City. They attacked it because it was a target in the United States. It was an act of war against the United States, and we deserve to have more help from the United States Government in the rebuilding of New York, just as we went to the aid of San Francisco and Oakland when they had a super earthquake. Billions of dollars went there. We have gone to the aid of islands who have had floods and natural disasters all over the country. Now is the time to go to the aid of our big cities suffering most from this recession in every way.

APPOINTMENT OF MEMBERS TO THE UNITED STATES DELEGATION OF THE CANADA-UNITED STATES INTERPARLIAMENTARY GROUP

The SPEAKER pro tempore (Mr. COLE). Pursuant to 22 U.S.C. 276d, clause 10 of rule 1, 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 Delegation of the Canada-United States Interparliamentary Group, in addition to Mr. HOUGHTON of New York, chairman, appointed on March 13, 2003:

Mr. OBERSTAR of Minnesota,
Mr. DREIER of California,
Mr. SHAW of Florida,
Ms. SLAUGHTER of New York,
Mr. STEARNS of Florida,
Mr. PETERSON of Minnesota,
Mr. MANZULLO of Illinois,
Mr. SMITH of Michigan,
Mr. ENGLISH of Pennsylvania,
and Mr. SOUDER of Indiana.

MORE HOMELAND HEROES

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 2003, the gentleman from Colorado (Mr. TANCREDO) is recognized for 60 minutes.

Mr. TANCREDO. Mr. Speaker, as I do on several occasions, I attempt to bring to the attention of the body and the people of this country a group of people who I have referred to as homeland heroes. These are people whose efforts in defense of the homeland go unheralded, unfortunately, but who, in every way imaginable, are living in situations that we can only describe as war-like. They are living on a war front, and I refer specifically to our borders where an invasion is occurring. And these folks, the folks that I refer to as homeland heroes, represent to me, anyway, the sort of first line of defense, and they look to their government to help them defend their country, their lives, their homes. Unfortunately, the Government of the United States looks the other way.

Tonight I wanted to bring to the attention of the body the newest member of this group of homeland heroes. His name is Gary McBride. He is a 59-year-old rancher in Cochise County. He has lived in Arizona all of his life. He manages a ranch of over 22,000 acres in Rucker's Canyon, which is 30 miles off the U.S.-Mexico border just northeast of Douglas.

I met Gary McBride on one of my most recent visits to Arizona, and I visited the Rucker Canyon area on a beautiful Sunday morning. Mr. McBride is a frustrated man, I should tell my colleagues. He cannot understand why his own government cannot curtail the flow of illegal aliens across the rangeland he manages. This is a good question. It was one I could not give him a good answer to.

Mr. McBride is the manager of a ranch with 30 bulls, 300 cows and their offspring. His job is to see to it that the care and feeding of these cattle goes on. Anything that affects the cattle or increases the cost of raising cattle has a direct impact on his life.

A few things are basic to raising cattle and bringing them to market. These things include water, feed, and fences. Let us concentrate on just water for a little bit. Water is, of course, an enormously valuable commodity, as it is in Arizona and throughout the West. I am sure one can understand how wasted water and damaged water lines can be a big headache for ranchers. All of the ranchers I spoke to along the border region have experienced continual problems with their water lines because of illegal alien trespassers.

□ 1800

The illegals stream across their land in very large numbers. Anyone walking many miles across open range will need water. If the trespasser only drank the water and did not damage the water lines, the water troughs, water pumps and other equipment, that would be one thing. It would not impact the ranch so much, and it would not add that much to the cost of raising cattle. Unfortunately, the illegal aliens coming across the land in large numbers do not merely drink water from spigots or troughs. They break a float or fix it so it will not shut off, or they turn a valve so the tank is drained completely dry and the water wasted.

A typical storage tank holds 10,000 gallons of water. In the last year alone these tanks have been drained three times, the tanks owned by Mr. McBride. This is a lot of water to waste in time of drought. Not only are the cattle affected, but local wildlife is also affected.

Often the generator for the water pump is damaged or vandalized. The cost of replacing a generator, anywhere between $3,000 and $5,000. I will stress that these are new situations for people living on the border, for Mr. McBride who has lived there all his life. It is not new to have illegal trespassers coming across their land. It is completely new to have them come across in numbers of hundreds, even thousands. It is also new to have this phenomenon where they are so intent on vandalizing the property. They confront property owners in very aggressive ways.

There is a difference today, they will tell you. Anyone on the border will tell you there is a big difference today in the people coming across the border and the people that used to come across three or four at a time looking for a job, that oftentimes the ranchers would provide, give them some food, send them on their way. But today it is different.

Fences. Let us go into that part of what it takes to be a rancher in this area. A central part of ranch management is having good fences. Keeping fences repaired is a big problem for all of the ranchers on the border region. One or two people crossing the land might easily crawl under or over a cattle fence, but groups of 20 or 50 or 1,000, usually headed by what is called a coyote, and the coyote cares nothing for the fences.

This is not the four-legged animal we are talking about. Coyote is the term used for the individual who is leading the group of illegal immigrants across the country. So as I say, he does not care a thing about your fences. And in order to facilitate the movement of the people quickly, which is what he is trying to accomplish, they will cut the fences or trample them down. On one recent evening, trespassers destroyed five gates and six fences in one 15-mile stretch involving four different property owners. Think about the cost in supplies and time to repair those gates and fences. On another night the trespassers destroyed two gates and two fences that took Mr. McBride $170 to fix.

When a fence is down, cattle move across and wander into adjacent ranch property. It typically takes over 100 manhours each month to sort the cattle out and move them back where they belong. Sometimes the coyotes create a new problem that never existed before. Mr. McBride told me about this fence that serves no purpose but to stop illegal traffic. Mr. McBride had to build a strong fence on a quarter-mile stretch of road to prevent vehicles from using a back road to transport drugs across his land. It was the only way to stop the almost nightly flow of trucks across his land. It cost him $1,033.25.

How about the trash, another aspect of this that goes undiscussed and to which very few people pay attention. But if you live in this area and on the land down there, you pay attention to it. It is the pristine environment; pristine except for those areas where illegals have made it a national dump. Cows are not very smart, but they are curious creatures, and they will eat almost anything when hungry. They eat trash bags and plastic. The illegal aliens coming across the rangeland in groups, as I say, in groups of 100 or more, will leave behind lots of trash. They leave milk jugs, plastic bags, baby diapers and other things.

When a cow eats the plastic bag, she will die, but she will not die right away. It will eventually block her digestive system and cause infection. She will either starve to death or die of gangrene from the infection because of the blockage. The cost of each dead cow, lost income, $750. If a cow is carrying an unborn calf, it is about another $400. In the last year alone Mr. McBride lost three cows with baby calves. The total cost is $3,450.

Now we listen to this kind of thing, and you may be thinking to yourself that this is just the cost of doing business, and, after all, we all have these problems. But it mounts up, and the cost of doing business on the border, it is a little more difficult to do business down there because of the environment. It is a very harsh environment, and these are things that are happening that could be prevented. That is the other thing. These are not just part of the natural environment. These are things that are happening to people living on that border every single day, destroying their livelihood, destroying their lives, and forcing them off of their land, and this is what I believe to be intolerable.

Let us talk about another aspect of massive immigration of illegals across their land. Over the past year Mr. McBride put out several small grass fires started by illegal trespassers that left campfires unattended. Luckily, the fires were discovered and put out before they could do much major damage, but last summer only 40 miles west of McBride's ranch, a major fire was caused by illegal aliens in the Coronado National Forest. I happened to have been there at that time, by the way. It was called the Ryan fire. It burned over 38,000 acres. It came right up to the border of the town of Sierra Vista and the U.S. Army facility at Fort Wachuka.

Only 2 days ago there was another fire in the same vicinity of Santa Cruz County, this time in a wildlife preserve. It burned over 450 acres until it was brought under control. Front page story from Tuesday's Tucson newspaper, the Arizona Daily Star, quotes a Forest Service employee as saying the source of the fire was a cooking stove used and abandoned by illegal aliens. Perhaps the Tucson churches that want to provide plentiful water to the aliens crossing the border could also provide them with a manual for camping safety.

Mr. McBride kept a journal of his encounters with illegal aliens over a 3-month period last year. He spent a lot of time calling the Border Patrol and waiting for them to arrive. McBride encountered illegal aliens on 46 separate occasions over a 90-day period, sometimes as many as 3 encounters in a day. Over the 9-month period, January 1 and September 1, 2002, Mr. McBride made 101 calls to the Border Patrol to come and apprehend illegal aliens. This does not include the numerous times when he did not bother to call the Border Patrol because there was no chance of catching the trespassers, or there were too few involved, and he knew the Border Patrol would not come out anyway.

Some of the encounters are not friendly, and they make daily life hazardous to local residents. Mr. McBride found trespassers in his barn where they leave garbage, feces, and lighted cigarettes. He has been run off his road by illegal drug smugglers traveling at high speeds. In his daily experience drugs are now smuggled across his ranchlands every single day; not occasionally, not weekly, but daily. Equipment has been stolen from his garage. Groups of illegal aliens stand in front of his yard and yell at him, demanding to use his telephone. Real estate values in the area have fallen dramatically as few people want to purchase a ranch and cope with the daily stresses and additional costs imposed by the constant flow of illegal trespassers.

Mr. McBride is a frustrated man because he sees nothing happening about his problem. He has every right to be frustrated. Nothing happening. People apparently here do not care. At least not enough of us care.

Many of us, however, on this floor and in this body share the frustration because we see much more that can be done and could be done to secure our borders and curtail, if not stop, this invasion. For example, we could adopt a policy that the Armed Forces of the United States could conduct routine training exercises along the northern and southern borders. As a Nation, by action of this Congress, we could adopt a policy that one-third of all our military training take place within 50 miles of our borders. That would send a message that we are serious about the borders.

Not long ago, Mr. Speaker, I had an opportunity to actually visit a site north of a little town called Bonners Ferry, Utah. It was a site where a group of 100 marines along with the Border Patrol in the area and the Forest Service and the Customs Service were trying to see whether or not they could actually use the military to help control, let us say, 100 miles of border up in that most rugged area of the Northern United States and our border with Canada. It was an enormously successful 2-week exercise. While I was there, we actually saw and the authorities were able to apprehend four people coming across, as I say, the most rugged area you could imagine, no roads, coming across on ATVs, all-terrain vehicles, carrying 400 pounds of drugs.

Another time a small plane was coming through, and the radar facilities used by the marines, employed by the marines picked it up. It was intercepted. It was also full of narcotics. These would have certainly gone through easily as they had done many times in the past had it not been for the fact that the military was there using military assets, including three drones. These were old, old 1991 model drones, the kind we used in the Gulf War, and they are noisy, but they did the job.

At 2 o'clock in the morning, they picked up those four guys coming across the border, and then they called to the Border Patrol, helicoptered out, intercepted them, and we had them. The really interesting thing is when I talked to the Commandant of that Marine group that was there, he told me that it was the best experience they had ever had. It was the best training experience they had ever had, because it was real time in really rough terrain dealing with real bad guys.

We could be training our military on the border, if nothing else, even if you did not want to put them there all the time because everybody is so sensitive about, oh, my God, what would the Mexicans say, what would the Canadians say about using our troops on our border? Well, I do not really give a fig what they would say.

I could not care less about what Mexico thinks about us trying to protect our own borders, especially when Mexico does everything it possibly can to help people invade the United States. Mexico has departments of government that are designed to help people come into this country, even come in illegally. Mexican Government provides buses, bringing busloads of people to the border of the United States where they dislodge these passengers and let them start walking across into the country, into the desert. This is the Government of Mexico. This is our friend.

This is the country that is represented by President Fox, who came here and said over and over again that he wanted to be our friend. And this is the same country, of course, Mr. Speaker, that refused to be our friend when we asked them for support in the Gulf War, the most recent war in Iraq, in Operation Enduring Freedom. They were not to be found. They were AWOL. They said we should not do it. They would not give us any help. They would not help us defend our country, but they have no qualms about helping their illegals into the United States, because for one thing, of course, those illegals who are here send money back to Mexico and now accounts for a third of the Mexican GDP. It is a huge amount of money. And so Mexico encourages invasion of our country. And

so I am supposed to care about what they think about us putting military on our border? Give me a break.

But let us say we are still sensitive to that, what they might say, what they might do. So do not station them there. Just use them there for training purposes. They get good training. They also help defend the Nation's borders.

At a minimum we could say that all military facilities located in the 14 States along our northern and southern borders must conduct at least half of their training exercises within 50 miles of the border. Utilizing military resources does not mean putting a soldier every 100 feet on the border. That image is conjured up by the opponents of border control. Using our military on the border will not mean a new expenditure of tens of billions of dollars, another myth. But we must be willing to employ our military intelligently, appropriately. And I think we owe it to the citizens of this Nation to do so.

We send our military to borders all around the world. Our military is presently employed defending the borders of Iraq, defending the borders of Afghanistan, defending the borders of South Korea, defending the borders of Kosovo and in the old Yugoslavia. We send them all over the world. We can find the money to send them all over the world to have them defend the borders of other countries. We cannot do it in our own country. Why? Because we are fearful of the reaction not just of the Governments of Mexico and/or Canada, we are fearful of the reaction of people in the United States who have an allegiance greater to other countries than they do to this country. We are fearful that there will be people in this country who are still politically connected to Mexico, for instance, and would raise Cain with us politically for putting troops on the border.

□ 1815

We are fearful that we will lose the votes of this Hispanic, I would say, very small minority, but nonetheless, that is really one of the reasons why we refuse to do it. So let us say what the truth is here. That is why we do not put troops on the border. We are afraid of both foreign and domestic reaction.

I asked Secretary Ridge, I will never forget. It was on this floor. Actually my recollection, it was another Member who asked him during a briefing on this floor. He was then head of the homeland defense, and now, of course, running that new agency; but he was asked why he was opposed to putting troops on the border to defend the country, he is the head of homeland defense after all, and his response was incredibly elucidating. It was very candid, and what he said was the reason why we will not do it is because there are political and cultural obstacles, political and cultural obstacles to putting troops on the border.

I applaud Mr. Ridge for being truthful. He could have given us some mealy-mouth typical Department of State response to a question like that, but he said it just the way it is. There are political and cultural problems with putting troops on our border.

I will say this, that if we have another event like 9/11 and it happens as a result of somebody coming across these borders illegally, then I want him or any other member of the administration employing this particular philosophy to go to the families of the people who are killed in an event like that and explain that we could not protect them because of the political and cultural obstacles to stop them from doing so. You explain that to them. I certainly will not.

I will tell them that we shirked our duty as a government. We shirked our primary duty. It is to protect and defend the people of this country and their property. We are not doing it for Mr. McBride or any of the people who live along the border in Arizona and Texas, New Mexico, California, any of the other States that are impacted by the invasion to which I have referred. We are not doing it there. We are not helping them, and we are not helping the rest of Americans who are going to be affected by this policy.

To those of my colleagues who think it is just Mr. McBride's problem and just the homeland heroes that I have brought to my colleagues' attention, Mr. Speaker, if they think that is who it is, let me say that it is a much broader category of Americans. It is a much broader spectrum of Americans than just those living on the border who are affected negatively by massive immigration, unchecked immigration, immigration uncontrolled so we do not know who the people are coming into this country.

We have created an oceanful of immigrants, legal and illegal, in which now the most dastardly deeds can be done and people who have come into the country do us great harm, can swim, and they can swim in that ocean undetected simply because there are so many here; and we overwhelm all of our agencies designed to do something about illegal immigration. We overwhelm the INS, the border patrol, the Customs service, homeland defense. We overwhelm them with numbers so it becomes impossible.

Let us look at just one aspect of this. There are, we do not know, but somewhere between 13 and 20 million people living here illegally; but my colleagues say, okay, well, they are not really doing anything, they are not harming the country, they are just providing labor for the jobs necessary to be done that ''no one else would do.'' I hear that all the time, that the only people we are hiring are people taking jobs no other Americans would do.

I tell my colleagues that right there I would challenge that statement and tell them there are millions of Americans looking for work, and they will take jobs and they will take any jobs. I have a fellow working for me who is a past executive in a high-tech firm. We cannot get him more than a relatively low-level position. It is almost a part-time position. He has a daughter with leukemia. He is looking for insurance benefits. We are able to help provide him that at least. He does data input for us. He also works driving a limousine at night to try to put a roof over his family's head and keep food on the table, and you are telling me there are not American citizens looking for work and that all these illegals are coming in to do work that no American citizen will do? I am telling my colleagues that is blatantly untrue.

There are millions of unemployed Americans looking for jobs that are being done by illegals in this country. Why? For one thing, they are being employed by employers because, of course, they will work for less and they will not make any waves because after all they cannot pay an illegal the same amount of money as they pay somebody else. They cannot give them the same benefits. What they are going to do about it? They are not going to squawk. They are going to be turned into the INS. They are fearful. If they only knew they could get turned into the INS every single day and they are not going to do anything about it. They are leery about it. So they can be manipulated. They can be mistreated, and they often are.

There are plenty of American citizens who need and want jobs; but let us say, all right, out of the 20 million people who may be working here illegally, living in the United States illegally, let us say that 18 to 19 million of them are just regular folks trying to make a living doing the same thing our immigrant grandfathers and grandparents did. Let me tell my colleagues that because there are so many living here illegally and because all of our agencies are swamped by the numbers, we cannot deal with those maybe several hundred thousand, maybe a million people who are living here illegally and are doing very bad things to us.

For instance, a few years ago, we brought pressure, I and other people in this body, against the INS to tell us exactly how many people were actually still living here in the United States, after they had been ordered to be deported. The only way one actually gets ordered to be deported in this country is usually they do something pretty bad and they get arrested and they get arrested for rape or robbery or murder or vandalism, one. All of the sudden they say, oh, by the way, you are also here illegally, you end up in immigration court and the judge orders you deported and you think, oh, good, the INS comes to get them and they take them back. No, wrong, does not happen that way.

They are put out on bond usually, and they are given a letter and says come back, report in 6 months to be deported. Guess what. Just guess. Mr. Speaker, guess what happens. They do not come back, amazing as that is to

contemplate, that someone would actually not come back for their deportation hearing. Well, they do not, of course.

It is called a ''run letter.'' As a matter of fact, when you send them a letter telling them when they are supposed to come, the vernacular is it is a run letter because they run.

Of the people who have been told that they are to be deported because they have committed some crime here, 2 years ago the INS admitted that they had a list of over 320,000 individuals. They would not even talk about it until we forced them to, and actually an immigration law judge called my office and told me about this and said do not use my name, we hear that 1,000 times, do not use my name, I have got to tell you what is happening because I know you get upset about these immigration issues; but he said every day I see in my court, I order somebody to be deported. They put up a bond. They are out the door. We never see them again. He said, I will bet you there are 100,000 or more like that.

We kept pressing the INS. Guess what. There were over 300,000 that they admitted to.

Last year, again because of the pressure, they decided to put these 300,000 people on the NCIC. They decided that we would put them on the databank that was available so that if anybody picked them up crossing the street illegally, running a red light, anything else, and you ran their number in the NCIC, you could get them. We could deport them.

Come to find out, of the 320,000 people that were on that list, according to just statistics that came out the other day, a total of 2,000, little over 2,000, were actually identified over the last year. Of them, about 600 were actually deported, and guess what has happened to that total number. It has grown to about 400,000 people who have been arrested or ordered to be deported and walked out the door.

Now the homeland defense agency is calling upon people to be a little more focused on this issue and calling on local law enforcement agencies to find these people. We have 400,000 people here that the INS admits most of them with felony convictions and who have just walked away. That is one of the problems of having massive numbers of illegal immigrants and even legal immigrants in the country because when it blends together, it becomes impossible for us to track; and, therefore, the resulting consequences to the United States are severe.

There are consequences to massive illegal immigration into this country. We have over 5,000 miles of international border with Mexico and Canada, but Mexicans and Canadians are not the only ones who come across those borders. INS statistics for 2001 show that 70 percent of the illegal aliens crossing from Mexico are Mexican nationals. That means 30 percent are from other countries. The number of illegal aliens coming into the country by most estimates is three to four times the number that are caught by the border patrol. That means that 1.5 million illegal aliens came into the United States in 2002, and that means that 450,000 came into our country from countries other than Mexico.

In fact, that is the way it is referred to on the border, OTM, other than Mexican. By definition we do not know who these people are or what they are doing here. I ask you to consider just one statistic. If only one percent of those 450,000 people are terrorists, that would mean that there are 4,500 possible terrorists entering our country each year.

The INS said that there are nearly 400,000 absconders. I mentioned that one.

The Haitians, just a little bit ago, big article in the paper about the fact that even the State Department is saying that we have to do something about the people coming in here claiming to be of one nationality but, in fact, they are not, because it detected an increase in third country nationals including Pakistanis and Palestinians attempting to sneak into the United States from Haiti; and because it feared that lax immigration enforcement would lead to a new boat lift from the country, the State Department urged the White House to adopt a policy of detaining illegal aliens arriving by boat from Haiti until they could be deported or granted asylum.

Mr. Ashcroft acceded to the demand, the request of the State Department; and of course The Washington Post and all of the local media went crazy, and this was a racist philosophy and tried to get them to pull back on it. What they worry about, as I say, are so many people coming across claiming in this case to be Haitians, but in fact, they are other nationalities. This is not unique to Haiti.

There is an area of South America, south Central America, South Americans in this case, called the tri-border area. It is Brazil and Argentina and Paraguay, and it is an area in which there is a great deal of activity where illegal aliens are brought in, smuggled in. There is a smuggling ring operating out of Brazil. It brings Middle Easterners into the country, gives them Brazilian documents, keeps them there for maybe up to 6 months, and then moves them forward through Mexico into the U.S.; and if they are stopped, if anything happens, they are identified as Brazilians so there is no big issue. Maybe they will just be deported back to Brazil.

If they were brought here under their true identification as people coming from Middle Eastern countries, most of them on the terrorist watch list, then there would be a lot more attention paid to them. That is why they try to filter them through, try to mask them by coming into the United States as Brazilians.

It is happening with countries all over the world. As we saw just a little bit ago, the Cuban boats are coming across in large numbers. We have a policy that says if you get to the United States, put one foot on dry land, you will be given asylum. I do not know how carefully we screen these people, but I will tell you that the whole enterprise that we call immigration and immigration control is a farce.

□ 1830

If you get to the United States, you are probably going to remain in the United States. That is the reality of the situation. We deport very few people; that is, if you are sneaking in especially. But if you are trying to get here legally, it can be a very difficult task. I have people coming to my office all the time asking to come into the United States legally, trying to bring a spouse in legally. Very difficult. That is tough. Trying to get somebody here legally could take you years, often does take years. Takes a lot of money. You have to hire lawyers.

I often think to myself that you want to go to these people and say, boy, I hate to tell you this, but it is probably just as easy to sneak in the country, because it is going to take you a long time to do it legally. And if you sneak into the country, you will get all the benefits that anybody gets living here legally. Now, we do not tell them that, of course, and I do not suggest that people do it, but it is hard not to recognize the logic they would employ if they were to look at those two options. Go through all the brain damage of trying to come here legally or simply sneak across the border. Either way you will probably end up in exactly the same sort of circumstance, to live in the United States for as long as you want. That is the problem with immigration policies today.

In just the last week or two, look at all the things that have happened, of course we have seen the horrible tragic situation in Texas, in Victoria, Texas, where 18 migrants died packed into a truck. Oftentimes these trucks carry upwards of 100 people smashed into them. It gets very hot. This is unfortunately not a unique situation, but it is always a terrible, horrendous problem, a horrendous thing to happen, where you have 18 people dead which were being brought in to the country by these coyotes.

I was asked on a television program last night about this, and I was debating someone on that program from an organization that is an open borders-type organization called MALDEV, that is the acronym, MALDEV, and the gentleman was saying that the only way to stop this, according to the open border people, is to allow for greater immigration. But of course it does not matter, as I pointed out to him last night. If we said we will accept another million people a year, or 2 million or 10 million people a year into the United States, as long as we put a cap on it, there will always be people coming in illegally. There will always be this kind of situation.

We have two choices, only two choices. Either we walk away from the borders, close down the border stations, close down the Border Patrol, admit the failure, admit that it is our desire to maintain open borders and allow anybody to come into this country when they want to, go ahead and admit that; and stop the charade, or secure the border. Those are the only two options. There is nothing else. In between leaves us with things like this: 18 dead. It leaves us with hundreds dead in the deserts of the Southwest. People die of exposure. It leaves us with all of the problems that are attendant to having porous borders: The drug trafficking, the horrendous impact on the lives of the people in southern Arizona and all along the borders. These are the things that happen when you have porous borders and you pretend that you have some immigration policy. It is either one or the other. Make a decision, America.

Mr. Speaker, I believe that we should try our best in this body to force a debate on whether or not this country wants open borders or whether it wants secure borders. I am a vote for secure borders, needless to say. But if I lose the debate, if I am in the minority, then so be it. We will no longer have people like Kris Eggle being killed in the line of duty.

His parents were here when we passed a bill on this floor, a bill I introduced to name the visitor center at Organ Pipes Cactus National Park down in Arizona, to name the visitors center after Kris Eggle. His parents sat up there in the gallery when we passed the bill here on Wednesday, and his name was added to the list of names that were put on a memorial here in Washington, D.C., for all of the fallen law enforcement personnel of the Nation.

Many of these people like Kris, they are people who were Border Patrol people, they were park rangers, they were Customs officials who were cut down in the line of duty by people coming into this country illegally, people transporting drugs, people protecting those people who were transporting drugs.

Kris Eggle was 28 years old and had a full and rich life ahead of him. I went to his funeral, and I passed a bill to memorialize him. I do not want to have to do anything like that again. There are no parents of children who are employed in our Park Service or on our Border Patrol who want to go through what the Eggles have gone through. Nobody wants to do this again. But it will happen again unless we make that choice that I have just put in front of this Nation. That is it. Either secure our borders or walk away.

This approach we presently employ of having the charade of a Border Patrol, where we put people out on the border, we put them into harm's way, but we really and truly do not mean to secure those borders, this is the worst of all possible worlds. Their blood is on our hands. Those people who make these decisions to keep our borders porous and to put these people in harm's way without supporting them, without a real commitment to defending the border, they have the blood of people like Kris Eggle on their hands.

And so there will be no other way. We will not stop others from dying, not American citizens, not illegal aliens trying to come into the country. It will happen over and over again until we secure those borders. Allow for a legal way for people to come into this country and demand that is the only way they get into this country. Deport everyone who is here illegally.

Now, I know people will go, oh, what are you saying, deport people here illegally? That is exactly what I am saying, Mr. Speaker. We must deport people who are here illegally, and we must prevent those who are trying to come into this country illegally from doing so. That is the only way we can call ourselves a Nation. It does not mean that people cannot immigrate to the United States, as my grandparents and probably yours and everybody else's did. Immigration can still occur. But it can occur on our basis, on how many we want in the country, on what grounds we believe they should be able to come into the country, for how long, what are they going to do here when they get here. But it has to be in a number that we can handle. It has to be a number that we can actually integrate into the country.

There is another whole side of this that we have not even touched upon, and that is the threat to the very culture of the country, the threat to the idea of citizenship that occurs when we have massive immigration coming into the country, and we combine that with this rabid multiculturalism, the cult of multiculturalism that permeates our society and that tells us and tells our students and tells our citizens that there is nothing unique about America; that we have to worship at the altar of multiculturalism; that we cannot be proud of own culture; that Western civilization is of no value.

It is that philosophy, combined with massive immigration, that could spell doom, and does spell doom for our own country and for our civilization. And, believe me, that is a 1-hour Special Order in and of itself. In fact, we have divided this issue of illegal immigration into different categories. We started off by talking about the danger it poses to our national security.

Then we talked about, in another hour I did, simply the environment, the damage to the environment, the kind of things I talked about earlier, but even in more detail in terms of just exactly what is happening to the environment of this country, what is happening to our parks, to our grasslands, to our deserts when they are crossed by thousands and thousands of people on foot and in vehicles, coming across desert land that is pristine, ruining the lands, depositing all their trash, their feces, their leavings, and leaving it looking like a national dump. The fires.

All of these environmental hazards and all of this environmental degradation that occurs even without the slightest peep from the Sierra Club or any of the other organizations that are supposed to be out there caring for our pristine lands, caring for our environment. They only care to a point. But they are, of course, also wrapped up in the cult of multiculturalism so that they cannot complain about the fact that there is such degradation on our borders and in our parks being committed by people who are coming into the country illegally. That would be seen as a racist comment. That would be seen as someone who is ethnocentric.

Well, race has got nothing to do with this issue. Ethnocentrism has nothing to do with this issue. It is an issue of our national survival, and we are attacked on various fronts.

Then we could spend an hour, and I did spend an hour, talking about just the health care costs, the damage that this massive immigration is doing to our infrastructure in the United States in terms of health care, in terms of tax, the cost to taxpayers to provide housing, to provide roads, to provide hospitals, to provide schools for the massive number of people coming across here into this country illegally.

Twenty-five percent of all people presently incarcerated in Federal prisons are noncitizens. I do not know what it is for cities and localities, but it has to be almost as high, if not higher in some places; huge infrastructure costs to the United States that are not paid for by the ''taxes'' paid by people coming in here and working, even if they are illegal. I assure my colleagues that the meager amount of taxes paid by people who are employed in low-skill, low-wage jobs in no way pays for the infrastructure costs of their existence here. So there is another aspect of immigration that we do not talk about; that we are afraid to talk about.

Then there is this issue of the culture and the issue of citizenship, the attack on the culture, the attack on citizenship. This is perhaps the most dangerous aspect of the entire phenomenon. It is the desire on the part of a lot of people, maybe even in our own government, to eventually eliminate the distinction between someone who is here as a citizen, a legal citizen, and someone who is here illegally. And everything that is done that provides illegal immigrants with some benefit or other that would usually go to an American citizen is another step towards that elimination of the importance of the distinction of being a citizen.

You can come into this country illegally and get an education for your children. You can come into the country illegally, starting out by breaking our laws just to begin with by placing your foot in this country illegally, and as a reward for that behavior, you can then get your children educated, your children and yourself medical attention, your family provided with all

kinds of benefits in terms of housing, subsidized housing and the myriad of other social services that we provide in this country to the poor.

□ 1845

You can even vote, which in fact they do in large numbers. Illegal aliens are voting in this country in every election. We have had, oh, I do not know how many exposes that have been run showing how many people have been in this country and have voted illegally. They do not have to even do that by lying, sometimes, by lying to the person at the voting booth, by the poll watcher. They can do it by walking into cities right here in Maryland, College Park and others, other cities, that allow people to vote if they are a resident. That is all they ask for, residency, proof of residency. Let me see your utility bill. You do not have to be a citizen. So if you can vote, if you can get Social Security benefits, if you can get social service benefits, if you can have your children educated, if you can have all of that, get your driver's license, send your kids to college and have it paid for by the taxpayers of this country, if you can do all of that, then you tell me, Mr. Speaker, what is the difference between a citizen of this country and a noncitizen? How do we distinguish it? It becomes impossible. That distinction is blurred.

That is the desired goal of many people who are on what I call the open-borders part of this discussion. Some of them are organizations like Maldev, like La Raza. There are many others. You can go on the Web and see these sites. Barrio Warriors. You can see how they talk about taking back the United States, taking back part of the Southwest. You can see what they say about the fact that they have already done it. They will state clearly that they believe that in large measure they have already taken back parts of the United States and that they have not simply come to the United States and become part of our society, our culture and our political system; they have simply moved theirs with them.

There are areas along the Texas border, inside Texas, where there are places called colonias. These are communities that have grown up of illegals, communities often not served by some of the infrastructural services available; they may not have water, but there are thousands and thousands of people living there. And there are places to which law enforcement officials will not go. They are afraid to enter one foot into these colonias because it is so dangerous. So they have a separate community, actually a separate country existing within the United States. They can then claim quite honestly that they have begun to reclaim this country from what they consider to be the outrageous tragedy of Guadalupe Hidalgo, which ceded part of what is now the southwest part of the United States to the United States and took it from Mexico.

These are claims that these people make. I am not making this up. You can go on their Web site and see it. There is a movement they call Aztlan, Return to Aztlan. Aztlan is a term they use to describe that part of the southwestern United States that they believe should be returned to Mexico or made a separate country in and of itself. This all sounds bizarre to most people, but there are many people out there who are committed to this concept. We see the way they talk about Anglos. If you want to use the word ''racist'' to describe somebody in this debate, it could certainly be used to describe the people who push this kind of separatist agenda.

We are making it more difficult to integrate into society and on the other hand making it very easy for people who choose not to integrate into our society. This certainly can be, and I think will be, a major threat to our existence.

A recent survey was sent out by the Republican National Congressional Committee. We all get these surveys; the Democratic National Committee does exactly the same thing. They send you out a questionnaire. They say, what do you think are the big issues or what do you think about these big issues? Send this back. They usually ask, send it back with a check. It was interesting because Phyllis Schlafly, the head of Eagle Forum, got one of these questionnaires. She writes in a column that was picked up by the Copley News Service. She says, ''Whoever produced the survey must have the same world view as inside-the-Beltway policy wonks whose sensitivity to public opinion is bounded by The Washington Post in the morning and Dan Rather in the evening. They are clueless about what grassroots America thinks. Out of the 54 detailed questions sorted into 13 different issues, there was only one about border security and immigration. The lone question appears at the bottom of the page titled Foreign Affairs. There is a section on homeland security but it contains no mention of border security or immigration. I'm going to help the Republican Congressional Committee by providing a list of 20 questions for which the answers would be helpful to party leaders.''

I would suggest to the party, both parties, if they are going to send out questionnaires, they should ask some of the questions Mrs. Schlafly puts forward here.

Number one. Do you favor President Bush's plan to give amnesty to undocumented aliens, putting people who violate our laws in line ahead of those who lawfully apply for entry? What do you think the answer to that would be?

Do you favor the repeal of Senator KENNEDY's diversity visa lottery which admits 50,000 aliens per year, mostly from non-Western countries, including countries that sponsor terrorism? What do you think the answer to that would be? How do you think that would come back from most Americans?

Should the U.S. State Department stop issuing visas in countries that sponsor terrorism? Oh, gee, let me think about that one for a while, Phyllis. How should I answer that one?

Do you favor closing our borders to undocumented aliens, illegal drugs, and contagious diseases by whatever means necessary, including electronic fences and National Guard troops? Mr. Speaker, I will include this article in its entirety for the RECORD.

The text of the article is as follows:

GOP SURVEY AVOIDS IMMIGRATION

(By Phyllis Schlafly)

The National Republican Congressional Committee has mailed a survey to a selected list of grass-roots Republicans seeking opinions on ''issues of greatest concern'' so that the party can be strengthened ''by getting more Americans involved.''

Of course, it is really a fund-raiser (send your ''most generous contribution''), but it is artfully designed to look like authentic market research using catchphrases such as ''registered survey number,'' ''classified document'' and ''data entry control number for office use only.''

Whoever produced the survey must have the same worldview as Inside-the-Beltway policy wonks whose sensitivity to public opinion is bounded by the Washington Post in the morning and Dan Rather in the evening. They are clueless about what grassroots Americans think. Out of 54 detailed questions sorted into 13 different issues, there is only one about border security and immigration. That lone question appears at the bottom of the page titled Foreign Affairs. There is a section on homeland security, but it contains no mention of border security or immigration. I'm going to help the Republican Congressional Committee by providing a list of 20 questions for which the answers would be helpful to party leaders.

1. Do you favor President George W. Bush's plan to give amnesty to undocumented aliens, putting people who violate our laws in line ahead of those who lawfully apply for entry?

2. Do you favor the repeal of Massachusetts Democratic Sen. Edward M. Kennedy's Diversity Visa Lottery, which admits 50,000 aliens per year, mostly from non-Western countries, including countries that sponsor terrorism?

3. Should the U.S. State Department stop issuing visas in countries that sponsor terrorism?

4. Do you favor closing our borders to undocumented aliens, illegal drugs and contagious diseases by whatever means necessary, including electronic fences and National Guard troops?

5. Do you favor requiring visual inspection of the contents of at least 50 percent of trucks entering the United States from Mexico and Canada, instead of the current 1 percent to 2 percent?

6. Do you favor prohibiting the State Department from negotiating a plan with Mexico to give Social Security benefits to undocumented aliens?

7. Do you favor repealing the federal requirement that hospitals must give free medical care, including scarce organ transplants, to undocumented aliens, an unfunded mandate that is bankrupting many hospitals and increasing the price of medical care to U.S. citizens?

8. Do you favor cutting off federal funding to state universities that give lower in-state tuition to undocumented aliens in violation of current federal law, or that refuse to cooperate with the foreign student tracking system?

9. Will you vote to revoke the citizenship of naturalized citizens who betray their oath of U.S. citizenship by claiming dual citizenship with their native country?

10. Do you favor stopping the issuance of driver's licenses to undocumented aliens since many of the 9/11 hijackers boarded the fatal planes by showing their driver's licenses?

11. Do you favor penalties for local public officials who refuse to cooperate with immigration officials in identifying undocumented aliens?

12. Do you favor prohibiting government agencies from accepting foreign-issued identity cards, such as Mexico's matricula consular, as acceptable identification?

13. Do you favor strict health screening of foreigners entering the United States in order to stop the extraordinary rise in cases of tuberculosis, malaria, hepatitis B, intestinal parasites, Chagas' disease, West Nile virus and SARS?

14. Do you favor stopping the racket of smuggling pregnant aliens into the United States so they can give birth to their babies in the United States, thereby making their children immediately eligible for citizenship and welfare?

15. Do you favor a timeout on immigration and visas until the U.S. Department of Homeland Security has a functioning computer system to track aliens, not U.S. citizens, through smart identification cards?

16. Do you favor rescinding Bill Clinton's Executive Order 13166 requiring anyone who receives federal funds, such as doctors and hospitals, to provide their services in foreign languages?

17. Do you favor abolishing federal requirements to provide foreign-language ballots, since the ability to speak, read and write basic English is a requirement to become a naturalized U.S. citizen and only citizens are eligible to vote?

18. Do you favor a general policy of drawing a bright line of difference between U.S. citizens and aliens so that law-abiding U.S. citizens are not treated like potential terrorists or hijackers?

19. Do you favor a Republican Party policy of rejecting political contributions from individuals and corporations that hire undocumented aliens?

20. Is the reason why questions about border security and immigration were omitted from the Republican survey because our leaders don't want to know the answers?

These questions are answered every day in my office. We receive literally hundreds of e-mails and letters, calls into my office with the answers to these questions. In case anybody wonders, let me tell you clearly that a vast majority of Americans believe that we should secure our borders. A vast majority of Americans believe that we should crack down on illegal immigration. A vast number believe that we should reduce even legal immigration. A vast number believe that we should employ whatever we need to employ to secure those borders, including the use of the military.

Most Americans want it. Most Americans understand those categories that I said that this immigration debate breaks down into. Most of them believe that there is a problem in each one of those areas and it has to be addressed through talking about and dealing with our immigration policy, dealing forcefully with it. The only reluctance to do so is in this body and also in the White House. That is the only place where we are fearful of doing something that, I think I can say without any equivocation, a majority of people in this country want us to do.

Never have I seen an issue, Mr. Speaker, that separates the American people from their government like this one does. Never have I seen an issue the feeling about which is so deep on the part of the people and so shallow on the part of their government. It has gotten to the point where there are places along the border where people have taken up their own defense and armed themselves. I do not encourage that, Mr. Speaker, but I understand the frustration that leads to it. If you are fearful of your children getting to school without being harmed; you are fearful about your wife, her safety and her home on your ranch while you are gone; if you are fearful about people coming through and destroying your way of life, destroying your corrals, your barns; and if you cannot get anyone to answer your call, if you cannot get this government to respond to you, what would you do? I wonder, Mr. Speaker. What would any of us do? Can we really blame people who say if you will not protect me, I will have to try and protect myself.

I want this government to protect them. I want this government to do what we were elected to do. And I will guarantee you, Mr. Speaker, that there are millions of people who are here as immigrants themselves, relatively new, millions of Hispanic Americans who support this effort. They came here usually the right way. They came here legally. They are legal residents of this country, whether it was their grandparents or whomever, just like I am, just like anybody else. They look at the inequity that exists when it is so easy to come here illegally and so difficult to come legally. They recognize that it is a slap in the face to everybody who has come into this country legally and to the millions who are waiting to come into the country legally to allow people to wander across your border and then give them all of the benefits of citizenship.

They know it is a bad policy. They will support us in our efforts. We should not be afraid; we should not be politically frightened because the loudest voices in that community suggest that they will not vote for us if we try to enforce our own laws on the border. Even if they are right, even if we do not get the votes, it should not be what determines whether or not we enforce our own law. Or if we have gotten to the point where that sentiment is the majority sentiment in this country, then let us admit to it. Let us abandon the borders. Bring back those people who are in harm's way. Take them out of harm's way. Let people come into the country at their will. The hundreds of millions who wish to come into the United States, let them do so. Abandon this charade. Or defend the border. Those are the only two choices we have.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. YOUNG of Florida (at the request of Mr. DELAY) for today on account of illness.

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. BROWN of Ohio) to revise and extend their remarks and include extraneous material:)

Mr. PALLONE, for 5 minutes, today.

Mr. MEEK of Florida, for 5 minutes, today.

Mr. FILNER, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Ms. LINDA T. SÁNCHEZ, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. BROWN of Ohio, for 5 minutes, today.

Mr. EDWARDS, for 5 minutes, today.

Mr. GREEN of Texas, for 5 minutes, today.

Mr. SANDLIN, for 5 minutes, today.

Mr. FROST, for 5 minutes, today.

Mr. TURNER of Texas, for 5 minutes, today.

Mr. LAMPSON, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

Mr. HINOJOSA, for 5 minutes, today.

Mr. BELL, for 5 minutes, today.

Mr. RODRIGUEZ, for 5 minutes, today.

Mr. GONZALEZ, for 5 minutes, today.

Mr. STENHOLM, for 5 minutes, today.

Ms. EDDIE BERNICE JOHNSON of Texas, for 5 minutes, today.

Mr. REYES, for 5 minutes, today.

Mr. ORTIZ, for 5 minutes, today.

(The following Members (at the request of Mr. KIRK) to revise and extend their remarks and include extraneous material:)

Mr. HAYWORTH, for 5 minutes, today.

Mr. MCCOTTER, for 5 minutes, today.

Mr. KIRK, for 5 minutes, today.

Mrs. BIGGERT, for 5 minutes, today.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. GUTKNECHT, 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. 195. An act to amend the Solid Waste Disposal Act to bring underground storage tanks into compliance with subtitle I of that Act, to promote cleanup of leaking underground storage tanks, to provide sufficient resources for such compliance and cleanup, and for other purposes; to the Committee on Energy and Commerce.

S. 709. An act to award a congressional gold medal to Prime Minister Tony Blair; to the Committee on Financial Services.

ADJOURNMENT

Mr. TANCREDO. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 58 minutes p.m.), under its previous order, the House adjourned until Monday, May 19, 2003, at 12:30 p.m., for morning hour debates.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

2226. A letter from the Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting the Department's final rule—Raisin Produced from Grapes Grown in California; Final Free and Reserve Percentages for 2002-03 Crop Natural (Sun-Dried) Seedless and Zante Currant Raisins [Docket No. FV03-989-4 IFR] received April 21, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2227. A letter from the Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting the Department's final rule—Sweet Cherries Grown in Designated Counties in Washington; Established of Procedures to Allow the Grading or Packing of Sweet Cherries Outside the Production Area [Docket No. FV02-923-1 IFR] received April 21, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2228. A letter from the Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting the Department's final rule—Dried Prunes Produced in California; Revising the Regulations Concerning Compensation Rates for Handlers' Services Performed Regarding Reserve Prunes Covered Under the California Dried Prune Marketing Order [Docket No. FV02-993-2 FR] received April 21, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2229. A letter from the Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting the Department's final rule—Nectarines and Peaches Grown in California; Revision of Handling Requirements for Fresh Nectarines and Peaches [Docket No. FV03-916-2 IFR] received April 21, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2230. A letter from the Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting the Department's final rule—Olives Grown in California; Increased Assessment Rate [Docket No. FV03-932-1 FR] received May 7, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2231. A letter from the Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting the Department's final rule—Grapes Grown in a Designated Area of Southeastern California; Establishment of Safeguards and Procedures for Suspension of Packing Holidays [Docket No. FV03-925-2 IFR] received May 7, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2232. A letter from the Administrator, Agricultural Marketing Service, PACA Branch, Department of Agriculture, transmitting the Department's final rule—Perishable Agricultural Commodities Act (PACA): Amending Regulations to Extend PACA Coverage to Fresh and Frozen Fruits and Vegetables that are Coated or Battered [Docket No. FV02-369] (RIN: 0581-AC21) received May 7, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2233. A letter from the Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting the Department's final rule—Winter Pears Grown in Oregon and Washington; Order Amending Marketing Order No. 927 [Docket No. FV00-927-3] received May 7, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2234. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule—Exotic Newcastle Disease; Additions to Quarantined Area [Docket No. 02-117-5] received April 21, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2235. A letter from the Chairman, National Endowment for the Arts and Member Federal Council on the Arts and the Humanities, National Foundation on the Arts and the transmitting the Federal Council on the Arts and the Humanities' twenty-seventh annual report on the Arts and Artifacts Indemnity Program for Fiscal Year 2002, pursuant to 20 U.S.C. 959(c); to the Committee on Education and the Workforce.

2236. A letter from the Secretary, Department of Health and Human Services, transmitting the Annual Report on the Developmental Disabilities Programs for Fiscal Year 2000, pursuant to 42 U.S.C. 15005 Public Law 106—402, section 105; to the Committee on Energy and Commerce.

2237. A letter from the General Counsel, Consumer Product Safety Commission, transmitting the Commission's final rule—Metal-Cored Candlewicks Containing Lead and Candles with such Wicks—received May 9, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2238. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's final rule—Grants to States for Operation of Qualified High Risk Pools [CMS-2179-FC] (RIN: 0938-AM42) received May 1, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2239. A letter from the Secretary of the Commission, Bureau of Consumer Protection, Federal Trade Commission, transmitting the Commission's final rule—Rules and Regulations Under the Textile Fiber Products Identification Act—received February 4, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2240. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—Availability of Official Records (RIN: 3150-AC07) received April 16, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2241. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification that effective March 23, 2003 a 15% danger pay allowance has been established for Jordan, pursuant to 5 U.S.C. 5928; to the Committee on International Relations.

2242. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report concerning Cuban emigration policies; to the Committee on International Relations.

2243. A letter from the Secretary, Department of Energy, transmitting a letter regarding the Yucca Mountain for the development of a geologic repository for spent nuclear fuel and high level radioactive waste; to the Committee on Government Reform.

2244. A letter from the Secretary, Department of State, transmitting the Department's FY 2004 Performance Plan; to the Committee on Government Reform.

2245. A letter from the Chairman, Merit Systems Protection Board, transmitting a report entitled, ''Help Wanted: A Rewiew of Federal Vacancy Announcements,'' pursuant to 5 U.S.C. 1204(a)(3); to the Committee on Government Reform.

2246. A letter from the Director, Office of Government Ethics, transmitting the Annual Program Performance Report for FY 2002; to the Committee on Government Reform.

2247. A letter from the Assistant Secretary, Land and Minerals Management, Department of the Interior, transmitting the Department's final rule—Application Procedures [WO-850-1820-XZ-24-1A] (RIN: 1004-AD34) received April 16, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2248. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Fire-Suppression Systems and Voyage Planning for Towing Vessels [USCG-2000-6931] (RIN: 1625-AA60 [Formerly RIN: 2115-AF53]) received May 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2249. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Safety Zone; Mission Creek Waterway, China Basin, San Francisco Bay, California [COTP San Francisco Bay 03-004] (RIN: 1625-AA00) received May 9, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2250. A letter from the Chief Counsel, St. Lawrence Seaway Developement Corporation, Department of Transportation, transmitting the Department's final rule—Tarriff of Tolls [Docket No. SLSDC 2003-14687] (RIN: 2135-AA17) received April 29, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2251. A letter from the Attorney, RSPA, Department of Transportation, transmitting the Department's final rule—Hazardous Materials: Enhancing Hazardous Materials Transportation Security [Docket No. RSPA-03-14982 (HM-232C)] (RIN: 2137-AD79) received May 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2252. A letter from the Chief Counsel, Bureau of the Public Debt, Department of the Treasury, transmitting the Department's final rule—Regulations Governing Treasury Securities, New Treasury Direct System—received May 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2253. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's final rule—Child Support Enforcement Program; State Plan Approval and Grant Procedures, State Plan Requirements, Standards for Program Operations, Federal Financial Participation, Computerized Support Enforcement Systems (RIN: 0970-AB81) received May 9, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2254. A letter from the United States Trade Representative, Executive Office of the President, transmitting a report on the proposed free trade agreement between the United States and the Republic of Singapore, pursuant to Section 2104 (e) of the Trade Act of 2002 and Section 135 (e) of the Trade Act of 1974; to the Committee on Ways and Means.

2255. A letter from the United States Trade Representative, Executive Office of the

President, transmitting a report on the proposed free trade agreement between the United States andthe Republic of Chile, pursuant to Section 2104 (e) of the Trade Act of 2002 and Section 135 (e) of the Trade Act of 1974; to the Committee on Ways and Means.

2256. A letter from the Regulations Officer, Office of Regulations, Social Security Administration, transmitting the Administration's final rule—Claimant Identification Pilot Projects [Regulations No. 4 and 16] (RIN: 0960-AF79) received May 9, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2257. A letter from the Regulations Coordinator, Centers for Medicare Management, Department of Health and Medicaid Services, transmitting the Department's final rule—Medicare Program; Notice of Ambulance Fee Schedule in Accordance with Federal District Court Order [CMS-1256-N] (RIN: 0938-AM60) received April 16, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Energy and Commerce and Ways and Means.

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. SENSENBRENNER: Committee on the Judiciary, H. Res. 180. A resolution supporting the goals and ideals of ''National Correctional Officers and Employees Week'' and honoring the service of correctional officers and employees (Rept. 108–101). Referred to the House Calendar.

Mr. SENSENBRENNER: Committee on the Judiciary H.R. 982. A bill to clarify the tax treatment of bonds and other obligations issued by the Government of American Samoa (Rept. 108–102, Pt. 1). Ordered to be printed.

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 1437. A bill to improve the United States Code (Rept. 108–103). Referred to the House Calendar.

Mr. COX: Select Committee on Homeland Security. H.R. 1416. A bill to make technical corrections to the Homeland Security Act of 2002; with an amendment (Rept. 108–104). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. LANTOS (for himself, Mr. BEREUTER, Mr. WEXLER, Mr. FALEOMAVAEGA, Mr. HOEFFEL, Mr. SCHIFF, and Mr. ACKERMAN):

H.R. 2112. A bill to provide support for North Atlantic Treaty Organization (NATO) peacekeeping within Iraq; to the Committee on International Relations.

By Mr. TERRY (for himself, Mr. ENGEL, Mr. GRAVES, Ms. KILPATRICK, Mr. BILIRAKIS, Mr. SANDERS, and Mr. TOWNS):

H.R. 2113. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for certain energy efficient property placed in service or installed in an existing principal residence or property used by businesses; to the Committee on Ways and Means.

By Mr. BURGESS (for himself and Mr. SCOTT of Georgia):

H.R. 2114. A bill to amend the Internal Revenue Code of 1986 to expand medical savings accounts and to amend title XIX of the Social Security Act to provide for medical freedom accounts under the Medicaid and State children's health insurance programs; 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. YOUNG of Alaska (for himself, Mr. MICA, Mr. OBERSTAR, and Mr. DEFAZIO):

H.R. 2115. A bill to amend title 49, United States Code, to reauthorize programs for the Federal Aviation Administration, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. CARSON of Oklahoma:

H.R. 2116. A bill to direct the Administrator of the Environmental Protection Agency to provide relocation and other assistance for residents at the Tar Creek Superfund site; to the Committee on Transportation and Infrastructure, 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. STARK:

H.R. 2117. A bill to amend the Federal National Mortgage Association Charter Act and the Federal Home Loan Mortgage Corporation Act to remove certain competitive advantages granted to the housing-related government-sponsored enterprises relative to other secondary mortgage market enterprises, and for other purposes; to the Committee on Financial Services.

By Mr. HYDE (for himself and Mr. CONYERS):

H.R. 2118. A bill to increase the annual salaries of justices and judges of the United States; to the Committee on the Judiciary.

By Mr. BALLANCE:

H.R. 2119. A bill to provide for the use by the State of North Carolina of Federal lands, improvements, equipment, and resource materials at the Oxford Research Station in Granville County, North Carolina; to the Committee on Agriculture, and in addition to the Committee on Government Reform, 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. TOOMEY (for himself, Mr. OXLEY, Mr. KANJORSKI, Mr. LEACH, Mr. BAKER, Mr. BACHUS, Mr. SHERMAN, Mrs. MALONEY, Mr. SHAYS, Mrs. BIGGERT, Ms. HART, Mrs. KELLY, Mr. NEY, Mr. ACKERMAN, Mr. CROWLEY, Mr. MURPHY, Mr. SESSIONS, Mr. FOSSELLA, Mr. EMANUEL, and Mr. ISRAEL):

H.R. 2120. A bill to revise the banking and bankruptcy insolvency laws with respect to the termination and netting of financial contracts, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TIAHRT (for himself, Mr. RYUN of Kansas, Mr. MORAN of Kansas, and Mr. MOORE):

H.R. 2121. A bill to amend the Eisenhower Exchange Fellowship Act of 1990 to authorize additional appropriations for the Eisenhower Exchange Fellowship Program Trust Fund, and for other purposes; to the Committee on International Relations.

By Mr. TAUZIN (for himself, Mr. DINGELL, Mr. COX, Mr. TOM DAVIS of Virginia, Mr. MARKEY, Mr. BILIRAKIS, Mr. DAVIS of Florida, Mr. UPTON, Mr. STEARNS, Mr. GREENWOOD, Mr. SHADEGG, Mr. ISSA, Mr. LINCOLN DIAZ-BALART of Florida, and Ms. ESHOO):

H.R. 2122. A bill to enhance research, development, procurement, and use of biomedical countermeasures to respond to public health threats affecting national security, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Government Reform, and Homeland Security (Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. CAPPS (for herself, Mr. BISHOP of New York, Ms. LOFGREN, Mr. HONDA, Mr. BEREUTER, Ms. DELAURO, Mr. GEORGE MILLER of California, Mr. GRIJALVA, Mr. MCGOVERN, Mrs. DAVIS of California, Mr. SANDERS, Ms. LEE, Mrs. MALONEY, Mr. THOMPSON of California, Ms. MCCOLLUM, Mr. LANTOS, Ms. ROYBAL-ALLARD, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. LINDA T. SANCHEZ of California, and Ms. JACKSON-LEE of Texas):

H.R. 2123. A bill to amend the Safe Drinking Water Act and the Federal Water Pollution Control Act concerning water pollution resulting from discharges of perchlorate; to the Committee on Transportation and Infrastructure, 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. CARDOZA:

H.R. 2124. A bill to establish a Foster Care Reform Commission to study the foster care crisis in the United States; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. DELAURO (for herself, Mr. SHAYS, Mr. FORD, Mr. PLATTS, Ms. BALDWIN, Ms. WOOLSEY, Mr. FROST, Ms. SCHAKOWSKY, Mr. OLVER, Ms. MCCARTHY of Missouri, Ms. LEE, Mr. MCNULTY, Ms. NORTON, Mr. CASE, Mr. DEUTSCH, Mr. CLAY, Mr. ACEVEDO-VILA, Mr. MORAN of Virginia, Mrs. CHRISTENSEN, Mr. HINCHEY, Mr. WEXLER, Mr. BROWN of Ohio, Mr. KUCINICH, and Mr. FARR):

H.R. 2125. A bill to amend the National and Community Service Act of 1990 to create the Rite of Passage Community Service Program; to the Committee on Education and the Workforce.

By Mr. EDWARDS (for himself, Mr. JENKINS, Mr. RAHALL, and Mr. HOBSON):

H.R. 2126. A bill to recognize the importance of the Veterans' Administration Medical School Assistance and Health Manpower Training Act of 1972 in addressing shortfalls in the number of physicians and other health care professionals employed in the health care system of the Department of Veterans Affairs, to reauthorize the program of grants to medical schools affiliated with the Department, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. EMANUEL (for himself, Mr. FRANKS of Arizona, Mr. GREEN of Texas, Mr. HINCHEY, Mr. PAYNE, Mr. RYAN of Ohio, Mr. GRIJALVA, Mr. MARKEY, Ms. DELAURO, Mr. FROST, Mr. LANTOS, Ms. KILPATRICK, Mr. DEFAZIO, Ms. LEE, and Mr. SMITH of Washington):

H.R. 2127. A bill to amend the Internal Revenue Code of 1986 to repeal tax benefits relating to company-owned life insurance; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, 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. FRANK of Massachusetts (for himself, Mr. WALDEN of Oregon, and Mr. GRIJALVA):

H.R. 2128. A bill to amend chapter 171 of title 28, United States Code, to allow members of the Armed Forces to sue the United States for damages for certain injuries caused by improper medical care; to the Committee on the Judiciary.

By Mr. FRANK of Massachusetts (for himself and Mr. LYNCH):

H.R. 2129. A bill to direct the Secretary of the Interior to conduct a special resources study regarding the suitability and feasibility of designating certain historic buildings and areas in Taunton, Massachusetts, as a unit of the National Park System, and for other purposes; to the Committee on Resources.

By Mr. GARRETT of New Jersey:

H.R. 2130. A bill to redesignate the facility of the United States Postal Service located at 650 Kinderkamack Road in River Edge, New Jersey, as the ''New Bridge Landing Post Office''; to the Committee on Government Reform.

By Mr. GIBBONS (for himself, Mr. REYES, Mr. MCNULTY, Mr. BEREUTER, Mr. ENGLISH, Mr. WYNN, and Mr. WILSON of South Carolina):

H.R. 2131. A bill to award a congressional gold medal to President Jose Maria Aznar of Spain; to the Committee on Financial Services.

By Mr. JANKLOW:

H.R. 2132. A bill to authorize the Secretary of the Interior to reallocate costs of the Pactola Dam and Reservoir, South Dakota, to reflect increased demands for municipal and industrial and fish and wildlife purposes; to the Committee on Resources.

By Mrs. JOHNSON of Connecticut (for herself, Mr. LEWIS of Kentucky, Mr. HAYWORTH, Mr. FROST, Mr. DOOLITTLE, and Mr. RAMSTAD):

H.R. 2133. A bill to amend the Internal Revenue Code of 1986 to expand the tip tax credit to employers of cosmetologists and to promote tax compliance in the cosmetology sector; to the Committee on Ways and Means.

By Mr. KELLER (for himself, Mr. WEXLER, Mr. BAIRD, Mr. BASS, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. GINNY BROWN-WAITE of Florida, Mr. BURTON of Indiana, Mr. CARSON of Oklahoma, Mr. CONYERS, Mr. DAVIS of Florida, Mr. DEUTSCH, Mr. ENGLISH, Mr. FEENEY, Mr. HONDA, Mr. ISSA, Mr. MCCOTTER, Mr. MCDERMOTT, Mr. MEEHAN, Mr. MEEKS of New York, Mr. MICA, Mr. NADLER, Mr. PASCRELL, Mr. SCOTT of Virginia, Mr. THOMPSON of Mississippi, Mr. CHABOT, Ms. HART, Mr. GARRETT of New Jersey, Mr. OTTER, Mr. MURPHY, Mr. LAMPSON, and Mr. FOLEY):

H.R. 2134. A bill to amend title 18, United States Code, and the Federal Rules of Criminal Procedure with respect to bail bond forfeitures; to the Committee on the Judiciary.

By Mr. KELLER (for himself, Mr. HAYES, Mr. MILLER of North Carolina, Mrs. JO ANN DAVIS of Virginia, Mr. WILSON of South Carolina, Mr. BRADY of Texas, Mr. LEWIS of Georgia, Mrs. NORTHUP, Mr. BISHOP of Georgia, Mr. CRAMER, and Mrs. MYRICK):

H.R. 2135. A bill to provide grants to law enforcement agencies that ensure that law enforcement officers employed by such agency are afforded due process when involved in a case that may lead to dismissal, demotion, suspension, or transfer; to the Committee on the Judiciary.

By Mr. KING of New York (for himself and Mr. ENGEL):

H.R. 2136. A bill to amend the Clean Air Act to prohibit the use of methyl tertiary butyl ether as a gasoline additive and to repeal the oxygenate requirement for reformulated gasoline, to provide funding for the clean up of underground storage tanks, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MEEK of Florida (for himself, Ms. JACKSON-LEE of Texas, Ms. KILPATRICK, Mr. TOWNS, Mr. SERRANO, Ms. LEE, Mr. CUMMINGS, Mr. BALLANCE, Mr. HASTINGS of Florida, Mrs. CHRISTENSEN, Mr. JEFFERSON, Mr. FATTAH, Mr. DAVIS of Illinois, Mr. MORAN of Virginia, Mr. WYNN, Mr. RANGEL, Ms. CARSON of Indiana, Mr. DAVIS of Alabama, and Mr. MEEKS of New York):

H.R. 2137. A bill to amend the Homeland Security Act of 2002 with respect to the release of alien children in custody; to the Committee on the Judiciary.

By Mr. OSE:

H.R. 2138. A bill to elevate the Environmental Protection Agency to cabinet-level status and redesignate such agency as the Department of Environmental Protection; to the Committee on Government Reform.

By Mr. PAUL:

H.R. 2139. A bill to repeal the National Voter Registration Act of 1993; to the Committee on House Administration.

By Mr. PAUL:

H.R. 2140. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income amounts received as damages (including punitive damages) on account of age discrimination; to the Committee on Ways and Means.

By Mr. RAHALL (for himself, Mr. SHAYS, Mr. INSLEE, Mr. BLUMENAUER, Mr. BAIRD, Ms. JACKSON-LEE of Texas, Mr. KILDEE, Mr. GEORGE MILLER of California, Mr. LIPINSKI, Mr. UDALL of Colorado, Mr. KIND, Mr. FRANK of Massachusetts, Mrs. NAPOLITANO, Mr. FALEOMAVAEGA, Mr. GRIJALVA, Ms. SOLIS, Ms. MCCOLLUM, Mr. SCHIFF, and Mr. MCDERMOTT):

H.R. 2141. A bill to modify the requirements applicable to locatable minerals on public domain lands, consistent with the principles of self-initiation of mining claims, and for other purposes; to the Committee on Resources.

By Mr. YOUNG of Alaska:

H.R. 2142. A bill to amend the Marine Mammal Protection Act of 1972 to repeal the long-term goal for reducing to zero the incidental mortality and serious injury of marine mammals in commercial fishing operations, and to modify the goal of take reduction plans for reducing such takings; to the Committee on Resources.

By Mr. SHIMKUS (for himself and Mr. PICKERING):

H. Con. Res. 183. Concurrent resolution supporting National Funeral Service Education Week; to the Committee on Government Reform.

By Mr. WALSH (for himself, Mr. MOLLOHAN, Mr. LEWIS of California, Mr. BOEHNER, Mr. BISHOP of Georgia, Mr. PRICE of North Carolina, and Ms. HARRIS):

H. Con. Res. 184. Concurrent resolution expressing the sense of Congress that Congress should participate in and support activities to provide decent homes for the people of the United States; to the Committee on Financial Services.

By Mr. HONDA (for himself and Mrs. TAUSCHER):

H. Res. 236. A resolution expressing the sense of the House of Representatives that United States air carriers should establish for all members of the Armed Forces on active duty reduced air fares that are comparable to the lowest airfare for ticketed flights, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. LEE (for herself, Mr. LANTOS, Mr. PAYNE, and Mr. MEEKS of New York):

H. Res. 237. A resolution honoring the life and work of Walter Sisulu, a critical leader in the movement to free South Africa of apartheid, on the occasion of his death; to the Committee on International Relations.

By Mr. PAYNE (for himself and Mr. HOLT):

H. Res. 238. A resolution expressing support for the Head Start Program, which has had a positive impact on the lives of low income children and families since its inception and endorsing its administrative structure and program content; to the Committee on Education and the Workforce.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 52: Mr. GARRETT of New Jersey, Ms. LORETTA SANCHEZ of California, and Mr. ROHRABACHER.

H.R. 57: Mr. LAHOOD, Mr. SANDLIN, Mr. COLLINS, and Mr. RYUN of Kansas.

H.R. 102: Ms. WOOLSEY and Mr. LANTOS.

H.R. 122: Mrs. JONES of Ohio and Mr. FOSSELLA.

H.R. 125: Mr. DOGGETT, Mr. KUCINICH, and Mr. MCNULTY.

H.R. 208: Mr. MCNULTY.

H.R. 235: Mr. HUNTER, Mr. MARIO DIAZ-BALART of Florida, Mr. ISSA, Ms. HARRIS, Mr. REHBERG, Mr. ROGERS of Alabama, Mr. NUSSLE, and Mr. CAMP.

H.R. 277: Mr. BAKER and Mr. GREEN of Wisconsin.

H.R. 286: Mrs. MUSGRAVE.

H.R. 328: Mrs. TAUSCHER, Mr. MOORE, Mr. LATOURETTE, Mr. OWENS, Mr. NUNES, and Mrs. JONES of Ohio.

H.R. 445: Mr. DAVIS of Alabama.

H.R. 466: Mr. GRIJALVA, Mrs. MILLER of Michigan, and Mr. OLVER.

H.R. 477: Mr. FILNER.

H.R. 527: Mr. SANDLIN.

H.R. 528: Mr. PETERSON of Minnesota.

H.R. 548: Mr. HASTINGS of Washington.

H.R. 571: Mr. BOOZMAN, Mr. COOPER, Mr. ISRAEL, Mr. INSLEE, and Mr. RAMSTAD.

H.R. 583: Mr. SMITH of New Jersey, Mr. JOHNSON of Illinois, and Ms. ROS-LEHTINEN.

H.R. 588: Mr. ROTHMAN.

H.R. 594: Mr. WALDEN of Oregon, Mr. BISHOP of New York, and Mr. CUMMINGS.

H.R. 684: Mr. DEMINT.

H.R. 693: Mr. HILL.

H.R. 707: Mr. EVANS.

H.R. 709: Mr. PASCRELL.

H.R. 716: Mr. ALLEN, Mr. SANDERS, and Mr. ANDREWS.

H.R. 719: Mr. KUCINICH.

H.R. 728: Mr. MICA.

H.R. 745: Mr. RYAN of Ohio, Mr. HASTINGS of Florida, Mr. SHAYS, Mr. HOLDEN, Ms. LINDA T. SANCHEZ of California, Ms. BALDWIN, and Mr. STUPAK.

H.R. 752: Mrs. LOWEY.

H.R. 756: Mr. UPTON, Mr. CRAMER, and Mr. ACEVEDO-VILA.

H.R. 765: Mr. BARTLETT of Maryland, Mrs. NORTHUP, and Mr. SWEENEY.

H.R. 781: Mr. SKELTON and Mr. BEREUTER.

H.R. 806: Mr. HOLT and Mr. FRANK of Massachusetts.

H.R. 816: Mr. HAYES.

H.R. 817: Mr. JANKLOW, Mr. BONNER, Mr. JENKINS, Mr. WATT, Mr. TIAHRT, and Ms. MCCOLLUM.

H.R. 834: Mr. BAIRD and Mr. REHBERG.

H.R. 839: Mr. WICKER, Mr. BOOZMAN, Mr. KING of New York, Mr. MCGOVERN, Mr. BOYD, Mr. PICKERING, Mrs. NORTHUP, Mr. SHAYS, Mr. KILDEE, Mr. BISHOP of Utah, Mrs. CAPITO, Mr. TIBERI, Mr. ISAKSON, Mr. LUCAS of Kentucky, Mr. COOPER, Mr. ROGERS of Michigan, Mr. MOORE, Mr. DUNCAN, Mr. SANDLIN, Mr. UPTON, and Mr. LATHAM.

H.R. 847: Mr. KILDEE.

H.R. 857: Mr. NEAL of Massachusetts.

H.R. 860: Mr. HENSARLING.

H.R. 873: Mr. TIBERI, Mr. MARKEY, and Mr. ETHERIDGE.

H.R. 876: Mr. FROST, Mrs. JOHNSON of Connecticut, Mr. MCINNIS, Mr. JANKLOW, Mr. DOOLITTLE, Mr. DEFAZIO, Mr. ANDREWS, and Mr. RYUN of Kansas.

H.R. 880: Ms. LINDA T. SANCHEZ of California.

H.R. 882: Ms. HART, Mr. PLATTS, Mr. BURR, and Mr. PETRI.

H.R. 898: Ms. MCCARTHY of Missouri.

H.R. 919: Mr. BLUMENAUER, Mr. MEEK of Florida, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. STENHOLM, Mr. CAPUANO, Mr. LATHAM, Mr. ALEXANDER, Mr. HILL, Mr. ORTIZ, Mr. CRAMER, Mr. STARK, Mr. ENGEL, Ms. VELAZQUEZ, Ms. SLAUGHTER, Mr. NADLER, Mr. KUCINICH, Mr. FATTAH, Mr. GOODE, Ms. LORETTA SANCHEZ of California, Mr. MOLLOHAN, Mr. FILNER, Mr. LIPINSKI, Mr. SANDERS, Mr. LYNCH, and Mrs. JONES of Ohio.

H.R. 935: Mr. MORAN of Virginia, Mrs. NAPOLITANO, Mr. EVANS, and Mr. LYNCH.

H.R. 937: Mr. RENZI, Mr. WALDEN of Oregon, and Mr. JOHNSON of Illinois.

H.R. 941: Mr. FOLEY, Mr. LEWIS of Kentucky, and Mr. TANNER.

H.R. 965: Ms. HARMAN.

H.R. 967: Mr. SNYDER, Mr. ROSS, and Ms. ESHOO.

H.R. 972: Mrs. MCCARTHY of New York.

H.R. 983: Mr. LANTOS.

H.R. 997: Mr. HOEKSTRA and Mr. PETRI.

H.R. 998: Mr. PLATTS and Mr. FRANK of Massachusetts.

H.R. 1004: Mr. FILNER and Mr. KILDEE.

H.R. 1027: Mr. LINCOLN DIAZ-BALART of Florida.

H.R. 1032: Mr. MCINNIS.

H.R. 1043: Mr. BARRETT of South Carolina.

H.R. 1046: Mr. ANDREWS and Ms. KAPTUR.

H.R. 1048: Mr. MILLER of Florida.

H.R. 1057: Ms. HART, Mr. BLUMENAUER, and Mr. ROSS.

H.R. 1063: Ms. JACKSON-LEE of Texas.

H.R. 1076: Mr. PAUL, Mr. PETERSON of Pennsylvania, and Mr. PLATTS.

H.R. 1096: Mr. BONILLA.

H.R. 1097: Mr. BOEHLERT, Mr. LANTOS, Mr. DAVIS of Florida, and Mr. KILDEE.

H.R. 1102: Mr. EDWARDS and Mr. SMITH of New Jersey.

H.R. 1115: Mr. BARRETT of South Carolina.

H.R. 1117: Mr. JANKLOW.

H.R. 1119: Mr. CANTOR, Mr. JANKLOW, Mr. HEFLEY, Mr. PICKERING, Mr. PENCE, and Mr. HOSTETTLER.

H.R. 1125: Ms. HOOLEY of Oregon, Mr. MATHESON, Mr. FROST, and Mr. MARSHALL.

H.R. 1157: Mr. KLECZKA.

H.R. 1160: Mr. CAMP, Mr. GERLACH, Mr. RADANOVICH, Ms. SLAUGHTER, and Mr. FROST.

H.R. 1177: Mr. GOODE, Mr. MCHUGH, Mr. PENCE, Mr. SENSENBRENNER, Mr. TAYLOR of North Carolina, and Mr. WILSON of South Carolina.

H.R. 1196: Ms. MILLENDER-MCDONALD, Mr. ENGEL, Mr. INSLEE, and Mr. EVANS.

H.R. 1199: Ms. VELAZQUEZ.

H.R. 1209: Mr. KLECZKA, Mr. NEY, Mr. ROSS, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. RAHALL, Mr. KUCINICH, Mr. GREEN of Texas, Mr. WALSH, and Mr. STARK.

H.R. 1222: Mr. HOLT.

H.R. 1225: Mrs. MALONEY, Mr. TIERNEY, Mr. EMANUEL, Mr. MURPHY, Mr. BROWN of Ohio, and Mr. BURR.

H.R. 1229: Mr. DEAL of Georgia.

H.R. 1250: Mr. KIND.

H.R. 1251: Mr. FARR.

H.R. 1258: Mr. BISHOP of New York, Mr. TIERNEY, Mr. MATSUI, and Ms. LINDA T. SANCHEZ of California.

H.R. 1260: Mr. DEAL of Georgia and Mr. SOUDER.

H.R. 1276: Mr. ROSS, Mr. WOLF, Mr. DUNCAN, Mr. BOYD, Mr. WELLER, Mr. PICKERING, Mr. LUCAS of Kentucky, Mr. ANDREWS, Mr. RYAN of Wisconsin, Mr. BELL, Mr. BRADLEY of New Hampshire, Mr. BISHOP of Utah, Mr. WICKER, Mr. SHERMAN, Mr. TANCREDO, Mrs. MYRICK, Mr. ISRAEL, Mr. PALLONE, Mr. HOLT, Mr. SIMMONS, Mr. FOLEY, Mr. BRADY of Texas, and Mrs. BLACKBURN.

H.R. 1288: Mr. ALLEN, Mr. GREEN of Wisconsin, Mr. DEAL of Georgia, Mr. UDALL of Colorado, Mr. KUCINCH, Mr. KIRK, Mr. FOLEY, and Mr. FARR.

H.R. 1295: Mr. RANGEL and Mrs. MCCARTHY of New York.

H.R. 1309: Mr. KUCINICH and Mr. COSTELLO.

H.R. 1310: Mr. SIMMONS, Mr. BROWN of South Carolina, Mr. JANKLOW, Mr. BOOZMAN, and Mr. WALDEN of Oregon.

H.R. 1313: Ms. BERKLEY.

H.R. 1323: Mr. VAN HOLLEN and Mr. ACKERMAN.

H.R. 1336: Mr. KUCINICH and Mr. BONILLA.

H.R. 1340: Mr. EMANUEL, Mrs. MALONEY, Ms. LINDA T. SANCHEZ of California, Mr. Gutierrez, Ms. KAPTUR, Mr. EVANS, Mr. STUPAK and Mr. ROSS.

H.R. 1380: Mr. WILSON of South Carolina and Mr. CASE.

H.R. 1400: Mr. LANGEVIN, Mr. CLAY, Ms. MCCOLLUM, Mr. STRICKLAND, Mr. OBEY, Mr. OLVER, and Mr. WEINER.

H.R. 1409: Mr. ORTIZ and Mr. BACA.

H.R. 1422: Mr. LANTOS and Mr. DOYLE.

H.R. 1425: Mr. ANDREWS.

H.R. 1430: Mr. MCGOVERN, Mr. LEWIS of Georgia, Mr. FARR, Ms. DELAURO, and Mr. HOEFFEL.

H.R. 1442: Mr. DAVIS of Tennessee, Mr. GUTKNECHT, Mrs. CAPPS, and Ms. JACKSON-LEE of Texas.

H.R. 1464: Mr. PALLONE.

H.R. 1472: Mr. ABERCROMBIE.

H.R. 1474: Mr. KENNEDY of Minnesota, Mr. RODRIGUEZ, Mr. CUNNINGHAM, Mr. KING of New York, and Mr. MURPHY.

H.R. 1480: Ms. HARMAN and Mr. ETHERIDGE.

H.R. 1483: Mr. FRANK of Massachusetts and Mr. PASTOR.

H.R. 1499: Mr. BERRY.

H.R. 1523: Mr. REHBERG.

H.R. 1536: Mr. MATSUI.

H.R. 1552: Mrs. BLACKBURN, Mr. OWENS, Mr. CUNNINGHAM, Mr. ISAKSON, Mr. PICKERING, Ms. ROS-LEHTINEN, Mr. BISHOP of Utah, Mr. SHERMAN, Mr. TANCREDO, Mr. BOYD, and Mr. PALLONE.

H.R. 1569: Mr. SMITH of New Jersey, Mr. SAXTON, and Mr. MENENDEZ.

H.R. 1580: Mr. LUCAS of Kentucky and Mr. ROGERS of Kentucky.

H.R. 1613: Mr. BELL, Mr. GILLMOR, Ms. MILLENDER-MCDONALD, Ms. CARSON of Indiana, and Mr. LANGEVIN.

H.R. 1622: Mr. GORDON, Mr. LEACH, Mr. SESSIONS, Mrs. JO ANN DAVIS of Virginia, Mr. WYNN, Mr. GONZALEZ, Mr. CLAY, Mr. ANDREWS, Mr. FORD, Mr. DOYLE, and Ms. ROS-LEHTINEN.

H.R. 1626: Mr. CARSON of Oklahoma.

H.R. 1634: Mr. BOEHNER, Mr. PASTOR, Mr. WAMP, Mr. KILDEE, and Mr. ROTHMAN.

H.R. 1635: Mr. EVANS and Mr. RANGEL.

H.R. 1659: Mr. SESSIONS.

H.R. 1675: Mr. ROSS, Mr. LEACH, Mr. TERRY, Mr. DICKS, Mr. BAIRD, Mr. SHIMKUS, Mr. PICKERING, and Mr. LUCAS of Kentucky.

H.R. 1676: Mr. SIMMONS and Mr. GREEN of Texas.

H.R. 1677: Ms. WATERS.

H.R. 1700: Mr. GARRETT of New Jersey.

H.R. 1707: Mr. FRANK of Massachusetts, Mr. SANDERS, Mr. BARTLETT of Maryland, Mr. ENGLISH, Mr. MCDERMOTT, Mr. FILNER, Mr. GONZELEZ, and Mr. RANGEL.

H.R. 1708: Mr. PLATTS, Mr. KUCINICH, and Mr. BROWN of Ohio.

H.R. 1710: Mr. LARSEN of Washington, Mr. DICKS, Mrs. KELLY, Mr. MCHUGH, Mrs. MALONEY, Ms. BALDWIN, Mr. ACKERMAN, Mr. KING of New York, Mr. MCNULTY, Mr. MURTHA, Mr. BRADY of Pennsylvania, Mr. BISHOP of New York, Mr. DOYLE, Mr. FARR, Mr. ISRAEL, and Mr. OWENS.

H.R. 1713: Mr. KUCHINCH and Ms. ROYBAL-ALLARD.

H.R. 1723: Mr. MCNULTY.

H.R. 1726: Ms. LOFGREN and Mr. ACEVEDO-VILA.

H.R. 1730: Mr. HOBSON and Mr. PETERSON of Pennsylvania.

H.R. 1734: Mr. TOM DAVIS of Virginia, Mr. BISHOP of Georgia, and Mrs. CHRISTENSEN.

H.R. 1746: Mr. GRIJALVA, Mr. MATHESON, Mr. COSTELLO, Mr. CAMP, Mr. PALLONE, Mr. MARKEY, Mr. PASTOR, Mr. HOEFFEL, Ms. MCCOLLUM, Mr. ENGEL, Mr. PLATTS, Mr. LIPINSKI, Ms. LINDA T. SANCHEZ of California, Ms. BALDWIN, Mr. CARDIN, Mr. CLAY, Mr. SPRATT, Mr. GREENWOOD, Mr. GREEN of Wisconsin, Mr. FARR, Mr. GARRETT of New Jersey, and Mr. FOLEY.

H.R. 1749: Ms. LINDA T. SANCHEZ of California, Mr. ISSA, Mr. SWEENEY, Mr. COLE, and Mr. NUNES.

H.R. 1751: Mr. ACKERMAN.

H.R. 1755: Mr. HAYWORTH, Mr. GARRETT of New Jersey, Mr. WAMP, Mr. SHIMKUS, Ms. HARRIS, Mr. STENHOLM, Mr. MANZULLO, Mr. JONES of North Carolina, Mr. COLE, Mr. BURR, Mr. PETRI, Mr. TIBERI, Mr. HOSTETTLER, Mr. WICKER, Mr. PLATTS, Mr. KLINE, Mr. STEARNS, Mr. GUTKNECHT, and Mr. HOEKSTRA.

H.R. 1764: Mrs. MALONEY, Mr. ABERCROMBIE, Mr. FROST, Mr. MORAN of Virginia, Mr. KUCINICH, Mr. MCINTYRE, Mr. HOLT, Mr. MCNULTY, Mr. ENGLISH, Mr. VAN HOLLEN, and Mr. ALLEN.

H.R. 1769: Ms. MILLENDER-MCDONALD and Mr. SOUDER.

H.R. 1776: Mr. REHBERG.

H.R. 1779: Mr. GIBBONS, Mr. GILLMOR, and Mr. DOYLE.

H.R. 1780: Mr. MILLER of Florida.

H.R. 1793: Mr. BILIRAKIS, Ms. GINNY BROWN-WAITE of Florida, Mr. GOODE, Mr. ISTOOK, Mrs. NORTHUP, Mr. RYUN of Kansas, Mr. SCHROCK, Mr. WELDON of Florida, Mr. WILSON of South Carolina, and Mr. DAVIS of Florida.

H.R. 1818: Mr. WAMP, Mr. DAVIS of Illinois, Mrs. CAPITO, Mr. MANZULLO, and Mr. GERLACH.

H.R. 1828: Mr. MCGOVERN, Mr. KENNEDY of Minnesota, Mr. RYAN of Wisconsin, Mr. KING of Iowa, Mr. MCINNIS, Mrs. LOWEY, Mr. FERGUSON, Mr. BEAUPREZ, Mr. BAKER, Ms. DEGETTE, Mr. UDALL of Colorado, and Mr. ISAKSON.

H.R. 1829: Mr. KING of Iowa, Mr. FROST, Mrs. BLACKBURN, Mr. WEINER, Mr. JENKINS, Mr. STENHOLM, Mr. MCINNIS, Mr. GUTIERREZ, Mr. LANTOS, Mr. UDALL of Colorado, Mr. GORDON, Mr. ISRAEL, Ms. LORETTA SANCHEZ of California, Mr. GONZALEZ, Mr. MILLER of North Carolina, and Mr. LATHAM.

H.R. 1839: Mr. CARTER.

H.R. 1861: Mr. ROTHMAN.

H.R. 1863: Mr. WILSON of South Carolina, Mr. LARSON of Connecticut, Mr. FROST, Mr.

TIBERI, Mr. LANTOS, Mr. WEXLER, and Mrs. MALONEY.

H.R. 1873: Mrs. BLACKBURN and Mr. COLE.

H.R. 1886: Mr. SOUDER.

H.R. 1896: Mr. POMEROY.

H.R. 1902: Mr. HOUGHTON, Mr. KING of New York, Mr. BROWN of Ohio, Ms. WATSON, Mr. MARKEY, Mr. BOEHLERT, Mr. WOLF, Mr. BRADY of Pennsylvania, Mrs. MCCARTHY of New York, Mr. KUCINICH, Mr. LANTOS, and Mr. GREENWOOD.

H.R. 1904: Mr. COX, Mr. HOEKSTRA, Mr. CAMP, Mr. PUTNAM, Mr. BURTON of Indiana, Mr. COBLE, Mr. COLLINS, Mr. CULBERSON, Mr. DEAL of Georgia, Mr. FORBES, Mr. ROGERS of Kentucky, Mr. PAUL, and Mr. WHITFIELD.

H.R. 1905: Mr. GRIJALVA.

H.R. 1910: Mr. NORWOOD and Mr. LUCAS of Kentucky.

H.R. 1916: Ms. ROS-LEHTINEN, Ms. JACKSON-LEE of Texas, Mr. CRAMER, Mr. FALEOMAVAEGA, Mr. HINCHEY, and Ms. SLAUGHTER.

H.R. 1934: Mr. KUCINICH.

H.R. 1936: Ms. LORETTA SANCHEZ of California.

H.R. 1956: Ms. DELAURO, Mr. THORNBERRY, Mr. SCHIFF, Mr. COOPER, Mr. LANGEVIN, Mr. BOEHLERT, Mr. STARK, Mr. NORWOOD, Mr. DEAL of Georgia, and Mr. HINCHEY.

H.R. 1963: Mr. BELL, Mr. SANDLIN, Mr. HOBSON, Mr. LATHMAN, and Mr. HINCHEY.

H.R. 1964: Mrs. LOWEY.

H.R. 1997: Mr. CANNON, Mr. LEWIS of Kentucky, Mr. SIMPSON, Mr. HUNTER, Mr. TANCREDO, Mr. BARRETT of South Carolina, Mr. GARY G. MILLER of California, Mr. NUNES, Mrs. NORTHUP, Mr. MURPHY, Mr. WAMP, and Mr. CHOCOLA.

H.R. 2012: Mr. SMITH of New Jersey, Mr. ACEVEDO-VILA, and Mr. SENSENBRENNER.

H.R. 2017: Ms. WATERS.

H.R. 2018: Ms. JACKSON-LEE of Texas.

H.R. 2020: Mr. ROSS, Mr. KENNEDY of Rhode Island, Mr. CASE, Mr. FOLEY, Mr. FROST, Mr. JEFFERSON, Mr. COOPER, Mr. VAN HOLLEN, Mr. SANDLIN, Mr. HOEFFEL, and Ms. HARRIS.

H.R. 2023: Mr. FOLEY.

H.R. 2028: Mr. PAUL, Mr. PICKERING, Mr. EHLERS, Mrs. BIGGERT, Mr. BOEHLERT, Mr. CASTLE, Mr. NORWOOD, Mr. WICKER, and Mrs. WILSON of New Mexico.

H.R. 2032: Ms. JACKSON-LEE of Texas, Mr. CONYERS, Mr. GEORGE MILLER of California, Ms. BALDWIN, Mr. ENGLISH, Mr. MURTHA, Mr. PASTOR, and Mr. GREEN of Texas.

H.R. 2045: Mr. PICKERING, Mr. BARRETT of South Carolina, and Mrs. JO ANN DAVIS of Virginia.

H.R. 2047: Mr. ENGLISH, Mr. FROST, and Mr. MCNULTY.

H.R. 2075: Ms. CORRINE BROWN of Florida.

H.R. 2077: Mr. RAHALL, Mr. OSBORNE, Mr. LEACH, Mr. BEREUTER, and Mr. CASE.

H.J. Res. 4: Mr. PETERSON of Pennsylvania, Mr. DAVIS of Florida, Mr. PORTMAN, Mr. FERGUSON, Mr. LATHAM, Mrs. EMERSON, Mr. ISTOOK, Mr. GOODLATTE, Mr. ROGERS of Michigan, Mrs. BLACKBURN, Mr. SOUDER, Mr. DOYLE, Mrs. BONO, Mr. GARRETT of New Jersey, Mr. ROYCE, and Mr. GRAVES.

H.J. Res. 7: Mr. BARTLETT of Maryland.

H.J. Res. 36: Ms. LOFGREN, Mr. GORDON, Mr. ROTHMAN, Mr. MATSUI, and Mr. OLVER.

H.J. Res. 50: Mr. BARRETT of South Carolina and Mr. HOEKSTRA.

H. Con. Res. 56: Mr. BROWN of South Carolina.

H. Con. Res. 78: Ms. DELAURO, Mr. FILNER, and Mr. JEFFERSON.

H. Con. Res. 98: Mr. HOEFFEL, Ms. BERKLEY, Mr. FLAKE, and Mr. BURTON of Indiana.

H. Con. Res. 99: Ms. WOOLSEY, Mr. VAN HOLLEN, Ms. SLAUGHTER, Mr. PASTOR, and Ms. KAPTUR.

H. Con. Res. 107: Mrs. MALONEY.

H. Con. Res. 111: Ms. BALDWIN and Mr. UDALL of Colorado.

H. Con. Res. 116: Mr. GINGREY, Mr. SWEENEY, and Mr. CALVERT.

H. Con. Res. 148: Ms. SCHAKOWSKY and Mr. EVANS.

H. Con. Res. 151: Mr. HEFLEY, Mr. JANKLOW, and Mrs. BIGGERT.

H. Con. Res. 166: Mrs. JONES of Ohio, Mr. ROSS, and Mr. HOLDEN.

H. Con. Res. 173: Mr. PORTER.

H. Con. Res. 180: Mr. LANTOS.

H. Res. 195: Mrs. BIGGERT.

H. Res. 199: Mr. BROWN of Ohio.

H. Res. 207: Mr. RODRIGUEZ, Mr. BURGESS, Mr. REYES, Mr. EDWARDS, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BELL, Mr. SAM JOHNSON of Texas, Mr. GONZALEZ, Mr. BARTON of Texas, Mr. SANDLIN, Mr. HINOJOSA, Mr. LAMPSON, Mr. THORNBERRY, Mr. BONILLA, Mr. TURNER of Texas, Ms. GRANGER, Mr. GREEN of Texas, Mr. HALL, Mr. ORTIZ, and Mr. HENSARLING.

H. Res. 218: Mr. STARK, Ms. BALDWIN, Mrs. MALONEY, Mrs. JONES of Ohio, Mr. DINGELL, Mr. CARDIN, Mr. LEACH, Mr. POMEROY, Mr. GORDON, and Ms. WATSON.

H. Res. 220: Mrs. JONES of Ohio.

H. Res. 233: Mr. DEMINT.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 108th CONGRESS, FIRST SESSION

Vol. 149 WASHINGTON, THURSDAY, MAY 15, 2003 No. 73

Senate

The Senate met at 9:15 a.m. and was called to order by the Honorable JOHN E. SUNUNU, a Senator from the State of New Hampshire.

PRAYER

The guest Chaplain, Dr. Gerald L. Durley, offered the following prayer:

Eternal and Almighty God, we have entered this hallowed Chamber to seek Your guidance, wisdom, and protection. We have come to lift up those who have been elected, appointed and anointed to complete the will of Your people. Their task is not easy. It is fraught with frustrating disappointments, stalled moments of doubt, hurts and pain. We therefore reverently request to approach Your sovereign throne to ask You to individually and collectively pour Your omniscience upon the Members of this distinguished body of legislators.

Dear God, I am reminded of a time when one of Your servants told his cousin that she was ''called to represent her people and that her time is now.'' (Esther 4:14). We pray this morning, Father, that You will assist these Senators to act on behalf of a nation which not only believes in Your supreme desire to have justice reign but also in Your immutable ability to heal our country economically, educationally, sociologically, and politically. We trust that You will guide these emissaries with Your Divine knowledge.

On this beautiful spring day we would ask that You gently touch each Senator's physical body where ailments and sickness have taken their toll; give each of them the strength to endure the various debates of differences; speak to each of their families in such a way that they will understand and appreciate the unselfish sacrifices which these modern day patriots are experiencing.

Dear Father, give them the patience to persist; the tolerance to prevail; the ability to forgive; and the wisdom to place Your Spirit with love as the foundation for their daily living. Assure each person, under the sound of my voice, that their individual solos are unique; however, their collective voices create a harmonious choir which will then be well pleasing unto You, and to the people of this great Nation. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JOHN E. SUNUNU led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. STEVENS).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 15, 2003.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JOHN E. SUNUNU, a Senator from the State of New Hampshire, to perform the duties of the Chair.

TED STEVENS,
President pro tempore.

Mr. SUNUNU thereupon assumed the chair as Acting President pro tempore.

JOBS AND GROWTH TAX RELIEF RECONCILIATION ACT OF 2003

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 1054, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 1054) to provide for reconciliation pursuant to section 201 of the concurrent resolution on the budget for fiscal year 2004.

Pending:

Grassley amendment No. 555, to increase the criminal monetary penalty limitation for the underpayment or overpayment of tax due to fraud.

Dorgan/Baucus amendment No. 556, to repeal the 1993 income tax increase on Social Security benefits and to offset the revenue loss.

Specter amendment No. 569, to urge the Senate Finance Committee and the Joint Economic Committee to hold hearings and consider legislation providing for a flat tax.

Baucus amendment No. 570, to ensure that the limit on refundability shall not apply to the additional $400 child credit for 2003, to make the dividend exclusion effective for taxable years beginning in 2003, and to eliminate the increase in the dividend exclusion from 10 percent to 20 percent of dividends over $500.

Kennedy amendment No. 544, to provide for additional weeks of temporary extended unemployment compensation and to provide for a program of temporary enhanced regular unemployment compensation.

Lincoln amendment No. 578, to expand the refundability of the child tax credit.

Cantwell amendment No. 577, to permanently extend and modify the research and experimentation tax credit and strike the partial exclusion of dividends provision.

Jeffords amendment No. 587, to accelerate the elimination of the marriage penalty in the earned income credit.

Bunning/McConnell amendment No. 589, to amend the Internal Revenue Code of 1986 to repeal the 1993 income tax increase on Social Security benefits.

Burns amendment No. 593, to amend the Internal Revenue Code of 1986 to allow the expensing of broadband Internet access expenditures.

Grassley amendment No. 594, to amend title XVIII of the Social Security Act to enhance beneficiary access to quality health care services in rural areas under the Medicare Program.

Harkin amendment No. 595, to help rural health care providers and hospitals receive a fair reimbursement for services under Medicare by reducing tax cuts regarding dividends.

Collins amendment No. 596, to provide temporary State and local fiscal relief.

Murray amendment No. 564, to provide temporary State fiscal relief.

Stabenow amendment No. 614, to ensure the enactment of a Medicare prescription drug benefit.

Warner modified amendment No. 550, to amend the Internal Revenue Code of 1986 to

● This ''bullet'' symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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increase the above-the-line deduction for teacher classroom supplies and to expand such deduction to include qualified professional development expenses.

Voinovich amendment No. 592, to establish a blue ribbon commission on comprehensive tax reform.

Graham of Florida amendment No. 617, in the nature of a substitute.

Kyl amendment No. 575, to further enhance the denial of deduction for certain fines, penalties, and other amounts.

Landrieu amendment No. 619, in the nature of a substitute.

Landrieu amendment No. 620, to provide pay protection for members of the Reserve and the National Guard.

Landrieu amendment No. 621, to amend the Internal Revenue Code of 1986 to allow employers in renewal communities to qualify for the renewal community employment credit by employing residents of certain other renewal communities.

Ensign amendment No. 622, to encourage the investment of foreign earnings within the United States for productive business investments and job creation.

Schumer amendment No. 557, to amend the Internal Revenue Code of 1986 to make higher education more affordable.

Conrad amendment No. 611, to make the child tax credit acceleration applicable to 2002.

Baucus, for McCain, amendment No. 612, to add the provisions of the Armed Forces Tax Fairness Act of 2003.

AMENDMENT NO. 589

The ACTING PRESIDENT pro tempore. There are now 2 minutes evenly divided before a vote on the Bunning amendment. Who yields time?

The Senator from Kentucky.

Mr. BUNNING. I will be very brief. This amendment was discussed pretty thoroughly yesterday. This sets a date certain for a vote on the reduction of the tax on the Social Security seniors from 85 to 50 percent; that we report a bill out no later than July 1, 2003; and that the bill should be acted on no later than September 30, 2003, consistent with the preservation of the Medicare trust fund.

Under the provisions of section 904 of the Congressional Budget Act of 1974, I move to waive the point of order against the pending amendment and I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There is a sufficient second.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BAUCUS. Mr. President, has the proponent of this amendment any time remaining? Have we completed the time remaining to speak in favor of the amendment?

The ACTING PRESIDENT pro tempore. There remains a minute in opposition.

Mr. BAUCUS. Is there any time remaining to speak for the amendment?

The ACTING PRESIDENT pro tempore. No.

Mr. BAUCUS. Mr. President, I am going to vote for this amendment. I think all Senators should realize this is really a cover amendment. This is an amendment which allows Senators to not do the real thing. What is the real thing? The real thing is a vote for the Dorgan amendment which is next. The Dorgan amendment provides that Social Security taxes on 85 percent of Social Security benefits are not taxable. That is the real thing. The current amendment before us is a sense of the Senate. It is a cover amendment. I am going to support it. I think all Senators should support it. But the real test is the next amendment. If Senators vote for this amendment, if they want to reduce Social Security taxes, they should vote for the Dorgan amendment because that is the real amendment. That is the one that counts.

I yield the remainder of my time.

The ACTING PRESIDENT pro tempore. The Senator from Kentucky.

Mr. BUNNING. Mr. President, I withdraw my motion to waive the point of order since none has been made against the amendment.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The question is on agreeing to the amendment.

Mr. BUNNING. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second. The clerk will call the roll.

The senior assistant bill clerk called the roll.

The result was announced—yeas 98, nays 2, as follows:

[Rollcall Vote No. 148 Leg.]

YEAS—98

Akaka	Dodd	Lincoln
Alexander	Dole	Lott
Allard	Domenici	Lugar
Allen	Dorgan	McCain
Baucus	Durbin	McConnell
Bayh	Edwards	Mikulski
Bennett	Ensign	Miller
Biden	Enzi	Murkowski
Bingaman	Feingold	Murray
Bond	Feinstein	Nelson (FL)
Boxer	Fitzgerald	Nelson (NE)
Breaux	Frist	Nickles
Brownback	Graham (FL)	Pryor
Bunning	Graham (SC)	Reed
Burns	Grassley	Reid
Byrd	Gregg	Roberts
Campbell	Hagel	Rockefeller
Cantwell	Harkin	Santorum
Carper	Hatch	Sarbanes
Chafee	Hutchison	Schumer
Chambliss	Inhofe	Sessions
Clinton	Inouye	Shelby
Cochran	Jeffords	Smith
Coleman	Johnson	Snowe
Collins	Kennedy	Specter
Conrad	Kerry	Stabenow
Cornyn	Kohl	Stevens
Corzine	Kyl	Sununu
Craig	Landrieu	Talent
Crapo	Lautenberg	Thomas
Daschle	Leahy	Warner
Dayton	Levin	Wyden
DeWine	Lieberman	

NAYS—2

Hollings	Voinovich

The amendment (No. 589) was agreed to.

Mr. GRASSLEY. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 556

The ACTING PRESIDENT pro tempore. There are now 2 minutes equally divided prior to the next vote.

Mr. DORGAN. Mr. President, the next vote is on the amendment that actually does what the previous amendment says the sense of Senate should do. If you really believe with the sense of the Senate that we should do this, the question is, Do you believe we should do it now? The question here, it seems to me, is one of priorities. If 8 million senior citizens are paying $1,500 more in taxes because of the change in 1993 and you want to repeal that change, then this particular amendment will reduce taxes for those 8 million Americans.

Is this a greater priority than the issue of dividends and other issues in this bill? In my judgment, this is a greater priority. If you really believe you want to cut taxes for 8 million senior citizens by $18 billion, now is the time to do that. Now is the time to make the change to do that. If you choose not to, it is really hard to say you support this kind of a change.

The ACTING PRESIDENT pro tempore. Who yields time in opposition?

Mr. GRASSLEY. Mr. President, this amendment is designed to kill the growth package. It would eliminate the acceleration of all individual income tax rate reductions, and it would eliminate the entire dividend exclusion.

What is also interesting about this amendment is that our colleagues on the other side of the aisle who are solely responsible——

The ACTING PRESIDENT pro tempore. The Senate will be in order.

The Senator from Iowa.

Mr. GRASSLEY. Mr. President, the bottom line is that this tax on Social Security income is as high as it is because, in 1993, all except one Senator now serving on the other side of the aisle imposed a tax in the first place. I believe we should have an opportunity to repeal this tax. However, as my colleagues are aware, the revenue from this tax goes into the Medicare hospital fund without other changes in Medicare. Repealing this tax would bankrupt the Medicare trust fund. We should consider this in light of other Medicare legislation, and it ought to be done in the Finance Committee.

This language is not germane to the measure now before the Senate. Therefore, I raise a point of order under section 305(b)(2) of the Congressional Budget Act of 1974.

Mr. DORGAN. Mr. President, pursuant to section 904 of the Congressional Budget Act of 1974, I move to waive the applicable sections of that act for purposes of the pending amendment, and I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. FRIST. Mr. President, I want to make a couple of comments on the schedule for today which I did not have the opportunity to make this morning.

We just had our first vote in what will be a very long day with a lengthy series of votes. Hopefully, we can do as much as possible to shorten that list over the course of the day and certainly not add to it too much.

I want to ask all of our Members to stay close to the Chamber. We will be starting, with this vote, 10-minute votes, and that will be enforced. It will be the only way we can get through this bill in this so-called vote-arama. I know it is going to be tough in terms of everybody's schedules today. I would go ahead and talk to your schedulers and let them know we have these votes every 10 minutes.

Following passage of this bill later today, we will proceed directly to the global HIV/AIDS bill. We will work that bill through tonight, and hopefully finish that bill tonight. If we complete that bill tonight, Members can expect no rollcall votes tomorrow. The objective will be to complete the jobs and growth package today, start on the HIV/AIDS bill, and hopefully finish today. If so, we will not have votes tomorrow.

Again, I ask Members to stay close to the Chamber and the 10-minute votes will be enforced.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

The yeas and nays resulted—yeas 49, nays 51, as follows:

[Rollcall Vote No. 149 Leg.]

YEAS—49

Akaka	Dorgan	Levin
Baucus	Durbin	Lieberman
Bayh	Edwards	Lincoln
Biden	Feingold	Mikulski
Bingaman	Feinstein	Murray
Boxer	Graham (FL)	Nelson (FL)
Breaux	Harkin	Pryor
Byrd	Hollings	Reed
Campbell	Inouye	Reid
Cantwell	Jeffords	Rockefeller
Carper	Johnson	Sarbanes
Clinton	Kennedy	Schumer
Conrad	Kerry	Snowe
Corzine	Kohl	Stabenow
Daschle	Landrieu	Wyden
Dayton	Lautenberg	
Dodd	Leahy	

NAYS—51

Alexander	Dole	McConnell
Allard	Domenici	Miller
Allen	Ensign	Murkowski
Bennett	Enzi	Nelson (NE)
Bond	Fitzgerald	Nickles
Brownback	Frist	Roberts
Bunning	Graham (SC)	Santorum
Burns	Grassley	Sessions
Chafee	Gregg	Shelby
Chambliss	Hagel	Smith
Cochran	Hatch	Specter
Coleman	Hutchison	Stevens
Collins	Inhofe	Sununu
Cornyn	Kyl	Talent
Craig	Lott	Thomas
Crapo	Lugar	Voinovich
DeWine	McCain	Warner

The ACTING PRESIDENT pro tempore. On this vote, the yeas are 49, the nays are 51. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected. The point of order is sustained, and the amendment falls.

Mr. GRASSLEY. I move to reconsider the vote.

Mr. BAUCUS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 555

The ACTING PRESIDENT pro tempore. There will be 2 minutes evenly divided on the next amendment.

Who yields time?

The Senator from Iowa.

The Senator will suspend. The Senate will come to order. The Senate will be made aware that votes will be limited to 10 minutes. There are 23 amendments that remain pending which we want to complete in an orderly fashion.

Mr. GRASSLEY. Mr. President, I don't care if anybody listens to me, but it would be nice if everybody would shut up so you don't have to go through that 10 times today.

The ACTING PRESIDENT pro tempore. The Senator from Iowa is recognized for 1 minute.

Mr. GRASSLEY. Mr. President, I am pleased to work with Senator BAUCUS to strengthen criminal tax penalties. We have seen in Enron-type corporation scandals that there is no end to the cleverness of con artists in the corporate world. The con artists will even pay a little tax to cover up their deception. Then after the fraud, the corporation asks for its money back.

This amendment will ensure the corporate con artists pay full freight for their crime of duping shareholders and workers.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Montana.

Mr. BAUCUS. Mr. President, obviously this is a good amendment. Also, when I finish speaking, I will offer an amendment in the second degree, which has been cleared on the other side, essentially to bring the criminal provisions in the Tax Code up to date with the Sarbanes-Oxley criminal provisions. The Sarbanes-Oxley bill did not address the criminal tax provisions because that was not a tax bill. We do address it here.

I urge adoption, by voice vote, actually, of both amendments.

I yield back the remainder of my time.

AMENDMENT NO. 624 TO AMENDMENT NO. 555

Mr. President, I ask unanimous consent to call up my second-degree amendment.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The senior assistant bill clerk read as follows:

The Senator from Montana [Mr. BAUCUS] proposes an amendment numbered 624 to amendment No. 555.

Mr. BAUCUS. Mr. President, I ask unanimous consent reading of the amendment be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To increase the criminal penalties for fraud and false statements)

On page 2, strike line 13 and insert:

(b) INCREASE IN PENALTIES.—

(1) ATTEMPT TO EVADE OR DEFEAT TAX.—Section 7201 is amended—

(A) by striking ''$100,000'' and inserting ''$250,000'',

(B) by striking ''$500,000'' and inserting ''$1,000,000'', and

(C) by striking ''5 years'' and inserting ''10 years''.

(2) WILLFUL FAILURE TO FILE RETURN, SUPPLY INFORMATION, OR PAY TAX.—Section 7203 is amended—

(A) in the first sentence—

(i) by striking ''misdemeanor'' and inserting ''felony'', and

(ii) by striking ''1 year'' and inserting ''10 years'', and

(B) by striking the third sentence.

(3) FRAUD AND FALSE STATEMENTS.—Section 7206(a) (as redesignated by subsection (a)) is amended—

(A) by striking ''$100,000'' and inserting ''$250,000'',

(B) by striking ''$500,000'' and inserting ''$1,000,000'', and

(C) by striking ''3 years'' and inserting ''5 years''.

(c) EFFECTIVE DATE.—The amendments made by

Mr. BAUCUS. Again, this is the amendment I earlier referred to, and I urge all Senators to vote for it.

The ACTING PRESIDENT pro tempore. Is there further debate?

If not, the question is on agreeing to the amendment.

The amendment (No. 624) was agreed to.

VOTE ON AMENDMENT NO. 555, AS AMENDED

The ACTING PRESIDENT pro tempore. The question is on agreeing to the Grassley amendment No. 555, as amended.

The amendment (No. 555), as amended, was agreed to.

Mr. GRASSLEY. I move to reconsider the vote.

Mr. BAUCUS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 569

The ACTING PRESIDENT pro tempore. There are now 2 minutes evenly divided prior to a vote on the Specter amendment.

Who yields time?

The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, if I may have the attention of my colleagues, this is a sense-of-the-Senate amendment which calls upon the Finance Committee and the Joint Economic Committee to undertake a study on tax simplification, with the view to presenting a report to the Senate on a flat tax.

The complexities of the Internal Revenue Code are well known. Even Albert Einstein said he could not understand the Internal Revenue Code. We spend billions of hours, billions of dollars on the complexities of filling out the tax

returns. This flat tax would enable us to file a return within a few minutes on a postcard.

This amendment does not commit the Senate to a flat tax, but it only calls upon relevant committees to conduct a study. There has never been a study of a flat tax. This amendment, cosponsored by Senator GRASSLEY and Senator BENNETT—and I think agreed to; we will soon hear from Senator BAUCUS—will be a significant step forward.

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

Who seeks time in opposition?

The Senator from Montana.

Mr. BAUCUS. Mr. President, I think it is a good idea to set up some kind of a body or commission to see if we can simplify the code, knowing that it is a daunting task. Nevertheless, we should try, including looking at the flat tax proposal that has been suggested by several Senators and other observers over the years. But at least let's give it a try. We can certainly improve upon the code we now have.

I urge its adoption.

The ACTING PRESIDENT pro tempore. Is there further debate?

The Senator from Oklahoma.

Mr. NICKLES. Mr. President, I ask unanimous consent to be added as a cosponsor.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The question is on agreeing to amendment No. 569.

The yeas and nays have been ordered.

The clerk will call the roll.

The senior assistant bill clerk called the roll.

The result was announced—yeas 70, nays 30, as follows:

[Rollcall Vote No. 150 Leg.]

YEAS—70

Alexander	Dole	McCain
Allard	Domenici	McConnell
Allen	Ensign	Miller
Baucus	Enzi	Murkowski
Bayh	Feingold	Nelson (FL)
Bennett	Feinstein	Nelson (NE)
Biden	Fitzgerald	Nickles
Bond	Frist	Reid
Breaux	Graham (SC)	Roberts
Brownback	Grassley	Santorum
Bunning	Gregg	Sessions
Burns	Hagel	Shelby
Byrd	Harkin	Smith
Campbell	Hatch	Snowe
Carper	Hollings	Specter
Chafee	Hutchison	Stevens
Chambliss	Inhofe	Sununu
Cochran	Jeffords	Talent
Coleman	Kohl	Thomas
Collins	Kyl	Voinovich
Cornyn	Landrieu	Warner
Craig	Leahy	Wyden
Crapo	Lott	
DeWine	Lugar	

NAYS—30

Akaka	Dorgan	Lieberman
Bingaman	Durbin	Lincoln
Boxer	Edwards	Mikulski
Cantwell	Graham (FL)	Murray
Clinton	Inouye	Pryor
Conrad	Johnson	Reed
Corzine	Kennedy	Rockefeller
Daschle	Kerry	Sarbanes
Dayton	Lautenberg	Schumer
Dodd	Levin	Stabenow

The amendment (No. 569) was agreed to.

AMENDMENT NO. 570

The PRESIDING OFFICER. There will now be 2 minutes of debate on the next amendment, the Baucus amendment.

Mr. BAUCUS. Mr. President, this is essentially what I call a ''more stimulus now'' amendment. It has two provisions. One, it accelerates the year in which the dividend exclusion is effective. Under the committee bill, the dividend exclusion does not come into effect until 2004, which basically means most taxpayers are not going to receive the benefit until 2005 when they file their tax returns. All this takes effect in 2003 in my amendment, as well as the 10 percent. We are going to stimulate the economy.

In addition, there is acceleration of the child tax credit. The amendment provides the full $400 be sent to those who qualify for the additional child tax credit, and that is based on the 2002 returns. If they qualify in 2002, they are entitled to the full $400 check in 2003. To avoid the problem we faced in the 2001 bill, where sometimes they got $300 and sometimes not, this will speed that up.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

Mr. GRASSLEY. Mr. President, I appreciate Senator BAUCUS' efforts. We, in this bill, have tried to balance investment and spending incentives. This bill already provides $95 billion for children and the child tax credit. The bill includes acceleration of the credit for low-income families, whom Senator BAUCUS seeks to help.

In addition, I believe the market will benefit more from the proposal contained in the bill because of how we have approached it in a balanced effort. However, I do thank the Senator for his efforts.

I have to raise a point of order. The pending amendment offered by the Senator from Montana increases mandatory spending and, if adopted, would cause the underlying bill to exceed the committee's section 302(a) allocation. Therefore, I raise a point of order against the amendment pursuant to section 302(f) of the Congressional Budget Act of 1974.

Mr. BAUCUS. Mr. President, pursuant to section 904 of the Congressional Budget Act, I move to waive the applicable section of that act in the budget resolution for the consideration of the pending amendment and ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The assistant legislative clerk called the roll.

The result was announced—yeas 47, nays 53, as follows:

[Rollcall Vote No. 151 Leg.]

YEAS—47

Akaka	Dorgan	Levin
Baucus	Durbin	Lieberman
Bayh	Edwards	Lincoln
Biden	Feingold	Mikulski
Bingaman	Feinstein	Murray
Boxer	Graham (FL)	Nelson (FL)
Breaux	Harkin	Nelson (NE)
Byrd	Inouye	Pryor
Cantwell	Jeffords	Reed
Carper	Johnson	Reid
Clinton	Kennedy	Rockefeller
Conrad	Kerry	Sarbanes
Corzine	Kohl	Schumer
Daschle	Landrieu	Stabenow
Dayton	Lautenberg	Wyden
Dodd	Leahy	

NAYS—53

Alexander	Dole	McConnell
Allard	Domenici	Miller
Allen	Ensign	Murkowski
Bennett	Enzi	Nickles
Bond	Fitzgerald	Roberts
Brownback	Frist	Santorum
Bunning	Graham (SC)	Sessions
Burns	Grassley	Shelby
Campbell	Gregg	Smith
Chafee	Hagel	Snowe
Chambliss	Hatch	Specter
Cochran	Hollings	Stevens
Coleman	Hutchison	Sununu
Collins	Inhofe	Talent
Cornyn	Kyl	Thomas
Craig	Lott	Voinovich
Crapo	Lugar	Warner
DeWine	McCain	

The motion was rejected.

The ACTING PRESIDENT pro tempore. On this vote, the ayes are 47, the nays are 53. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected. The point of order is sustained, and the amendment falls.

Mr. GRASSLEY. I move to reconsider the vote.

Mr. BAUCUS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 544

The ACTING PRESIDENT pro tempore. It is now in order to consider amendment No. 544, the Kennedy amendment. There will be 2 minutes equally divided on each side.

The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, we are involved in a debate between Republicans and Democrats about how to get the economy going, but there is one reality, and that is that we have stagnation at the present time.

There is one lifeline for millions of hard-working Americans who paid into the unemployment compensation fund, and that is to extend the unemployment compensation benefits.

Today there are 18,000 Iraqi veterans who are on unemployment compensation, and that number is increasing every single week. We are talking about funds that have been paid into that fund by these workers. They are entitled in a time of difficulty and challenge to get that money back to help them meet their mortgage, put food on the table, and take care of their children.

The American people understand fairness, and they understand, on the one hand, if we are going to provide billions for the wealthiest individuals in

this country, we ought to look out for hard-working men and women who have played by the rules, worked hard all their lives, have paid into that fund, and now need that assistance. This is what that amendment does.

In the last 10 years, we have extended unemployment compensation benefits seven times. It has been extended by Republican Presidents, and we ought to do it today.

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

Who yields time? The Senator from Iowa.

Mr. GRASSLEY. Mr. President, as I said yesterday, we are willing to extend current unemployment benefits. We are willing to do it before the end of the week. In fact, yesterday I offered a unanimous consent request to accomplish this, and it was rejected on the other side.

We have Senator MURKOWSKI standing by ready to offer a unanimous consent request to extend unemployment benefits. This amendment is overreaching. This amendment would go way beyond anything we have done on unemployment at a level of 6 percent right now. In fact, this makes it as high as when unemployment was at 8 percent. We are asked to deal with an amendment that goes way too far to score political points. That is why it should be rejected.

I raise the point on this amendment that the language is not germane to the measure before the Senate. Therefore, I raise a point of order under section 305(b)(2) of the Congressional Budget Act of 1974.

The ACTING PRESIDENT pro tempore. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, pursuant to section 904 of the Congressional Budget Act of 1974, I move to waive the applicable sections of that act for purposes of the pending amendment. I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion. The clerk will call the roll.

The senior assistant bill clerk called the roll.

Mr. MCCONNELL. I announce that the Senator from Colorado (Mr. ALLARD) is necesarily absent.

The PRESIDING OFFICER (Mr. ALEXANDER). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 50, nays 49, as follows:

[Rollcall Vote No. 152 Leg.]

YEAS—50

Akaka	Clinton	Graham (FL)
Baucus	Conrad	Harkin
Bayh	Corzine	Hollings
Biden	Daschle	Inouye
Bingaman	Dayton	Jeffords
Boxer	Dodd	Johnson
Breaux	Dorgan	Kennedy
Byrd	Durbin	Kerry
Campbell	Edwards	Kohl
Cantwell	Feingold	Landrieu
Carper	Feinstein	Lautenberg
Leahy	Nelson (FL)	Sarbanes
Levin	Nelson (NE)	Schumer
Lieberman	Pryor	Specter
Lincoln	Reed	Stabenow
Mikulski	Reid	Wyden
Murray	Rockefeller	

NAYS—49

Alexander	Domenici	Miller
Allen	Ensign	Murkowski
Bennett	Enzi	Nickles
Bond	Fitzgerald	Roberts
Brownback	Frist	Santorum
Bunning	Graham (SC)	Sessions
Burns	Grassley	Shelby
Chafee	Gregg	Smith
Chambliss	Hagel	Snowe
Cochran	Hatch	Stevens
Coleman	Hutchison	Sununu
Collins	Inhofe	Talent
Cornyn	Kyl	Thomas
Craig	Lott	Voinovich
Crapo	Lugar	Warner
DeWine	McCain	
Dole	McConnell	

NOT VOTING—1

Allard

The PRESIDING OFFICER. On this vote, the yeas are 50 and the nays are 49. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected. The point of order is sustained, and the amendment falls.

Mr. GRASSLEY. Mr. President, I move to reconsider the vote.

Mr. BAUCUS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 578

The PRESIDING OFFICER. There are now 2 minutes evenly divided prior to a vote on the Lincoln amendment. Who yields time?

The Senator from Arkansas.

Mrs. LINCOLN. Mr. President, may I inquire how much time I have?

The PRESIDING OFFICER. One minute.

Mrs. LINCOLN. Mr. President, I hope everyone in this Chamber will agree that raising children is probably one of the most important and expensive undertakings in which we have all engaged. I hope we will also agree in this Chamber that the face of our country tomorrow will be shaped by how well we raise our children today, and that is not just our children, it is everyone's children.

That is why I think my amendment is so important. Eight million children from working families at the very bottom of the income scale get no benefit from the child tax credit, but 4.4 million of those 8 million children would begin to get a benefit from the child benefit under the Lincoln amendment.

By providing tax relief to those who need it the most, the Lincoln amendment will have a direct and meaningful stimulative effect on the economy. These families with children play by the rules. They go to work each day at extremely low wage jobs. They pay significant payroll, State, local excise taxes, maybe even property taxes. They struggle to make ends meet, yet they get no benefit from the child tax credit in this bill.

On behalf of the children of this Nation, I encourage my colleagues to support this amendment.

The PRESIDING OFFICER. The time of the Senator has expired.

The Senator from Iowa.

Mr. GRASSLEY. Mr. President, the Senator from Arkansas has done well in the last tax bill and this tax bill to help in the area of refundability, and I compliment her for that, but this amendment goes too far because it provides a new entitlement with regard to the child credit.

The bill already provides $95 billion for the child credit. That is the biggest part of this bill. It also includes acceleration of the child credit for low-income families, an issue of great importance to Senator LINCOLN as well.

The bill has a balance between spending and investment. The amendment cuts back significantly on the investment part, the partial dividend exclusion. I appreciate the Senator's efforts, but this amendment would gut our jobs bill.

The pending amendment offered by the Senator from Arkansas increases mandatory spending and, if adopted, would cause the underlying bill to exceed the committee's section 302(a) allocations. Therefore, I make a point of order against the amendment pursuant to section 302(f) of the Congressional Budget Act of 1974.

The PRESIDING OFFICER. The Senator in Arkansas.

Mrs. LINCOLN. Pursuant to section 904 of the Congressional Budget Act of 1974, I move to waive the applicable section of that act for purposes of the pending amendment and for the 4.4 million children who will be covered by this amendment.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The assistant legislative clerk called the roll.

The result was announced—yeas 49, nays 51, as follows:

[Rollcall Vote No. 153 Leg.]

YEAS—49

Akaka	Dorgan	Levin
Baucus	Durbin	Lieberman
Bayh	Edwards	Lincoln
Biden	Feingold	Mikulski
Bingaman	Feinstein	Murray
Boxer	Graham (FL)	Nelson (FL)
Breaux	Harkin	Nelson (NE)
Byrd	Hollings	Pryor
Campbell	Inouye	Reed
Cantwell	Jeffords	Reid
Carper	Johnson	Rockefeller
Clinton	Kennedy	Sarbanes
Conrad	Kerry	Schumer
Corzine	Kohl	Stabenow
Daschle	Landrieu	Wyden
Dayton	Lautenberg	
Dodd	Leahy	

NAYS—51

Alexander	Burns	Craig
Allard	Chafee	Crapo
Allen	Chambliss	DeWine
Bennett	Cochran	Dole
Bond	Coleman	Domenici
Brownback	Collins	Ensign
Bunning	Cornyn	Enzi

Fitzgerald	Lott	Shelby
Frist	Lugar	Smith
Graham (SC)	McCain	Snowe
Grassley	McConnell	Specter
Gregg	Miller	Stevens
Hagel	Murkowski	Sununu
Hatch	Nickles	Talent
Hutchison	Roberts	Thomas
Inhofe	Santorum	Voinovich
Kyl	Sessions	Warner

The PRESIDING OFFICER. On this question, the yeas are 49, the nays are 51. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected. The point of order is sustained, and the amendment falls.

Mr. GRASSLEY. I move to reconsider the vote.

Mr. BAUCUS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 577

The PRESIDING OFFICER. There are now 2 minutes evenly divided on the Cantwell amendment. The Senator from Washington.

Ms. CANTWELL. Mr. President, this amendment is offered by myself, the Senator from Florida, Senator NELSON, and Senator BAUCUS, to extend the research and development tax credit. What we are saying here today is we will implement a philosophy that has been a proven success in generating jobs in our economy, giving business the ability to deduct research and development costs in an information age when we know there are so many products and services yet to be created.

Since its enactment in 1981, the research tax credit has demonstrated it is a very powerful and effective tool for creating jobs. It should be no surprise to my colleagues that research estimates indicate that agreeing to this amendment could, in the next 5 years, increase our gross domestic product by over $10 billion. There is no better stimulus.

We should make this investment. It is a bipartisan-supported effort, research and development tax credits. Compared to the other stimulus in this bill, this is the tried and true way for the American public. We know there is research and development in biotechnology, in computer sciences, medical research, and this will help us create jobs. I ask my colleagues for their support.

Mr. GRASSLEY. The R&D tax credit doesn't expire until June 30, 2004. That is more than 1 year away. The President has included permanent extension of R&D in his fiscal year 2004 budget. I want the people to know I am committed to extending the credit in subsequent legislation.

However, we have before us the amendment by Senator CANTWELL proposing striking the dividend exclusion in order to pay for the R&D extension. The exclusion for dividend income is a very significant piece of any jobs and growth plan—the President has it in his, obviously—even though in our bill it is scaled back some.

Finally, extension of this R&D credit is not germane to the jobs and growth bill. I therefore raise a point of order under section 305(b)(2) of the Congressional Budget Act of 1974.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, under section 904 of the Congressional Budget Act of 1974, I move to waive the applicable sections of the Act for consideration of the pending amendment.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. McCONNELL, I announce that the Senator from Missouri (Mr. TALENT) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 49, nays 50, as follows:

[Rollcall Vote No. 154 Leg.]

YEAS—49

Akaka	Durbin	Levin
Baucus	Edwards	Lieberman
Bayh	Feingold	Lincoln
Biden	Feinstein	Mikulski
Bingaman	Graham (FL)	Murray
Boxer	Harkin	Nelson (FL)
Breaux	Hatch	Nelson (NE)
Byrd	Hollings	Pryor
Cantwell	Inouye	Reed
Carper	Jeffords	Reid
Clinton	Johnson	Rockefeller
Conrad	Kennedy	Sarbanes
Corzine	Kerry	Schumer
Daschle	Kohl	Stabenow
Dayton	Landrieu	Wyden
Dodd	Lautenberg	
Dorgan	Leahy	

NAYS—50

Alexander	DeWine	McConnell
Allard	Dole	Miller
Allen	Domenici	Murkowski
Bennett	Ensign	Nickles
Bond	Enzi	Roberts
Brownback	Fitzgerald	Santorum
Bunning	Frist	Sessions
Burns	Graham (SC)	Shelby
Campbell	Grassley	Smith
Chafee	Gregg	Snowe
Chambliss	Hagel	Specter
Cochran	Hutchison	Stevens
Coleman	Inhofe	Sununu
Collins	Kyl	Thomas
Cornyn	Lott	Voinovich
Craig	Lugar	Warner
Crapo	McCain	

NOT VOTING—1

Talent

The PRESIDING OFFICER. On this vote, the yeas are 49, the nays are 50. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected. The point of order is sustained and the amendment falls.

Mr. GRASSLEY. Mr. President, I move to reconsider the vote.

Mr. BAUCUS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. GRASSLEY. Mr. President, the leader asked me to remind everybody that starting right now the 10-minute rule for voting is going to be enforced because these votes are taking so long and we have so many more votes to go.

I have made the announcement, and I yield the floor.

AMENDMENT NO. 587

The PRESIDING OFFICER. There are now 2 minutes evenly divided on the Jeffords amendment.

Mr. JEFFORDS. Mr. President, this amendment accelerates the marriage penalty relief for low-income married couples who claim the earned-income tax credit. This marriage penalty relief was included in the 2001 tax bill but does not become fully effective until 2008. Other marriage penalty relief for the 2001 bill is accelerated as part of the bill under consideration today, but not the EITC marriage penalty relief.

A copy of the Washington Post editorial of today on this issue is on your desk.

The pending Senate bill accelerates the child tax credit for some in this group. But like the House version, it would provide no marriage penalty relief for EITC recipients who can face a particularly deep dip.

Considering that in this situation, and two single parents each with one child, each earning $10,000, if they remain single, each receives about $2,500. If they marry, their total tax benefit falls by more than $1,000.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. JEFFORDS. I urge you to look at the editorial at your desk.

Mr. GRASSLEY. Mr. President, I compliment Senator JEFFORDS for doing a lot of work in this area. I was able to work with him on the 2001 tax bill to accomplish lots of what he wanted to accomplish in the area of refundability. But what we have here is an example of going just a little bit further than we should. There is $95 billion in this bill for children.

In addition, we accelerate the refundable child credit for low-income families, the exact group Senator JEFFORDS seeks to help.

I note also that there are some problems with the earned-income tax credit. It has 30-percent improper payments, according to the Treasury. That is $10 billion a year of improper payments. The GAO lists this program on its high-risk list.

I think we are at a point where before we expand the earned-income tax credit we need to make sure it is reformed.

I haven't made a point of order yet, but I would like to make a point of order.

The pending amendment offered by the Senator from Vermont increases mandatory spending, if agreed to, and would cause the underlying bill to exceed the committee's section 302(a) allocations. Therefore, a point of order is raised against the amendment pursuant to section 302(f) of the Budget Act.

Mr. JEFFORDS. Mr. President, pursuant to section 904 of the Congressional Budget Act of 1974, I move to waive the applicable sections of that act and the budget resolution for purposes of the pending amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The question is on agreeing to the motion. The clerk will call the roll.

The bill clerk called the roll.

The yeas and nays resulted—yeas 49, nays 51, as follows:

[Rollcall Vote No. 155 Leg.]

YEAS—49

Akaka	Dorgan	Levin
Baucus	Durbin	Lieberman
Bayh	Edwards	Lincoln
Biden	Feingold	Mikulski
Bingaman	Feinstein	Murray
Boxer	Graham (FL)	Nelson (FL)
Breaux	Harkin	Nelson (NE)
Byrd	Hollings	Pryor
Cantwell	Inouye	Reed
Carper	Jeffords	Reid
Clinton	Johnson	Rockefeller
Collins	Kennedy	Sarbanes
Conrad	Kerry	Schumer
Corzine	Kohl	Stabenow
Daschle	Landrieu	Wyden
Dayton	Lautenberg	
Dodd	Leahy	

NAYS—51

Alexander	Dole	McConnell
Allard	Domenici	Miller
Allen	Ensign	Murkowski
Bennett	Enzi	Nickles
Bond	Fitzgerald	Roberts
Brownback	Frist	Santorum
Bunning	Graham (SC)	Sessions
Burns	Grassley	Shelby
Campbell	Gregg	Smith
Chafee	Hagel	Snowe
Chambliss	Hatch	Specter
Cochran	Hutchison	Stevens
Coleman	Inhofe	Sununu
Cornyn	Kyl	Talent
Craig	Lott	Thomas
Crapo	Lugar	Voinovich
DeWine	McCain	Warner

The PRESIDING OFFICER (Mr. GRAHAM of South Carolina). On this vote, the yeas are 49, the nays are 51. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected. The point of order is sustained, and the amendment falls.

Mr. GRASSLEY. I move to reconsider the vote.

Mr. BAUCUS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I ask unanimous consent to set aside the Burns amendment No. 593 and proceed to the next amendment, which is my own amendment No. 594.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 594

Mr. GRASSLEY. Mr. President, I also ask unanimous consent to add the following people as cosponsors: Ms. COLLINS, Mr. THOMAS, Mr. BAUCUS, Mr. HARKIN, Mr. BINGAMAN, and Mr. CAMPBELL.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. Now I can speak for 1 minute on my amendment.

The PRESIDING OFFICER. The Senator is recognized for 1 minute.

Mr. GRASSLEY. Mr. President, my amendment takes urgently needed steps to end Medicare's discrimination against rural States.

Doctors and hospitals in rural America provide some of the lowest cost, highest quality care in the country. Academics, researchers, and policy people know this, but Medicare does not know it.

This amendment changes that by fixing unfair payment formulas once and for all. Doctors, hospitals, home health agencies, and ambulances in rural communities can count on payment fairness from this day forward by adopting this amendment.

My fairness amendment is paid for by changes in other parts of the Medicare Program, and it is not offset by other parts of the tax provisions of this bill.

My amendment is a dose of commonsense medicine for Medicare in rural America.

One final word to cancer patients in Iowa and across the country regarding the AWP offset. I am going to work in conference and directly with the Secretary of HHS to ensure that seniors and their caregivers have adequate payment for, and continued access to, important cancer therapies.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from Montana.

Mr. BAUCUS. Mr. President, I rise today to speak in favor of the Medicare amendments offered by both Senator GRASSLEY and Senator HARKIN.

Many of the provisions included in both amendments were part of legislation that Senator GRASSLEY and I offered last year. And many of the provisions were included in the Senate Rural Health Caucus bill, which I support. Several of these Medicare provisions in these amendments have also been recommended by the Medicare Payment Advisory Commission, which advises Congress on Medicare payment policy. And they have the support of the American Hospital Association. Taken together, these changes mean a lot to rural providers and, by extension, rural seniors. They represent a significant leveling of the Medicare reimbursement playing field that my colleagues and I have sought to address.

I would also like to add, however, that some of the offsets in the Grassley amendment have generated some controversy.

For example, the proposed changes to Medicare payment for Part B covered drugs are of great concern to many cancer patients and oncologists, among others.

Ideally, we would be legislating on these issues in the Finance Committee so that the committee has a chance to weigh in on these issues. But I believe that the changes on the whole are positive for the Medicare program, and so I intend to support both amendments.

Mr. President, I yield to the Senator from Iowa, Mr. HARKIN.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, I am pleased to join the Senator from Iowa, Mr. GRASSLEY, as a cosponsor of his amendment.

As we all know, the reason this is so critical is that the health care system in rural America is collapsing. For too long the Medicare reimbursements to urban centers have eclipsed those to rural communities at such a rate that cities, towns, and villages throughout rural America are in a real health care crisis.

In our State of Iowa, low reimbursement rates mean we can't recruit and retain health care professionals. Every time a hospital in Iowa treats a Medicare patient, it loses money. That cost is shifted to small businesses, private insurance companies, private payers—in other words, Main Street, Iowa.

This amendment takes a giant step forward in fixing this problem and getting us on the path to making sure we in rural States have the same kind of reimbursements that people do in more urban areas. It would give rural providers and hospitals, and the communities they serve, the support they need and deserve.

I urge my colleagues to support its adoption.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that Senator STEVENS be added as a cosponsor to the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to amendment No. 594.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. REID. I announce that the Senator from West Virginia (Mr. BYRD) and the Senator from Hawaii (Mr. INOUYE) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 86, nays 12, as follows:

[Rollcall Vote No. 156 Leg.]

YEAS—86

Akaka	Dayton	Landrieu
Alexander	DeWine	Leahy
Allard	Dodd	Levin
Allen	Dole	Lieberman
Baucus	Domenici	Lincoln
Bayh	Dorgan	Lott
Bennett	Durbin	Lugar
Biden	Edwards	McCain
Bingaman	Enzi	McConnell
Bond	Feingold	Mikulski
Breaux	Fitzgerald	Miller
Brownback	Frist	Murkowski
Bunning	Graham (FL)	Murray
Burns	Graham (SC)	Nelson (NE)
Campbell	Grassley	Nickles
Cantwell	Gregg	Pryor
Carper	Hagel	Reid
Chafee	Harkin	Roberts
Chambliss	Hatch	Rockefeller
Cochran	Hollings	Santorum
Coleman	Hutchison	Sessions
Collins	Inhofe	Shelby
Conrad	Jeffords	Smith
Cornyn	Johnson	Snowe
Craig	Kerry	Specter
Crapo	Kohl	Stabenow
Daschle	Kyl	

Stevens	Talent	Warner
Sununu	Thomas	Wyden

NAYS—12

Boxer	Feinstein	Reed
Clinton	Kennedy	Sarbanes
Corzine	Lautenberg	Schumer
Ensign	Nelson (FL)	Voinovich

NOT VOTING—2

Byrd	Inouye

The amendment (No. 594) was agreed to.

Mr. GRASSLEY. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 595 WITHDRAWN

Mr. GRASSLEY. Mr. President, I move to set aside the Burns amendment so we can go to the Harkin amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Who yields time?

Mr. BAUCUS. Mr. President, I ask unanimous consent the Harkin amendment be withdrawn.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

AMENDMENT NO. 596

Mr. GRASSLEY. Mr. President, Senator COLLINS is ready to speak on her amendment.

The PRESIDING OFFICER. Without objection, the Senate will proceed to the Collins amendment.

The Senator from Maine is recognized.

Ms. COLLINS. Mr. President, this bipartisan amendment would provide $20 billion in much needed fiscal aid to the States. Forty-nine States are struggling with budget deficits. This won't relieve them of the obligation to make painful budget choices, but it will recognize the difficult financial strains under which they are operating.

Half of the money would go for an increase in the FMAP rate under Medicaid. The other half would be used for a flexible grant program that would be allocated between the States and localities.

I yield the remainder of my time in favor of the amendment to the Senator from Nevada, if he wishes to speak.

The PRESIDING OFFICER. The Senator from Nevada is recognized.

Mr. REID. Mr. President, I compliment the Senator from Maine for her vision in offering this amendment. The State of Nevada is one of the 49 States that is desperate for money. I think this amendment is one of the best we have had. Again, I compliment the Senator from Maine.

The PRESIDING OFFICER. Who yields time in opposition?

Mr. REID. Mr. President, we yield back whatever time is left.

The PRESIDING OFFICER. Without objection, the opposition time is yielded back.

The question is on agreeing to the amendment.

The yeas and nays have previously been ordered.

The clerk will call the roll.

The bill clerk called the roll.

Mr. MCCONNELL. I announce that the Senator from Idaho (Mr. CRAIG) and the Senator from Alabama (Mr. Sessions) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 95, nays 3, as follows:

[Rollcall Vote No. 157 Leg.]

YEAS—95

Akaka	Dodd	Lieberman
Alexander	Dole	Lincoln
Allard	Domenici	Lugar
Allen	Dorgan	McCain
Baucus	Durbin	McConnell
Bayh	Edwards	Mikulski
Bennett	Enzi	Miller
Biden	Feingold	Murkowski
Bingaman	Feinstein	Murray
Bond	Fitzgerald	Nelson (FL)
Boxer	Frist	Nelson (NE)
Breaux	Graham (FL)	Pryor
Brownback	Graham (SC)	Reed
Bunning	Grassley	Reid
Burns	Gregg	Roberts
Byrd	Hagel	Rockefeller
Campbell	Harkin	Santorum
Cantwell	Hatch	Sarbanes
Carper	Hollings	Schumer
Chafee	Hutchison	Shelby
Chambliss	Inhofe	Smith
Clinton	Inouye	Snowe
Cochran	Jeffords	Specter
Coleman	Johnson	Stabenow
Collins	Kennedy	Stevens
Conrad	Kerry	Sununu
Cornyn	Kohl	Talent
Corzine	Kyl	Thomas
Crapo	Landrieu	Voinovich
Daschle	Lautenberg	Warner
Dayton	Leahy	Wyden
DeWine	Levin	

NAYS—3

Ensign	Lott	Nickles

NOT VOTING—2

Craig	Sessions

The amendment (No. 596) was agreed to.

The PRESIDING OFFICER. The Senator from Montana.

AMENDMENT NO. 564

Mr. BAUCUS. Mr. President, I ask unanimous consent that the next amendment we vote on be the Murray amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Who yields time? The Senator from Washington.

Mrs. MURRAY. Mr. President, the Senate has just taken a step in the right direction to address the economic crisis that is facing many of our States and communities by adopting the Collins-Rockefeller amendment. But I think all of us know our States are facing a very severe crisis; in fact, the most severe economic crisis since the Second World War. Many of our State legislatures are facing cuts in health care, education, and even law enforcement.

Our States are facing deficits as high as $80 billion total, and we are very concerned because they are threatening to eliminate the health care coverage of more than 1.7 million Americans.

Today when health care is one of the most difficult decisions our State legislatures have to make, we need to take the next step so we do not lose more doctors, more hospitals; that patients do not see continuing increased costs to their health insurance; and we have Medicaid patients who are losing coverage.

My amendment takes the next critical step by providing $40 billion for the relief package. I urge my colleagues to support this amendment.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I rise in opposition to the amendment offered by the Senator from Washington. First, many priorities identified by Senator MURRAY have already been addressed in Senator COLLINS' amendment. Second, I consider $40 billion for this amendment to be fiscally irresponsible. I do appreciate the needs for State fiscal relief, and that is why I supported Senator COLLINS' amendment. Therefore, I urge my colleagues to vote against this very costly amendment.

The amendment offered by the Senator from Washington increases mandatory spending and, if adopted, would cause the underlying bill to exceed the committee's section 302(a) allocation. Therefore, I raise a point of order under section 302(f) of the Budget Act.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, pursuant to section 904 of the Congressional Budget Act, I move to waive that act for the purposes of the pending amendment. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion. The clerk will call the roll.

The legislative clerk called the roll.

Mr. REID. I announce that the Senator from Hawaii (Mr. INOUYE) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 47, nays 52, as follows:

The result was announced—yeas 47, nays 52, as follows:

[Rollcall Vote No. 158 Leg.]

YEAS—47

Akaka	Dorgan	Levin
Baucus	Durbin	Lieberman
Bayh	Edwards	Lincoln
Biden	Feingold	Mikulski
Bingaman	Feinstein	Murray
Boxer	Graham (FL)	Nelson (FL)
Breaux	Harkin	Nelson (NE)
Byrd	Hollings	Pryor
Cantwell	Jeffords	Reed
Carper	Johnson	Reid
Clinton	Kennedy	Rockefeller
Conrad	Kerry	Sarbanes
Corzine	Kohl	Schumer
Daschle	Landrieu	Stabenow
Dayton	Lautenberg	Wyden
Dodd	Leahy	

NAYS—52

Alexander	Bennett	Bunning
Allard	Bond	Burns
Allen	Brownback	Campbell

Chafee	Graham (SC)	Roberts
Chambliss	Grassley	Santorum
Cochran	Gregg	Sessions
Coleman	Hagel	Shelby
Collins	Hatch	Smith
Cornyn	Hutchison	Snowe
Craig	Inhofe	Specter
Crapo	Kyl	Stevens
DeWine	Lott	Sununu
Dole	Lugar	Talent
Domenici	McCain	Thomas
Ensign	McConnell	Voinovich
Enzi	Miller	Warner
Fitzgerald	Murkowski	
Frist	Nickles	

NOT VOTING—1

Inouye

The PRESIDING OFFICER. On this vote the yeas are 47, the nays are 52. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected. The point of order is sustained, and the amendment falls.

The majority leader.

Mr. FRIST. Mr. President, we have just finished our eleventh rollcall vote in a row, and that is substantial progress. We have been here since 9:15 this morning, and our goal was to address each of the amendments in a systematic way. I commend the Chair for addressing these amendments in a timely fashion. However, we still have a large number of amendments to dispose of. At this time, we are giving Senators a chance to catch their breath to go back to their offices, not for a long time but about 47 minutes, and maybe even grab a bite to eat. We will resume voting right at 2. Although we will not be voting over the next 45 minutes or so, it is my hope we will be able to proceed, which we will, to some opening statements on the bill that will follow completion of the jobs and growth package, and that is the global HIV/AIDS bill, which we will be bringing to the floor.

In order to complete the jobs and growth bill and the global HIV/AIDS bill, we are going to take advantage of this 45 minutes to make some introductory comments about the global AIDS package.

When the Senate resumes the jobs bill, we will automatically begin the voting sequence. The first vote in the series at 2 p.m. will be the normal 15 minutes. Following the first vote, the remaining votes will be 10 minutes. I say again that the voting limit will be strictly enforced to allow us to finish our business as early as possible today.

UNITED STATES LEADERSHIP AGAINST HIV/AIDS, TUBERCULOSIS, AND MALARIA ACT OF 2003

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate now proceed, as under the order, to the consideration of H.R. 1298, until the hour of 2 p.m. today.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 1298) to provide assistance to foreign countries to combat HIV/AIDS, tuberculosis, and malaria, and for other purposes.

The PRESIDING OFFICER. The majority leader.

Mr. FRIST. Mr. President, the first speaker on the global HIV/AIDS bill will be the chairman of the Foreign Relations Committee, Senator LUGAR, who has done yeoman's work in getting us to this point.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. LUGAR. Mr. President, I thank the Chair for the recognition, and likewise I appreciate the majority leader giving us this hour of debate, because today it is very important the Senate consider the global HIV/AIDS bill.

For the past year, intense discussions have occurred in Congress and between the executive and legislative branches on how our country can best respond to the global AIDS crisis.

In June 2002, the Foreign Relations Committee unanimously approved an HIV/AIDS bill, initially introduced by Senators FRIST and KERRY, with a large bipartisan group of co-sponsors. The Senate unanimously passed that bill. However, the House of Representatives failed to act on it before the end of the 107th Congress.

At the start of this Congress, the Foreign Relations Committee undertook at the request of the new majority leader to reintroduce the 2002 Senate-passed bill, with some minor changes requested by the Department of State. In addition, we revised portions of the bill to take account of the President's AIDS initiative outlined in his 2003 State of the Union Address.

The Committee's efforts, therefore, incorporated many of the modifications requested by the White House, including the addition of new authorities for the Special HIV/AIDS Coordinator created by our legislation last year and incorporated in the President's AIDS initiative this year.

Our efforts resulted in S. 1009, currently on the Senate calendar. Simultaneously, the House proceeded with its own bill to authorize the President's AIDS initiative. The House passed that bill last month, and it was placed on the Senate calendar.

Many Senators, including myself, come to this debate with preferences on how a bill should be structured on this subject. Nevertheless, I share the majority leader's hope that the Senate will move quickly to pass the House bill before us so that HIV/AIDS funding will not be delayed any further and so President Bush can have an AIDS initiative in hand when he travels to the G–8 summit later this month of May. The House passed their bill by a vote of 375 to 41. It is a good bill worthy of the strong bipartisan support that it received.

The United States must have partners in the effort to stop HIV/AIDS. Passage of this bill will maximize the President's ability to enlist other nations in the fight against AIDS. American leadership is as important as American contributions to this objective.

We must be mindful of the President's recent observation that, ''Time is not on our side,'' in combating this disease. The global HIV/AIDS pandemic is a humanitarian crisis of horrific proportions. In Africa, nearly 10,000 people contract the HIV virus each day. The United States has a clear moral obligation, as the most powerful nation on earth, to respond generously and quickly to this crisis.

But beyond our moral obligations, we should recognize that this bill is squarely in the self-interest of the United States and the American people. If we are to protect our national security and overcome terrorism, we must devote ourselves to strengthening democracy, building free markets, and encouraging civil society in nations that otherwise might become havens or breeding grounds for terrorists. We must seek to encourage societies that can nurture and fulfill the aspirations of their citizens and deny terrorists the uncontrolled territory and abject poverty in which they thrive.

Few conditions do more harm to these objectives than the HIV/AIDS pandemic. It has imposed a crushing burden on the economies of numerous African nations; it has exacerbated undercurrents of political instability that weaken the fundamentals of responsible government; and it has destroyed millions of family units. Beyond the sick and the dead, the disease has created a generation of orphans, whose prospects for a fulfilling and productive life have been diminished by the loss of parents and other family members.

The President has recognized the urgency of moving forward at this moment in history and has announced his support very solidly. He believes we need to fulfill our altruistic role in the world and to protect U.S. national security. We must join him in this effort by passing the bill before us.

The House bill would authorize the President's Emergency Plan for HIV/AIDS Relief. This plan would provide $15 billion over the next 5 years for AIDS care, treatment and prevention in those countries already facing an AIDS crisis and in those countries that have experienced a dramatic increase in the disease.

The bill would establish the position of Coordinator for HIV/AIDS to ensure an effective approach by the various agencies of the U.S. Government involved in combating the global spread of AIDS.

The bill also would provide the President with the discretion to devote up to $1 billion a year for the Global Fund to Fight AIDS, Tuberculosis, and Malaria. In an effort to generate foreign contributions to the global fund, the bill sets a ceiling for American contributions at one-third of total contributions. In other words, we hope to stimulate at least $2 in foreign contributions to the global fund for each

dollar contributed by the United States.

The Senate can make history this week by passing this bill and sending the measure to the President for his signature. We should do so without delay.

I add, finally, this thought to the debate. The President of the United States, during the ceremonies in which the new members of NATO were ratified by this body last week, and introduced to the public at the White House by the President, took aside Members who were there, and even at a historic moment in which we were discussing NATO, he discussed with us the HIV/AIDS legislation. He indicated that he was going to the summit of the G–8, that it is critical that other nations join us. It is critical today that we pass this legislation.

But in order for the HIV pandemic to be arrested, other nations must be involved. The President emphasized to me and to others that his own advocacy, his own power in that meeting with regard to this issue, is dependent upon having a bill. In a very pragmatic way, the President indicated the House bill, which passed by a large majority, is a good bill. I suspect if the President were to offer all of his amendments, if I were to offer those I have already suggested in the Foreign Relations Committee, likewise the distinguished ranking member, Members of the House and the Senate, who have a variety of ways in which we can improve the situation, we could have a remarkable debate. As a matter of fact, we might have a substantial study of this situation for much of the rest of this Congress. Feelings are very strong on many of these issues.

I am sensitive to this in many ways, having tried, as chairman of the Foreign Relations Committee, from the beginning of this year, to wrestle with this very piece of legislation and how we could bring it to fulfillment.

The President's response to all of this is that the House has passed a good bill. Please pass the same bill without amendment. Please send it to me so I can sign it next week and take it in this month of May to the G–8 summit to make a powerful statement in behalf of the world and in behalf of our leadership.

That has led to my course of action in which I have indicated to my colleagues that I intend to support the President. I intend to support this bill that is before us. I will oppose amendments to the bill because that will clearly complicate the process. A conference would be required. It is not clear how rapidly the conferees could either meet or come to conclusion, and we have a recess 1 week from now, which leaves the President in limbo without a bill.

It is those considerations that I hope Members will keep in mind, will understand, and will in fact support. But at least I appreciate in this opening statement an opportunity to state my own convictions, my own course of action, and the leadership, at least in this body, that I advocate.

I yield the floor.

The PRESIDING OFFICER (Mr. BUNNING). The Senator from Delaware.

Mr. BIDEN. Mr. President, I understand fully the situation of my friend from Indiana. As my colleague, Barry Goldwater—and we both served with him—used to say: In your heart you know we could have a better bill.

But we have a time problem. We have a circumstance where the House had, frankly, thumbed its nose at us last time. We passed unanimously a bill which was much more significant than this bill, led by our majority leader and by my friend from Massachusetts, Senator KERRY. They put together a real robust, significant bill.

This is a mere shadow of that bill in my view. But I end up almost the same place as my friend from Indiana, my chairman does. That is, you play the hand you are dealt. The House doesn't give a darn about this bill. Frankly, they are threatening if we add any amendments to just ditch it. So once again we are yielding to the lowest common denominator.

The fact is, they have a whip hand right now. The fact is, I want the President to be able to have a bill when he goes to the G–8 because I believe he is committed to trying to get the rest of the world to do more than they are doing. He wants to be able, to use a phrase he likes to use, lay his cards on the table. He wants to be able to ante up and say: This is what I am ready to do. Now, what are you all going to do?

I am willing to help him do that, even though this is not—this is not—the best bill. The best bill was the Kerry-Frist bill. That was the best bill we had, and we passed it. I think we voted it out unanimously last time. It was much more significant than the bill we have now. Then my friend and I, both faced with a similar dilemma, came along with what, a Lugar-Biden/Biden-Lugar bill, which was better than this bill.

But I am not here to talk about that. I am here to say we need a bill. I want everyone to know we are trying our best. I hope the majority leader would attest to the fact I have been straight up with him. We want to add a couple of amendments. Frankly, we are going to have a rough road to hoe. I think we will get one—I hope so, because I think the House may accept it if it is added on—which I think is very important.

Parochially, Senator SANTORUM and I, although he is not the one pushing it and I am—one is on the debt relief, which is something my friend from Indiana and I have worked on for years in various forums. And I think we should get the global AIDS fund up to that minimum threshold of $500 million.

Last July, the Senate unanimously approved a bill initiated in the Committee on Foreign Relations by Senators KERRY, FRIST, HELMS and myself. It stalled in the other body. There was little interest expressed by the Bush administration, and the bill died.

In January of this year, as one of the first orders of business, we began discussions in the Committee on Foreign Relations on moving forward on the Kerry-Frist-Helms-Biden bill. Unfortunately, each time we tried to proceed with the bill, the White House or the majority leader asked the chairman to delay, because the administration wanted more time to work on its proposal.

We might have passed a very strong bill months ago. But we did not. Now we are told that time is up, that we must take up the House bill, and that we must not amend the House bill.

I must say that I find it curious that we were asked to delay, and now we are told we cannot amend this bill. But I will return to that subject in a moment.

HIV/AIDS is the worst epidemic that mankind has ever seen. It is a source of instability. It is highly damaging to economic development in some of the poorest countries of the world. It is a humanitarian disaster. It is, in short, a national security issue, and will be for the foreseeable future.

It is right and proper that the Congress and the President work together to develop a comprehensive program of assistance.

As the world's leading economic power, we have a responsibility to lead the world in fighting this plague. I commend the President for focusing attention on this important question. It has clearly helped us push this legislation toward the finish line.

But now that we are nearing that finish line, I think we need to make a few modifications. The bill before us was passed by the House with, I am sure, the best of intentions.

It does not, however, as the title suggests, provide leadership. I believe there is considerable room for improvement in the House-passed bill.

I acknowledge that the bill does some useful things.

First and foremost, it acknowledges the severity of the HIV/AIDS epidemic, and authorizes substantial funds over a 5 year period to address it—$15 billion over 5 years, to be exact. That's a heck of a lot of money, and well above the current budgets for these programs.

It provides for a strategy, and a coordinator to pull together all the agencies working on this issue. These are all good things.

Unfortunately, the House bill has several flaws.

The bill gives no guidance on the amount of our contributions to the Global Fund. In Fiscal Year 2004, the bill authorizes ''up to'' $1 billion. So it could be $1 or $1 billion. Which one is it? What do we really expect the Committee on Appropriations to provide? The President's budget requests just $200 million for the fund, which is far from adequate.

For the remaining 4 years the bill, there is no specific amount set forth. It

merely authorizes ''such sums as may be necessary.'' This is an abdication of Congressional responsibility. It's like giving a contractor money to build a house without stating what you want the house to look like. Who would do something that unwise?

I believe that it is our job to set priorities, and funding levels. The voice of Congress should be heard on this issue. There will be an amendment by one of our colleagues authorizing a responsible contribution of the fund.

The House-passed bill does not deal with the issue of debt relief for countries suffering the burden of an AIDS epidemic.

Last year the Senate-passed bill included a provision, authored by myself and Senator SANTORUM, extending increased debt relief to countries with a severe public health crisis such as AIDS. We should do no less this year.

The House-passed bill contains language that I think is bad policy. It contains a requirement that one-third of all dollars devoted to prevention must be earmarked for abstinence-only until marriage programs.

I am concerned that this limitation is impractical.

I believe that the Agency for International Development and other agencies working on the ground are competent to decide how much money to spend on abstinence-only programs based on local conditions.

We should not assign arbitrary percentages to one element of a comprehensive strategy to prevent the spread of AIDS without a rationale. How did the other body come to the conclusion that 33 percent was appropriate? I do not know. I doubt that anyone does.

There are other problems with the bill. Some are more serious than others.

We will try, with a few amendments, to fix them in an expeditious way.

The majority leader has suggested that we must not amend this bill because there is no time for a conference or for consideration by the other body. With all respect to the leader, I believe he is mistaken.

The reconciliation bill we just passed will not go to conference. The leadership of both bodies intends to bring back the conference report on that bill before the recess. I can assure the leader that any conference on this bill would be far simpler than the conference on the reconciliation bill.

Morever, the bill need not even go to conference—it could go through the House again, containing the amendments by the Senate. That happens all the time around here. There's no reason that action cannot be scheduled promptly—if the House leadership wants it.

What the leader is really saying is this: we must be a rubber-stamp for the other body. We cannot amend it, not even one word, or else the bill will be in trouble.

I simply don't believe that.

The Senate has a duty to debate and vote on amendments. If you oppose amendments, vote them down. But don't vote them down because you think an amendment will doom the bill.

Let us have a debate. We will do it quickly. We have no intention of delaying passage of this legislation. I urge my colleagues to support a limited number of amendments. Then we can send it to the other body, and get it to the President by the end of next week.

Frankly, I feel a little bit like I was misleading the public at large, as if I were the leader on this subject. The leader on this subject has been Senator JOHN KERRY, on our side of the aisle. So I would like, with the permission of my colleagues, to yield to Senator KERRY to make the substantive opening statement on this bill, since I will have an opportunity to manage it. Again, I compliment him and Senator FRIST, who, frankly, were the emotional, political, and intellectual engines getting this going.

If there is no objection, I yield the floor to my friend from Massachusetts.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Mr. President, I am extraordinarily grateful, not just for the yielding by my colleague from Delaware, and my friend of many years here, but I am also very grateful for the comments he just made. I appreciate enormously his acknowledgment of the work that has gone into this legislation from the Foreign Relations Committee. Senator FRIST and I did start this effort a number of years ago. In fact, we chaired a major bipartisan, frankly apolitical, completely nonpolitical effort nationally, bringing together most of the people involved in this issue for a long period of time to solicit from them their thoughts about the best way to try to put together, for the first time, a comprehensive approach to the issue of AIDS.

The reason for wanting to make it comprehensive, obviously, is that everything else was failing. There was and is a sense of implosion in continents and countries as a consequence of what is happening.

No country ever had the capacity to provide as much leadership or to provide as much resource as the United States of America to help to deal with this issue. It is good that we are at least on the floor of the Senate today for some brief period of time dealing with this question of the HIV/AIDS, Tuberculosis and Malaria Act which comes over to us from the House. The scope of the AIDS epidemic really cannot be underestimated. It is now spreading to the Caribbean. It is in East European former Soviet bloc countries. It is in Asia. The nondiscriminating way that AIDS kills women and children, men and boys, young and old alike, tears up families, and destroys human infrastructure, is beyond people's belief, absent an extraordinary effort comprehensively to begin to coordinate a global effort to combat it. It is the worst public health, social, and humanitarian crisis of our age.

It is imperative the United States lead the efforts to deal with it. It should not only be on our agenda today, but it needs to be on our agenda in the months and years to come.

Obviously, Congress should send to the President legislation that substantially increases funding for our global AIDS programs, and indeed this bill will do that. But we need to leave no doubt in the world's mind that we are going to be at the forefront of that fight in the years to come.

To underscore what the ranking member of the Foreign Relations Committee just said, the President could have had this legislation last year, or even earlier this year, had the administration and Republican allies in Congress wanted it. Last July, the Senate unanimously passed and sent to the House the bipartisan United States leadership effort against HIV/AIDS.

I thank the majority leader for his efforts to join me in again a completely nonpartisan effort to try to behave in a globally responsible way and in a way that lives up to the highest values and standards of our country.

I introduced that bill a year ago today, along with Senators FRIST, BIDEN, HELMS, DASCHLE, and some 10 other cosponsors. That bipartisan bill was the most comprehensive global HIV/AIDS bill ever introduced in the Congress. It authorized more than double the annual $1 billion level of funding for AIDS, TB, and malaria programs over each fiscal year of 2003 and 2004, it created an HIV/AIDS coordinator in the Department of State, it ensured the Government had a comprehensive 5-year global strategy on HIV/AIDS, and it provided USAID, CDC, and other HHS agencies with the necessary authorities and resources to carry out an effective program of prevention and treatment abroad.

The House of Representatives had ample opportunity to act on this bill before Congress adjourned last November, but it failed to even take it up. Nor was the House interested in conferencing the full bill. The administration provided no impetus, no leadership, and no effort in order to try to get the House to do so. Apparently the comprehensiveness of the bill was too much for the House Republicans to handle.

Speaking to this point on November 13 of last year, Congressman HYDE, chairman of the House International Relations Committee, stated that ''Discussions have broken down between the Senate and the House over the size and the scope of the bill.'' And there was no intervention whatsoever by the administration to try to bring those parties together at any time.

It is more than regrettable that our colleagues in the House refused to act last year. Although this bill predated President Bush's AIDS initiative announced this year in his State of the

Union Address, that very worthy initiative could easily have been funded and carried out under the provisions of the Senate-passed bill. We had a missed opportunity, one that could have saved lives. As Chairman HYDE wrote earlier this week in his own op-ed in the Washington Post, ''In the five minutes or so required to read this column, another 30 people will die and another 55 will become infected.''

Just think how many people could have been helped had the administration and the House not missed the opportunity offered by the Senate last year to ramp up our efforts.

Since the beginning of this year, Senator BIDEN and I have worked consistently with Senator LUGAR, chairman of the Foreign Relations Committee, to produce a bipartisan global HIV/AIDS bill. Regrettably—and I do regret—each step of the way those efforts were repeatedly frustrated by the White House and some Members on the other side of the aisle. Our most recent effort, S. 1009, the United States Emergency Plan for AIDS Relief Act of 2003, introduced by Senator LUGAR on May 7 and cosponsored by Senators BIDEN, DASCHLE, and SARBANES, was based on the very draft the majority leader, Senator FRIST, brought us for consideration after consultation and input from the White House. But that effort, too, died on the vine.

The White House and the Senate majority leader have made it abundantly clear that the President now wants the Senate to move quickly to pass the bill without amendment. Having been at the forefront of the legislative effort to combat this, I am delighted the President now wants to have a bill in hand when he meets with the G–8 leaders in June. I agree that we can and must leverage other nations to increase their efforts and their resources to combat the AIDS pandemic. And I am confident the President will be able to tell his colleagues and the Congress that we are united in the fight against AIDS. However, the bill we send him ought to not only provide substantially increased resources to fight AIDS, but it should also embody comprehensive, balanced, and effective policies and programs.

The pending House bill does well in resources in terms of authorization—$15 billion over the next 5 years for the three most infectious global diseases, HIV/AIDS, TB, and malaria. Like last year's bipartisan Senate bill on which it is modeled, the House bill established an HIV/AIDS coordinator, and it mandates a coordinated, comprehensive, and integrated U.S. 5-year strategy. But the bill remains flawed. If left unaddressed, those flaws will seriously undermine the effectiveness and the comprehensiveness of the U.S. AIDS programs.

The House bill provides insufficient resources for the Global Fund to Fight AIDS, TB and Malaria, the public-private partnership established in 2001 with the strong support of President Bush and United Nations Secretary General Kofi Annan. The global fund reflects the international community's determination to marshal increased resources to combat not only HIV/AIDS but also TB and malaria. Tommy Thompson, Secretary of Health and Human Services, currently chairs the global fund's board of directors. Whereas the Bush administration's new AIDS initiative is focused on only 14 countries—12 in Africa and 2 in the Caribbean—the global fund's scope is worldwide, covering not only countries where AIDS is rampant, but also countries such as Russia, China, and India, where the epidemic is growing rapidly.

The Bush administration's preference for bilateral efforts over multilateral efforts, in my judgment, is discernible because of the way the allocation of funds within the President's announced initiative takes place. The President promised $15 billion over 5 years. But only $1 billion of those funds—that is $200 million a year—would go to the global fund. This annual figure of $200 million a year is already $150 million less than we have provided in fiscal year 2003 alone. The President's proposal provides for no increases over the 5-year period.

The House bill authorizes ''up to $1 billion'' for the global fund for fiscal year 2004. On the face of it, that looks like an improvement. It is calculated to look like an improvement, but it is not an improvement. The House bill fails to guarantee any specific funding level, and it caps U.S. contributions at 25 percent of the fund's total contributions.

This is simply not adequate. We can, and we should, do more. At a minimum, we should be able to guarantee that our contributions to the fund for fiscal year 2004 are significantly increased over the 2003 level.

I know some of my colleagues believe other countries are not contributing enough to the fund. I share that concern, but I am proud that the United States of America is the largest donor to the fund, and we ought to be. In my view, that is commensurate with leadership, and leadership is what is needed. However, other countries can and should do more, and if leveraging our contributions will enable Chairman Thompson and the leadership of the global fund to raise more resources, I am all for that.

S. 1009, the Lugar-Biden-Kerry bill that was introduced earlier this month, would authorize $1 billion for the fund for fiscal year 2004, and $500 million of this would be available without any strings attached. To receive the additional $500 million, the fund would have to raise $2 billion in contributions from sources other than the United States. So it provides real leverage, and that is what we ought to be doing. In effect, the United States would be providing one-third of the fund's resources—a figure with which all of us ought to be able to live. I will support changes in the House bill to strike the House language on the fund and achieve those higher funding levels.

Second, the House bill mandates that one-third of the funds spent on prevention go only to abstinence-until-marriage programs. Now, none of us disagrees that abstinence is an important component of AIDS education. It is important as a matter of values, and of course we ought to engage in that effort. But the effectiveness of these programs depends literally on their comprehensiveness and on their relevancy to the population you are targeting. That means you need all three components of the so-called ABC model: abstinence; be faithful, which includes reducing the number of partners; and the use of condoms.

Obviously, abstinence does not apply to all target populations. For example, take a situation where you have people who are married or they are in a monogamous relationship. It is well and good to promote the concept of abstinence, which we should do, but abstinence-until-marriage programs have their greatest resonance with young people, and I believe we ought to fund those types of programs. But we should not tie the President's hands by specifically earmarking the percentage of funds to be spent on these programs because that denies the reality of what you find on the ground in terms of the targeted population.

I will support an amendment to strike this earmark. We ought to be rational enough as human beings to understand that you do not want to just promote abstinence. What happens when somebody falls short of the abstinence, as everyone in the world knows occurs? Then you want at least to have that person also educated as to what the possibilities are to still prevent the spread of the disease.

In my view, we should be providing the administration with maximum flexibility to ensure that our assistance programs are well targeted to the countries in which we are working. Regrettably, the House bill contains a number of earmarks and limitations ideologically driven but not practically driven, which reduce the flexibility and undermine the capacity to work with various high-risk populations at the epicenter of the HIV/AIDS pandemic.

The House bill guarantees that faith-based organizations may participate in U.S. Government-funded HIV/AIDS programs even if they choose not to participate in all elements of the program. For example, they can be involved in the component that respects abstinence but they may choose not to be involved in providing counseling on safe sex and distributing condoms.

Faith-based organizations are on the front lines of the fight against HIV/AIDS, and I respect that. We welcome that. And they should be. We need them there. I do not believe we should ask any organization, faith-based or otherwise, to compromise their principles in this effort, and I would not do that. But if the U.S. Government is

funding their programs, it is important, with respect to the expenditure of our dollars, that we guarantee that those dollars be spent in the most effective way and that we need to respect the interventions that, in fact, prevent HIV infection, even those they object to on a moral or religious ground.

An organization that does not wish to give out condoms should absolutely not be required to do so, but it also ought to be required to give accurate and medically sound advice on the effectiveness of that method. I will support an amendment to the House bill that makes it clear that all organizations that are funded by the U.S. Government in this fight must follow that policy.

Last year, the Senate-passed AIDS bill contained a title on debt reduction that was authored by Senators BIDEN and SANTORUM. It urged the Secretary of the Treasury to renegotiate the Enhanced HPIC Initiative to provide funds for HIV/AIDS programs through greater debt reduction. The House bill we are now considering contains no such title, despite strong support for it from many quarters, including the Catholic and other churches. This deficiency in the House bill ought to be corrected. I strongly support Senator BIDEN's amendment to put that title back in the bill.

This bill has been a long time in coming. It is here now. Obviously, it is important for the Senate to advance our efforts with respect to AIDS. In my judgment, the amendments that are being offered will improve this legislation in terms of its resources, in terms of its policy, and the flexibility for the President.

I hope those amendments will be adopted, notwithstanding the Chair's desire not to have any amendments, because they will provide us with the capacity to have the full measure of the policy we ought to be passing in order to deal with this issue. It is better to have something that is comprehensive and effective than something that merely meets political cosmetic needs and does less than what is needed to address this extraordinary challenge.

I also believe there is time yet. There is time, if there is good will on both sides and if there is Presidential leadership, to conference a bill with these amendments. There is no reason we should not make that available to the Senate. We can guarantee the President, on our side, that if we do that in good faith, he will have a bill before he goes to the G–8 summit. But if our efforts to improve this bill fail, I will still support it, Mr. President, imperfect as I think it is, because stemming the AIDS pandemic is the goal and any measure that begins the steps towards that cannot be ignored and is better than none.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

The majority leader.

Mr. FRIST. Mr. President, I will be speaking for about 10 minutes or so. The Senator from Illinois and I were just discussing all of us who want to speak on, and that we, the Senator from Illinois and the Senator from Massachusetts, from whom we just heard, have worked so hard on this effort.

I think what I will do is get my opening statement out of the way, and then we will come back to the bill a little later today.

I will yield a minute or so to the Senator from Illinois, if he would like to make a comment. I know we are a little constrained for time. We are going back to the growth bill in about 9 minutes.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I thank the majority leader for yielding 1 minute.

Mr. President, I think this is a historic piece of legislation. I think the United States is making a commitment to a world problem that is going to haunt us for decades to come.

I salute President Bush for his leadership. I am glad this has been bipartisan. My only regret is that it comes to the floor in a very tight procedural situation. I hope we will have time to have an honest discussion about a few issues and still deal with this bill on a timely and dispatched basis.

I salute the Senator from Tennessee, the majority leader, for his commitment, as well as the Senator from Massachusetts, and my good friend and neighbor from Indiana, Senator LUGAR.

I am going to withhold any further statements for a little later on in the bill. As we get into the dialog, I will offer a few ideas.

Mr. FRIST. Mr. President, we really only have 35 minutes to speak on the bill itself, now that we are officially on the bill. My colleagues can tell from the comments today that this initiative is a huge bipartisan initiative that is supported strongly by Democrats and Republicans. I think they will see as the debate goes forward that nobody thinks the bill is absolutely perfect in the sense that they don't as individuals agree with everything in the bill itself. Again, reflected in the comments we have just heard, if we step back, we are seeing an unprecedented commitment on behalf of this institution, the Senate, the House of Representatives, the Congress, with passage of a bill that follows the leadership of President Bush of $15 billion over a 5-year period.

I especially appreciate the comments of the Senator from Massachusetts because, indeed, Senator KERRY and I have been working on this issue for years, in an apolitical way, in working with CSIS, which is a nonprofit group that all of us know, and we have brought in the experts from all over the world. They have done a beautiful job. We have sent delegations to China to look at the issue and broadly support it.

I think that is what this bill is all about. So much of what we do appears so partisan and, indeed, we will disagree on dollars and how much should go to the global fund. Some people feel passionately it needs to be more. Others say: Let's give a little more time to the fund. At the end of the day, when we pass this bill, this bipartisan bill—it comes from the House, but it is an assimilation of all the ideas we have been working on—it is something of which we can be quite proud.

The chairman of the Foreign Relations Committee, Senator LUGAR, his made comments I especially appreciate because it walked through the challenges we face in addressing an issue that is very difficult for a lot of people because it involves stigma, a virus that wasn't even around 23 years ago. The HIV, when I was doing medical school and the internship and the early years of residency, had never been heard of, not talked about in the textbooks until 1981, when we saw the first three or four viruses. That virus has now killed 23 million people, has 40 million people infected, and will kill, in the best of all worlds, another 60 million people.

As history looks back at this day or at this year or at these Senators in this body, it will be able to say we did everything possible to reverse the course of that destruction. At the end of today we will say, yes, for this point in time—we have lots of other steps to take—this is the first major step. This is what I wanted to say to my colleagues on both sides of the aisle. This is not going to cure the virus. We have no cure. We have no vaccine. We can reverse that trend, but this is the first major step.

The President took the lead in the State of the Union Message. It is very complementary to the work I have worked with Senator KERRY and Senator LUGAR and Senator BIDEN and Senator DURBIN on over the years. That is most important. This little HIV virus is only about 100 nanometers. That is tiny. It is microscopic. It is invisible to the naked eye. A meter is about that big. It is a billionth of a meter in terms of size, 12,000 times smaller than a human hair. So it is amazing. We are just entering this era where we understand viruses and how we can fight them to the point that we can effectively combat them, but something that small can cause so much destruction.

In terms of process, which people have referred to, we will begin legislation later today on this $15 billion 5-year effort to combat the worldwide HIV/AIDS epidemic. The bipartisan support is reflected in the fact that the bill that I, in talking to the leadership on the other side of the aisle, said, how can we best immediately begin the response to the destruction of this virus, meaning not put it off 6 months or 12 months or 3 months or a year, and it is using this piece of legislation which will come to the floor later today.

Some have suggested, you kind of knock out the deliberative process by

going to the House bill. I disagree. We have put together various bills. If you look at the House bill, while not everybody agrees with everything in it, it really is an assimilation of the proposals put forward that looks at prevention, care, and treatment. That is what is beautiful. It is the amount of money, $15 billion, about $3 billion a year for 5 years, the money, but also it is the first time in legislation that we have linked a public health approach, which you need, to this greatest of all humanitarian and public health tragedies—challenges, as Senator KERRY has just said on the floor, that you link prevention, care, and treatment. With that, over time, we will be able to reverse the course of this virus.

The treatment strategies themselves have to do with antiretroviral drugs. Some people say, let's put all the money there. We don't have a cure yet, so to put all the money there doesn't make sense. We have to go back and look at both prevention, which we know is 100-percent effective, the prevention strategies—I refer back to Uganda, and what is being done there—and also the care. How do you manage people with HIV/AIDS? It could be other antibiotics. It could be nutrition. It could be care. That is why the overall planning and the comprehensive nature of this bill is so important.

The bill before us does represent a lot of coming together into a focus of agreement and consensus on a range of issues—not all of the issues, but on, I would say, most of the issues. That is why we can't let the perfect be the enemy of what the good is in this particular bill.

It is true that in less than 3 weeks the President of the United States, if we pass this bill, will be able to go to the G–8 conference, and that is important. That is not necessarily the driving reason to do it, but it does give us an additional reason to do it—in addition to the fact it will save lives, which is the most important issue to all of us—that the President of the United States can show that we are a caring nation, we are not just a good nation but we are a great nation in terms of reaching out, the caring, the compassion as we go forward. We will be able to lead—yes, we are a powerful nation—and get other nations to participate because we can't solve this problem by ourselves. The United States can't do it. We don't know the answer. We don't have enough money to do it. But when we can bring the family of nations, contributing both commitment and money, we will be able to cure this little virus as we go forward.

There are lots of issues in the bill we will talk about later. One of the most important is that we can start immediately. We will have a skilled coordinator—that is part of the underlying package—will be able to move forward, begin the planning, begin the implementation. Then through the appropriations process we will be able to add the appropriate money.

Let me close as I opened: Again, we will have the opportunity to talk later tonight at greater length. History, ultimately, will judge how we respond. We have done a pretty good job through study, committees, through bills, through proposals, through debates, through the appropriations process, but this gives us the first disciplined, dedicated, focused, comprehensive response which links the public health with the scientific. That is what this is about.

History will look back on this day as the first major step in reversing this greatest of humanitarian challenges of the 21st century. We do have a choice. We could put it off for later or we could choose to do it now. I believe we will choose to act tonight, ultimately pass this bill, and, with that, it will be a demonstration of why we are not just a good Nation but a great nation.

I yield the floor.

The PRESIDING OFFICER. The minority leader.

Mr. DASCHLE. Mr. President, I want to thank the majority leader for bringing this important piece of legislation to the Senate floor. It is desperately needed. The Senate passed something very similar to this proposal 9 months ago. Despite our urgent and repeated requests, Republican leaders in the House refused to act on that bill. But something important happened between then and now. In his State of the Union Address to the Nation, President Bush proposed an historic U.S. commitment to the global AIDS fight. We applaud the President's support. I also want to acknowledge Secretary of State Colin Powell, who has shown great leadership on this issue of global AIDS and taken some criticism for it.

Our colleagues in the House of Representatives, especially Congressmen HENRY HYDE and TOM LANTOS, also deserve thanks for their commitment to this cause. Here in the Senate, many of us have seen the face of AIDS in Africa and the Caribbean personally. This fight has benefitted from their leadership. I especially want to acknowledge the work of Senators DURBIN, KERRY, BIDEN, LEAHY, FEINGOLD, KENNEDY, FRIST, LUGAR, and DEWINE.

Last August, I traveled with several of our colleagues to South Africa, Kenya, Botswana, and Nigeria. We wanted to get a clear look at the development challenges in Africa. The challenges are myriad and massive. They include investment and trade, education and agriculture. One of Africa's greatest challenges is health care—particularly AIDS.

In South Africa, I had the privilege to deliver 1,000 pounds of clothes and toys, donated by the people of South Dakota to children in South Africa affected by HIV/AIDS. Those toys provided some glimmer of hope to the South African children who received them. But this bill offers the beginning of real hope. This bill holds out the promise that some of those children will grow to be adults and perhaps have children on their own.

On that trip, I met a young girl named Mary. She lives in Soweto. She had recently lost both of her parents to AIDS. She had been left to care for her four younger siblings. She was 12 years old. Mary and her siblings are among the world's more than 14 million ''AIDS orphans''—children who have lost their mother, or both parents, to AIDS. Worldwide, more than 30 million people have already died from AIDS. Last year, AIDS and AIDS-related illnesses claimed the lives of 3.1 million people. And 5 million more people became newly infected. Today, more than 42 million people are infected with HIV or living with AIDS. More than 75 percent of them live in Africa or the Caribbean.

I am convinced that, if we combine America's resources and technology and the great compassion of the American people with the courage and hope shown by Mary and so many others, we will defeat this disease.

HIV/AIDS is the great humanitarian crisis of our time. But it is more than a humanitarian crisis. AIDS is a national security issue. It is a public health issue. It is an economic issue. And it is a moral issue. We have the tools to fight this disease. It is our duty and our obligation to use them. The U.S. commitment to the global AIDS fight has increased significantly in the last few years. But we could have, and should have, done far more, far sooner. We must not delay any more.

This bill is another step in our fight. It would more than double current U.S. spending for international AIDS programs. It calls for a comprehensive strategy that integrates prevention, treatment, research for a vaccine and help support children—like Mary, orphaned by the disease.

The President is right in calling for us to target nations in Sub-Saharan Africa and the Caribbean. These nations represent the epicenter of the global AIDS crisis. But a crisis is looming in Asia and Central and Eastern Europe. We must do now in those areas what we did not do soon enough in Africa. We must intervene now to stop the spread of HIV/AIDS before it reaches the epic proportions experts warn we could see. For that reason, Democrats will offer an amendment to this bill to guarantee a robust American commitment to the Global Fund to Fight AIDS, Tuberculosis and Malaria. The bilateral efforts aimed at Africa and the Caribbean are needed to address today's crisis. A strong U.S. commitment to the Global AIDS Fund is needed to prevent tomorrow's crisis.

We will also offer an amendment to give the President the flexibility he needs to confront this epidemic. The House bill ties the President's hands on prevention programs. Abstinence must be a central piece of any successful prevention program. But earmarking 33 percent of prevention funds for one approach is counter-productive.

We will also offer other important amendments. One will relieve the debt

burden on the world's poorest nations—many of whom are burdened also by this AIDS crisis. Another will provide American food aid to people suffering from AIDS in desperately poor nations. We know that many people who suffer from AIDS actually die from starvation and malnutrition. Emergency food aid from America's farmers can help keep them alive.

It is important to note, however, that this is just an authorization bill. By itself, it does not commit one dime to prevent AIDS or help its victims. The real test of our commitment to children like Mary and others living with and threatened by AIDS will be whether we fund this promise. A prescription you can't afford to fill does no good at all. The President calls his proposal an ''emergency plan.'' He is right. This is an emergency. We should treat it like an emergency. After we pass this bill, we must appropriate the full amount it prescribes.

We can react to the plight of AIDS orphans like Mary with denial and despair. Or we can respond—as this proposal does—with a determination to save those children and the millions of others threatened by HIV/AIDS.

In Uganda, mothers with AIDS create ''memory books'' for their children. In their dying days, they gather together photos and stories they want their children to know. They know that they will not live to see their children grow up. With this bill, we have a chance to write a different book—a different kind of history in this fight against AIDS. Let us write that book. Let us pass this bill today. Then, let us quickly agree to commit the resources it promises.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. ALEXANDER). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. COLEMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COLEMAN. Mr. President, are we in morning business? What is the status of where we are, Mr. President?

The PRESIDING OFFICER. The Senate is to resume consideration of the tax reconciliation bill.

Mr. COLEMAN. I ask unanimous consent to have an opportunity to address the global AIDS bill very briefly.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Objection.

The PRESIDING OFFICER. Objection is heard.

JOBS AND GROWTH TAX RELIEF RECONCILIATION ACT OF 2003—Continued

Mr. BAUCUS. Mr. President, what is the regular order?

The PRESIDING OFFICER. The reconciliation act, and it is necessary to set aside the pending Burns amendment.

Mr. BAUCUS. I ask unanimous consent that the Burns amendment be set aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 614

The PRESIDING OFFICER. The business now is the amendment of the Senator from Michigan.

Who yields time?

Ms. STABENOW. Mr. President, I ask unanimous consent that Senator MIKULSKI be added as a cosponsor of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. STABENOW. Mr. President, I urge my colleagues to support this very important amendment for the seniors of this country. This does that. First and foremost, before we pass the dividend tax cut and the top rate tax cut, we will proceed to develop and pass a comprehensive prescription drug benefit that is equivalent to what we receive in the Senate. I have heard many colleagues express the concern I share, which is that the seniors and the disabled of this country ought to have the same ability to have the prescription drug coverage we as Federal employees do.

This amendment simply sets our priorities straight. It says before we proceed with these two tax cuts, we will pass a comprehensive prescription drug benefit based on FEHBP, the most common portion of which is used by Senate and House Members. I urge my colleagues to support this amendment.

The PRESIDING OFFICER. Who yields time? The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I oppose this amendment. I feel exactly about Medicare and prescription drug issues as the Senator from Michigan, but this is not the way to do it. This amendment reduces our jobs and growth package even before the Finance Committee takes up a comprehensive prescription drug benefit and Medicare improvement bill.

I hope everybody knows that I am very committed to reporting a $400 billion bill out of the Finance Committee, and doing it this summer, hopefully within the month. This will add a comprehensive prescription drug benefit for seniors.

The amendment before us jumps the gun. I am working in a bipartisan way on a prescription drug policy that fits within that $400 billion framework in our budget resolution. In fact, I have a 4 o'clock meeting today with Senators on that issue that, obviously, I am not going to be able to keep because of these rollcall votes. We need to keep the jobs and growth package complete.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. GRASSLEY. Mr. President, I want to raise a point of order. This upsets the balance of our bill. This language is not germane to the measure before the Senate. Therefore, I raise a point of order under section 305(b)(2) of the Congressional Budget Act.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Due to the fact the budget resolution does not contain enough revenue to do what our distinguished chairman has just indicated, this amendment is necessary to make that happen. Pursuant to section 904 of the Congressional Budget Act of 1974, I move to waive the applicable sections of that act and the budget resolution for the consideration of the pending amendment. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion. The clerk will call the roll.

The assistant legislative clerk called the roll.

The yeas and nays resulted—yeas 44, nays 56, as follows:

[Rollcall Vote No. 159 Leg.]

YEAS—44

Akaka	Durbin	Levin
Bayh	Edwards	Lieberman
Biden	Feingold	Lincoln
Bingaman	Feinstein	Mikulski
Boxer	Graham (FL)	Murray
Byrd	Harkin	Nelson (FL)
Cantwell	Hollings	Pryor
Chafee	Inouye	Reed
Clinton	Johnson	Reid
Conrad	Kennedy	Rockefeller
Corzine	Kerry	Sarbanes
Daschle	Kohl	Schumer
Dayton	Landrieu	Stabenow
Dodd	Lautenberg	Wyden
Dorgan	Leahy	

NAYS—56

Alexander	DeWine	McConnell
Allard	Dole	Miller
Allen	Domenici	Murkowski
Baucus	Ensign	Nelson (NE)
Bennett	Enzi	Nickles
Bond	Fitzgerald	Roberts
Breaux	Frist	Santorum
Brownback	Graham (SC)	Sessions
Bunning	Grassley	Shelby
Burns	Gregg	Smith
Campbell	Hagel	Snowe
Carper	Hatch	Specter
Chambliss	Hutchison	Stevens
Cochran	Inhofe	Sununu
Coleman	Jeffords	Talent
Collins	Kyl	Thomas
Cornyn	Lott	Voinovich
Craig	Lugar	Warner
Crapo	McCain	

The PRESIDING OFFICER. On this vote, the yeas are 44, the nays are 56. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected. The point of order is sustained, and the amendment falls.

Mr. GRASSLEY. Mr. President, I move to reconsider the vote.

Mr. BAUCUS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The next amendment is the Warner amendment. The Senator from Iowa.

Mr. GRASSLEY. I ask unanimous consent that the Warner amendment be set aside to take up another amendment, and then we will take up the Warner amendment next.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

AMENDMENT NO. 592, AS MODIFIED

The PRESIDING OFFICER. The next amendment is the Voinovich amendment. Who yields time?

The Senator from Montana.

Mr. BAUCUS. I understand the regular order is the Voinovich amendment. The Senator from Ohio has the right to speak.

The PRESIDING OFFICER. The Senator is correct.

The Senator from Ohio.

Mr. VOINOVICH. I have an amendment that has been modified. The modification has been agreed to. I send my amendment, with the modification, to the desk.

The PRESIDING OFFICER. Without objection, the amendment is so modified.

The amendment, as modified, is as follows:

(Purpose: To establish a blue ribbon commission on comprehensive tax reform)

At the appropriate place insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Fundamental Tax Reform Commission Act of 2003''.

SEC. 2. ESTABLISHMENT OF COMMISSION.

(a) ESTABLISHMENT.—There is established the ''Blue Ribbon Commission on Comprehensive Tax Reform'' (in this Act referred to as the ''Commission'').

(b) MEMBERSHIP.—

(1) COMPOSITION.—The Commission shall be composed of 12 members of whom—

(A) 1 shall be the Chairman of the Board of Governors of the Federal Reserve System;

(D) 2 shall be appointed by the majority leader of the Senate;

(E) 2 shall be appointed by the minority leader of the Senate;

(F) 2 shall be appointed by the Speaker of the House of Representatives;

(G) 2 shall be appointed by the minority leader of the House of Representatives; and

(H) 3 shall be appointed by the President, of which—

(i) no more than 2 shall be of the same party as the President; and

(2) FEDERAL EMPLOYEES.—The members of the Commission may be employees or former employees of the Federal Government.

(3) DATE.—The appointments of the members of the Commission shall be made not later than July 30, 2003.

(c) PERIOD OF APPOINTMENT; VACANCIES.—Members shall be appointed for the life of the Commission. Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner as the original appointment.

(d) INITIAL MEETING.—Not later than 30 days after the date on which all members of the Commission have been appointed, the Commission shall hold its first meeting.

(e) MEETINGS.—The Commission shall meet at the call of the Chairman.

(f) QUORUM.—A majority of the members of the Commission shall constitute a quorum, but a lesser number of members may hold hearings.

(g) CHAIRMAN AND VICE CHAIRMAN.—The President shall select a Chairman and Vice Chairman from among its members.

SEC. 3. DUTIES OF THE COMMISSION.

(a) STUDY.—The Commission shall conduct a thorough study of all matters relating to a comprehensive reform of the Federal tax system, including the reform of the Internal Revenue Code of 1986 and the implementation (if appropriate) of other types of tax systems.

(b) RECOMMENDATIONS.—The Commission shall develop recommendations on how to comprehensively reform the Federal tax system in a manner that generates appropriate revenue for the Federal Government.

(c) REPORT.—Not later than 18 months after the date on which all intitial members of the commission have been appointed pursuant to section 2(b), the Commission shall submit a report to the President and Congress which shall contain a detailed statement of the findings and conclusions of the Commission, together with its recommendations for such legislation and administrative actions as it considers appropriate.

SEC. 4. POWERS OF THE COMMISSION.

(a) HEARINGS.—The Commission may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Commission considers advisable to carry out this Act.

(b) INFORMATION FROM FEDERAL AGENCIES.—The Commission may secure directly from any Federal department or agency such information as the Commission considers necessary to carry out this Act. Upon request of the Chairman of the Commission, the head of such department or agency shall furnish such information to the Commission.

(c) POSTAL SERVICES.—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the Federal Government.

(d) GIFTS.—The Commission may accept, use, and dispose of gifts or donations of services or property.

SEC. 5. COMMISSION PERSONNEL MATTERS.

(a) COMPENSATION OF MEMBERS.—Each member of the Commission who is not an officer or employee of the Federal Government shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which such member is engaged in the performance of the duties of the Commission. All members of the Commission who are officers or employees of the United States shall serve without compensation in addition to that received for their services as officers or employees of the United States.

(b) TRAVEL EXPENSES.—The members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(c) STAFF.—

(1) IN GENERAL.—The Chairman of the Commission may, without regard to the civil service laws and regulations, appoint and terminate an executive director and such other additional personnel as may be necessary to enable the Commission to perform its duties. The employment of an executive director shall be subject to confirmation by the Commission.

(2) COMPENSATION.—The Chairman of the Commission may fix the compensation of the executive director and other personnel without regard to chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay for the executive director and other personnel may not exceed the rate payable for level V of the Executive Schedule under section 5316 of such title.

(d) DETAIL OF GOVERNMENT EMPLOYEES.—Any Federal Government employee may be detailed to the Commission without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

(e) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The Chairman of the Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals which do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of such title.

SEC. 6. TERMINATION OF THE COMMISSION.

The Commission shall terminate 90 days after the date on which the Commission submits its report under section 3.

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to the Commission to carry out this Act.

Mr. VOINOVICH. Mr. President, I ask that the amendment, as modified, be accepted by voice vote.

The PRESIDING OFFICER. Is there objection to vitiating the yeas and nays?

The Senator from Montana.

Mr. BAUCUS. Mr. President, might I ask the Senator from Ohio if the modification is the one that changes the ratio of the membership?

Mr. VOINOVICH. It changes the ratio of the membership and increases more representation by minority. It takes off the head of the IRS, and it is more evenly balanced and meets the problems that we talked about last night.

Mr. BAUCUS. I have no objection.

The PRESIDING OFFICER. Without objection, it is so ordered. The yeas and nays are vitiated.

The question is on agreeing to the amendment, as modified.

The amendment (No. 592), as modified, was agreed to.

Mr. BAUCUS. Mr. President, I move to reconsider the vote.

Mr. REID. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. I understand the next amendment is the Graham of Florida amendment.

The PRESIDING OFFICER. If the Warner amendment is once again set aside.

Mr. BAUCUS. I ask unanimous consent that the Warner amendment and all relevant amendments be temporarily set aside so we can next proceed to the Graham of Florida amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 617

The PRESIDING OFFICER. Who yields time on the Graham amendment?

Mr. GRAHAM of Florida. I ask unanimous consent that Senators ROCKEFELLER and KERRY be added as cosponsors to my amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRAHAM of Florida. Mr. President, we have more dismal news on the state of the economy in today's press; that the April sales in the United

States declined .9 percent below those in March. This is what the chief economist of Wells Fargo had to say about this development: Consumers are tapped out. They have done a marvelous job of supporting the economy, but they are basically done. We need something else to pull up the slack.

I suggest that what we need is this amendment which will place money in the hands of those Americans and institutions most likely to spend and therefore create demand. Those include payroll, small business. It includes those who have already lost their jobs and their unemployment benefits and State governments. This proposal would focus on the next 2 years——

The PRESIDING OFFICER. The Senator's time has expired.

Mr. GRAHAM of Florida. The period of time in which we need to have a stimulus. Most importantly, this would not add to the national debt because it would be fully offset, therefore avoiding the potential that by adding to the deficit we will add to the economic problems that we will have in the future.

Mr. President, I ask unanimous consent that an article from today's Washington Post on consumer spending be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, May 15, 2003]

CONSUMERS TRIMMED SPENDING IN APRIL

DROP IN GASOLINE SALES WAS FACTOR IN DECLINE

(By Dina ElBoghdady and Anitha Reddy)

Consumer spending dipped in April as shoppers were more concerned about their jobs than the easing of tensions with Iraq, increasing prospects that economic growth will be tepid at best in the second half of the year.

The Commerce Department reported yesterday that April retail sales fell 0.1 percent from March, when pent-up demand created by February's snow storms helped boost sales 2.3 percent.

Excluding auto purchases, April sales declined 0.9 percent, the report showed.

''Consumers are tapped out,'' said Sung Won Sohn, chief economic officer at Wells Fargo & Co. ''They've done a marvelous job of supporting the economy, but they are basically done . . . We need something else to pull up the slack.''

A large portion of the overall sales decline came from consumers spending less on gasoline. Gas purchases fell 5.9 percent from late March to late April as gas prices slid by about a dime on average.

But shoppers also held back on their purchases of clothing, furniture and garden supplies because of uncertainty about holding on to their jobs, or finding new ones, if necessary. The jobless rate is 6 percent today, compared with slightly over 4 percent a year ago. Consumers' hesitancy was a big factor preventing the postwar bounce that economists had expected.

''It's not just that the unemployment rate is a problem, it's that the people who are unemployed are unemployed for a longer period of time,'' said John E. Silvia, chief economicst at Wachovia. ''The job pool is stagnant.''

A tax cut might prompt shoppers to increase spending and help fuel a more robust recovery, said David A. Wyss, chief economist at Standard & Poor's Corp.

Wyss said the savings patterns of the average American indicate that any extra money in after-tax pay would be spent rather than saved.

''The saving rate is pretty much flat, which certainly suggests that consumers are spending as much money as they have,'' Wyss said. ''You can't expect them to do much more than that.''

Sales fell 3.2 percent at clothing and accessory stores, 1.4 percent at department stores and 0.5 percent at restaurants and bars.

''I've just been going out a lot less,'' said Tonya Sawyer, a claims adjustor shopping at the Fashion Centre at Pentagon City. ''So I don't have the need for clothes or make-up.''

Instead, the 30 years old said she relies on new books and CDs, rental videos and her dog Bella to entertain herself in her Arlington apartment. Sales at stores that sell sporting goods, books, music and hobby materials increased 1.2 percent.

Even the one demographic group that stores hoped might show steadfast devotion to shopping—teenage girls during prom season—was being wary.

''It's finding what you want at the right price'' that's so hard, said Breona Cain, a high school senior from Largo who was at Pentagon City with two friends yesterday, searching for the perfect accessories for her dress.

Auto sales rose 2.5 percent in April, thanks to widespread no-interest financing offers.

''Consumers have shown they're opportunistic,'' said Frank Badillo, senior economist at Retail Forward Inc., a market research firm. ''So certain sectors are benefiting in what is otherwise a weak environment.''

Some economists say that in such an uncertain climate it's too early to guage the outlook for the rest of the year.

''The April results should most properly be viewed as transition from a war footing to a normal peacetime footing,'' Ken Mayland, president of Clear View Economics, said in a report. ''Consumers are betwixt and between a 'recession' mindset and a 'recovery mindset. They have not bought in to either.''

The PRESIDING OFFICER. The Senator's time has expired.

Who yields time?

Mr. KYL. Mr. President, speaking on behalf of Senator GRASSLEY, this is a complete substitute and therefore, obviously, will have to be opposed. It strikes all of the good work from the committee bill regarding the child credit, marriage penalty, AMT, reduction of rates for individuals and small businesses, as well as the dividend relief.

We certainly appreciate the Senator's concerns about unemployment insurance and relief for the States. Obviously, we are committed to addressing the unemployment insurance issue. As everyone now knows, we have $20 billion for State aid in the bill, and therefore we will have to make a point of order. The matter is not germane to the measure now before the Senate. Therefore, I make a point of order that the pending amendment violates section 305(b)(2) of the Congressional Budget Act of 1974.

Mr. GRAHAM of Florida. Pursuant to section 904 of the Budget Act I ask that the point of order against my amendment be waived.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The senior assistant bill clerk called the roll.

The result was announced—yeas 35, nays 65, as follows:

[Rollcall Vote No. 160 Leg.]

YEAS—35

Akaka	Dorgan	Lautenberg
Biden	Durbin	Leahy
Bingaman	Feingold	Levin
Boxer	Feinstein	Mikulski
Breaux	Graham (FL)	Murray
Byrd	Harkin	Nelson (FL)
Cantwell	Hollings	Reid
Clinton	Inouye	Rockefeller
Corzine	Jeffords	Sarbanes
Daschle	Kennedy	Stabenow
Dayton	Kerry	Wyden
Dodd	Landrieu	

NAYS—65

Alexander	Dole	McConnell
Allard	Domenici	Miller
Allen	Edwards	Murkowski
Baucus	Ensign	Nelson (NE)
Bayh	Enzi	Nickles
Bennett	Fitzgerald	Pryor
Bond	Frist	Reed
Brownback	Graham (SC)	Roberts
Bunning	Grassley	Santorum
Burns	Gregg	Schumer
Campbell	Hagel	Sessions
Carper	Hatch	Shelby
Chafee	Hutchison	Smith
Chambliss	Inhofe	Snowe
Cochran	Johnson	Specter
Coleman	Kohl	Stevens
Collins	Kyl	Sununu
Conrad	Lieberman	Talent
Cornyn	Lincoln	Thomas
Craig	Lott	Voinovich
Crapo	Lugar	Warner
DeWine	McCain	

The PRESIDING OFFICER. On this question, the yeas are 35, the nays are 65. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected. The point of order is sustained, and the amendment falls.

Mr. GRASSLEY. I move to reconsider the vote.

Mr. BAUCUS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 550 WITHDRAWN

The PRESIDING OFFICER. Without objection, the pending Warner amendment is set aside.

The Senator from Virginia.

Mr. WARNER. Mr. President, I ask to have the amendment set aside.

The PRESIDING OFFICER (Mr. CRAPO). Without objection, it is so ordered.

Mr. WARNER. My request is on behalf of Senator COLLINS, Senator CRAIG, Senator ALLEN, and Senator MURKOWSKI. I do so because we have made a conscientious effort, together with the cooperation of the managers of this bill, to find the offset and we simply could not find the offset.

The thrust of our amendment is for the teachers in America. The amendment is very simple. It compensates them through a tax deduction for each time they reach into their own pocketbooks or pockets to buy school supplies for their students. We need to increase

that amount from $250 which is current law. We need to broaden it so they can use some of the deduction for purposes of continuing education. This is an amendment not for the rich; it is simply for those who serve America and ask very little by way of salary.

We cannot move it at this time, but the managers very generously have acceded to this colloquy. The managers have agreed to look at this in future tax legislation and for the time being will agree to extend it so this current law of the $250 deduction will not expire at the end of this calendar year.

I ask the question of my colleague.

Mr. GRASSLEY. The Senator accurately stated what my intentions are, but let me say it for myself so the Senator knows I have said it.

First of all, I need to thank the Senator for his cooperation in working with us on this amendment so we can expedite the bill. Also, I make clear I am a strong supporter of the Senator's legislation and the expansion of it and would agree to make sure we get this done before the end of the calendar year, so that would involve extending it and expanding these teacher provisions.

This all deals—so everyone knows what we are talking about—with the extension of legislation passed within the last 2 years. It sunsets. We make these permanent, and there would be a significant increase in the above-the-line deduction for teachers.

Mr. WARNER. Mr. President, I thank my distinguished colleague. Perhaps the ranking member may wish to address this issue. If the ranking member would care to make a comment about the withdrawal of the amendment of the Senator from Virginia?

Mr. BAUCUS. Mr. President, I thank the Senator from Virginia for asking the question. All I can say at this point is we will do the very best we can.

Mr. WARNER. I thank my colleague. I move to withdraw the amendment.

The PRESIDING OFFICER. Without objection, the amendment is withdrawn.

AMENDMENT NO. 575

The PRESIDING OFFICER. The business before the Senate is the Kyl amendment.

The Senator from Arizona.

Mr. KYL. Mr. President, is there an order for me to speak to the Kyl amendment at this point?

The PRESIDING OFFICER. The Senator has the floor for 1 minute.

Mr. KYL. Mr. President, this is the amendment that would return money to the States from the tobacco company payments to trial lawyers, money that exceeded reasonable fees as determined by a common standard in the courts and an IRS Code provision.

What we have done in this amendment is to apply it only prospectively, not retroactively. The fee is a reasonable fee plus 500 percent, and in any event the lawyers are guaranteed—and, colleagues, please note this—$20,000 per hour. That is what the lawyers are guaranteed in those cases, those 10 to 15 cases per year to which this would apply.

Those fees were not set by contract. They were not set by courts. The money is going to be paid by the tobacco companies. The only question is, are these excess fees going to be paid to the tobacco lawyers or are they going to be paid to the States?

I will have at both desks a chart which shows how much money each of the States would receive. It is between $6 billion and $9 billion in total. You can see the amount listed on this sheet. I ask you to consult that because that is money your States would receive if this amendment is adopted.

The PRESIDING OFFICER. Who speaks in opposition? The Senator from Montana.

Mr. BAUCUS. Mr. President, I yield to the Senator from Louisiana.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. BREAUX. Mr. President, this amendment was already offered in the Senate Finance Committee. It was defeated by a bipartisan vote of Republicans and Democrats in the Finance Committee.

IRS should not be involved in setting the fees for CEOs in this country. They should not be involved in setting the fees for plumbers or electricians. And they should not be involved in setting the fees for attorneys who have had voluntary agreements between defendants and the plaintiffs about what they should be paid, which have been approved by the courts. All of these fees have been approved by the courts or by the arbitrator. They were voluntarily agreed to.

Lawyers don't get paid by the hour in these cases; they get paid by the job. IRS should not determine what are correct payments for services.

Mr. BIDEN. Will the Senator yield me 10 seconds?

Mr. BREAUX. I yield it if I have any time remaining.

Mr. BIDEN. I want to point out company lawyers were paid $700 million per year, per year, for 5 years. Plaintiffs' lawyers had to risk $100 million of their own money.

The PRESIDING OFFICER. All time has expired.

Mr. BREAUX. Mr. President, the pending amendment is not germane. Therefore, I make a point of order the amendment violates section 305(b)(2) of the Congressional Budget Act of 1974.

Mr. KYL. Mr. President, I move to waive the provision. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The question is on agreeing to the motion. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. LOTT (when his name was called). Present.

Mr. REID. I announce that the Senator from Hawaii (Mr. INOUYE) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 37, nays 61, as follows:

[Rollcall Vote No. 161 Leg.]

YEAS—37

Alexander	Ensign	Murkowski
Allard	Enzi	Nickles
Bennett	Fitzgerald	Roberts
Bond	Frist	Santorum
Brownback	Grassley	Sessions
Bunning	Gregg	Snowe
Burns	Hagel	Stevens
Campbell	Hutchison	Sununu
Collins	Inhofe	Talent
Cornyn	Kyl	Thomas
Craig	Lugar	Warner
Dole	McCain	
Domenici	McConnell	

NAYS—61

Akaka	DeWine	Lieberman
Allen	Dodd	Lincoln
Baucus	Dorgan	Mikulski
Bayh	Durbin	Miller
Biden	Edwards	Murray
Bingaman	Feingold	Nelson (FL)
Boxer	Feinstein	Nelson (NE)
Breaux	Graham (FL)	Pryor
Byrd	Graham (SC)	Reed
Cantwell	Harkin	Reid
Carper	Hatch	Rockefeller
Chafee	Hollings	Sarbanes
Chambliss	Jeffords	Schumer
Clinton	Johnson	Shelby
Cochran	Kennedy	Smith
Coleman	Kerry	Specter
Conrad	Kohl	Stabenow
Corzine	Landrieu	Voinovich
Crapo	Lautenberg	Wyden
Daschle	Leahy	
Dayton	Levin	

ANSWERED ''PRESENT''—1

Lott

NOT VOTING—1

Inouye

The PRESIDING OFFICER. On this vote, the yeas are 37, the nays are 61, and one Senator responded ''present.'' Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected. The point of order is sustained, and the amendment falls.

Mr. GRASSLEY. Mr. President, I move to reconsider the vote.

Mr. BAUCUS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 619

The PRESIDING OFFICER. The next amendment is the Landrieu amendment. Each side has 1 minute.

Who yields time?

Mr. BAUCUS. Mr. President, I ask unanimous consent that relevant pending amendments be temporarily laid aside so that Senator LANDRIEU's amendment can be voted on.

The PRESIDING OFFICER. The Landrieu amendment is now before the body.

Mr. GRASSLEY. Mr. President, the Senate is not in order.

The PRESIDING OFFICER. The Senator is correct. Senators will please take their conversations off the floor.

The Senator from Louisiana.

Ms. LANDRIEU. Thank you, Mr. President.

Mr. President, this afternoon we are being asked to buy a pig in a poke.

That is what we would say in Louisiana—a pig in a poke. Please colleagues, do not vote for the underlying bill. Senator CORZINE and Senator SCHUMER and I offer an amendment which is a $350 billion alternative that is truly stimulative. It tries to work with the administration but takes out the nonstimulative portion and puts in a rebate on wages. If we want to create jobs, then let us stop taxing them.

Our amendment also treats States as respected partners and not as charitable aid organizations, which they are not.

It also says that tax cuts aren't the only way to stimulate the economy; that you can make strategic investments. As politicians, live up to your promises to children by funding education and health care.

Don't buy a pig in a poke, and don't turn your back on the 2 million companies, 2 million farms, and 2 million partnerships that do not get a penny from the dividend tax cut.

Mr. GRASSLEY. Mr. President, the way to make sure the American people are not buying a pig in a poke is to get more money in the pockets of the taxpayers so that there is less money around here for 535 Members of Congress to play with.

I want to speak in regard to this amendment; that the complete substitute will cut back our efforts to reduce marginal rates for families and small businesses.

In addition, the bill will make millions of taxpayers subject to the alternative minimum tax.

I appreciate the Senator's efforts on the child tax, and we already have a $95 billion child tax credit.

We also have significant State aid in the bill.

We have a point of order, as we have had before on an amendment like this.

I raise that point of order—that the language is not germane to the measure now before the Senate. The point of order is under section 305(b)(2) of the Congressional Budget Act.

Ms. LANDRIEU. Mr. President, pursuant to section 904 of the Congressional Budget Act, I move to waive the applicable sections of that act for the consideration of this amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the motion. The clerk will call the roll.

The legislative clerk called the roll.

The yeas and nays resulted—yeas 47, nays 53, as follows:

[Rollcall Vote No. 162 Leg.]

YEAS—47

Akaka	Clinton	Feinstein
Baucus	Conrad	Graham (FL)
Bayh	Corzine	Harkin
Biden	Daschle	Hollings
Bingaman	Dayton	Inouye
Boxer	Dodd	Jeffords
Breaux	Dorgan	Johnson
Byrd	Durbin	Kennedy
Cantwell	Edwards	Kerry
Carper	Feingold	Kohl
Landrieu	Mikulski	Rockefeller
Lautenberg	Murray	Sarbanes
Leahy	Nelson (FL)	Schumer
Levin	Pryor	Stabenow
Lieberman	Reed	Wyden
Lincoln	Reid	

NAYS—53

Alexander	Dole	Miller
Allard	Domenici	Murkowski
Allen	Ensign	Nelson (NE)
Bennett	Enzi	Nickles
Bond	Fitzgerald	Roberts
Brownback	Frist	Santorum
Bunning	Graham (SC)	Sessions
Burns	Grassley	Shelby
Campbell	Gregg	Smith
Chafee	Hagel	Snowe
Chambliss	Hatch	Specter
Cochran	Hutchison	Stevens
Coleman	Inhofe	Sununu
Collins	Kyl	Talent
Cornyn	Lott	Thomas
Craig	Lugar	Voinovich
Crapo	McCain	Warner
DeWine	McConnell	

The PRESIDING OFFICER. On this vote, the yeas are 47, the nays are 53. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected. The point of order is sustained, and the amendment falls.

Mr. GRASSLEY. Mr. President, I move to reconsider the vote.

Mr. BAUCUS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BAUCUS. Mr. President, my understanding is there are pending votes that require unanimous consent to be set aside. I make that request so that the next Landrieu amendment can be in order.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 620

The PRESIDING OFFICER. The Landrieu amendment No. 620 is before the Senate.

There are 2 minutes equally divided.

Who yields time?

The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, this amendment would go a long way to send the right message to our guardsmen and reservists. Over 370,000 have been activated since September 11 and the attack on this city and our Nation.

As we know, it has been made painfully aware to us that many of these guardsmen and reservists who serve take a cut in pay because they leave their jobs, they close their businesses to temporarily serve us.

This amendment will give their employers, and themselves if they are an employer, the opportunity to write off 50 percent of the cost of their salaries so those salaries can be maintained while they are protecting and serving us. It is the least we can do.

The other side is going to say they will get to it later. Let's get to it today. Let's not let this tax bill pass without honoring the Guard and Reserves and giving them a chance to keep their businesses open while they keep us safe.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, this amendment proposes to offer a 50-percent tax credit for employers of reservists to encourage differential pay.

This amendment does not benefit those who are self-employed and provides little benefit to small businesses with little equity.

In addition, nearly 80 percent of the cost of the military tax bill, which we have already passed in the Senate, is dedicated to reservists with the above-the-line deduction that was included because Senator DEWINE pushed very hard for it.

The amendment is paid for by reducing the dividend exclusion which is essential to our growth package; in other words, to keep a well balanced growth package.

So the amendment I see as an attack on the jobs and growth bill, and I ask that it not be adopted.

Mr. President, I raise a point of order on germaneness, that the amendment is not germane. The point of order comes under section 305(b)(2) of the Congressional Budget Act.

Ms. LANDRIEU. Mr. President, I ask unanimous consent that Senator FEINGOLD, Senator STABENOW, and Senator MIKULSKI be added as cosponsors of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. LANDRIEU. Mr. President, pursuant to section 904 of the Congressional Budget Act, I move to waive the applicable sections of that act for the consideration of the pending amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The bill clerk called the roll.

The yeas and nays resulted—yeas 46, nays 54, as follows:

[Rollcall Vote No. 163 Leg.]

YEAS—46

Akaka	Dorgan	Levin
Baucus	Durbin	Lieberman
Bayh	Edwards	Lincoln
Biden	Feingold	Mikulski
Bingaman	Graham (FL)	Murray
Boxer	Harkin	Nelson (FL)
Breaux	Hollings	Pryor
Byrd	Inouye	Reed
Cantwell	Jeffords	Reid
Carper	Johnson	Rockefeller
Clinton	Kennedy	Sarbanes
Conrad	Kerry	Schumer
Corzine	Kohl	Stabenow
Daschle	Landrieu	Wyden
Dayton	Lautenberg	
Dodd	Leahy	

NAYS—54

Alexander	Craig	Hutchison
Allard	Crapo	Inhofe
Allen	DeWine	Kyl
Bennett	Dole	Lott
Bond	Domenici	Lugar
Brownback	Ensign	McCain
Bunning	Enzi	McConnell
Burns	Feinstein	Miller
Campbell	Fitzgerald	Murkowski
Chafee	Frist	Nelson (NE)
Chambliss	Graham (SC)	Nickles
Cochran	Grassley	Roberts
Coleman	Gregg	Santorum
Collins	Hagel	Sessions
Cornyn	Hatch	Shelby

Smith	Stevens	Thomas
Snowe	Sununu	Voinovich
Specter	Talent	Warner

The PRESIDING OFFICER (Mr. SMITH). On this vote, the yeas are 46, the nays are 54. Three-fifths of the Senate duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The point of order is sustained and the amendment falls.

Mr. KYL. Mr. President, I move to reconsider the vote.

Mr. BAUCUS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 621 WITHDRAWN

Mr. BAUCUS. Mr. President, I ask unanimous consent that the votes on the various amendments next up be temporarily laid aside so we can proceed to the Landrieu amendment No. 621.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, I thank my colleagues for their patience. Senator SESSIONS and I offered this amendment. We are not going to ask for a vote, but I would like to explain it in 1 minute. We offered this amendment to try to technically correct a glitch in the renewal community law. It only affects districts in Louisiana and Alabama now, but it could affect, in the near term, districts in 40 other States.

I am going to ask the chairman of the Finance Committee to consider this fix. It only costs $14 million a year and it will help create jobs in some of the poorest areas in our country. So if I could ask for their consideration, I will at this time withdraw the amendment.

Mr. KYL. Mr. President, I have spoken to the Senator from Louisiana. I know the chairman is appreciative of her efforts along with the Senator from Alabama. He is anxious to continue to work with her on this matter. He appreciates their very strong interest in trying to rectify this situation. On behalf of the chairman, I can say he will be willing to work with her.

Mr. BAUCUS. Mr. President, I, too, have spoken with the Senator and understand her concerns and will do my utmost to help resolve the issue.

The PRESIDING OFFICER. Without objection, the amendment is withdrawn.

Mr. BAUCUS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BAUCUS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 557

Mr. BAUCUS. Mr. President, I ask unanimous consent that the votes on the earlier amendments be temporarily laid aside so we can now proceed to amendment No. 557 by the Senator from New York.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from New York is recognized.

Mr. SCHUMER. Mr. President, this is a simple amendment. Two years ago, on the last tax bill, we took a historic step in this body. We said part of college tuition should be tax deductible. We required that the first $3,000 be deductible for a family making up to $160,000 a year. This will raise that. It goes up to $4,000 in the next fiscal year under the previous law, and then it expires in 2006. This law would make it permanent and raise the amount to $8,000 initially, next year, and then $12,000 in future years.

It is very simple. It pays for itself, by the way, by reducing the top rate not by three points but by one point. The choice is simple. Middle-class people have an awfully difficult time paying for college. If you are rich, you can afford it. If you are poor, we help you, and we should. But the middle class gets stuck. Families are up late at night worrying about how they are going to pay the tuition bill.

I ask my colleagues, which do they choose? Bring the top rate down but not as quickly and help middle-class families with the second greatest expense they face other than their home, or bring the rate down quickly? It is a simple choice. I hope the body will vote for the middle-class parents who are stuck with these huge tuition bills.

Mr. KYL. Mr. President, we added the tuition provision in the bill 2 years ago, and it is obviously supported by a broad number of people in the body. The problem is that this addition is way too expensive and comes out of the top rate reduction from the bill that is on the floor, the acceleration of the marginal income tax rate provision of the bill.

Obviously, we have to oppose this particular amendment. This is a matter that could be dealt with in a different way but not by paying for it in the manner it is paid for. It is not germane. Therefore, I raise a point of order under 305(b)(2) of the Congressional Budget Act of 1974.

Mr. SCHUMER. Mr. President, I ask that the point of order be waived, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The legislative clerk called the roll.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 49, nays 51, as follows:

[Rollcall Vote No. 164 Leg.]

YEAS—49

Akaka	Dorgan	Levin
Baucus	Durbin	Lieberman
Bayh	Edwards	Lincoln
Biden	Feingold	Mikulski
Bingaman	Feinstein	Murray
Boxer	Graham (FL)	Nelson (FL)
Breaux	Harkin	Nelson (NE)
Byrd	Hollings	Pryor
Cantwell	Inouye	Reed
Carper	Jeffords	Reid
Clinton	Johnson	Rockefeller
Collins	Kennedy	Sarbanes
Conrad	Kerry	Schumer
Corzine	Kohl	Stabenow
Daschle	Landrieu	Wyden
Dayton	Lautenberg	
Dodd	Leahy	

NAYS—51

Alexander	Dole	McConnell
Allard	Domenici	Miller
Allen	Ensign	Murkowski
Bennett	Enzi	Nickles
Bond	Fitzgerald	Roberts
Brownback	Frist	Santorum
Bunning	Graham (SC)	Sessions
Burns	Grassley	Shelby
Campbell	Gregg	Smith
Chafee	Hagel	Snowe
Chambliss	Hatch	Specter
Cochran	Hutchison	Stevens
Coleman	Inhofe	Sununu
Cornyn	Kyl	Talent
Craig	Lott	Thomas
Crapo	Lugar	Voinovich
DeWine	McCain	Warner

The PRESIDING OFFICER. On this vote, the yeas are 49, the yeas are 51. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected. The point of order is sustained, and the amendment falls.

Mr. BAUCUS. I move to reconsider the vote.

Mr. REID. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 622, AS MODIFIED

The PRESIDING OFFICER. The next amendment is the Ensign amendment No. 622.

The Senator from Nevada.

Mr. ENSIGN. Mr. President, I have a technical modification to my amendment at the desk, and I ask unanimous consent that my amendment be so modified.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment, as modified, is as follows:

On page 281, between lines 2 and 3, insert the following:

SEC. ___. TOLL TAX ON EXCESS QUALIFIED FOREIGN DISTRIBUTION AMOUNT.

(a) IN GENERAL.—Subpart F of part III of subchapter N of chapter 1 is amended by adding at the end the following new section:

"SEC. 965. TOLL TAX IMPOSED ON EXCESS QUALIFIED FOREIGN DISTRIBUTION AMOUNT.

''(a) TOLL TAX IMPOSED ON EXCESS QUALIFIED FOREIGN DISTRIBUTION AMOUNT.—If a corporation elects the application of this section, a tax shall be imposed on the taxpayer in an amount equal to 5.25 percent of—

''(1) the taxpayer's excess qualified foreign distribution amount, and

''(2) the amount determined under section 78 which is attributable to such excess qualified foreign distribution amount.

Such tax shall be imposed in lieu of the tax imposed under section 11 or 55 on the

amounts described in paragraphs (1) and (2) for such taxable year.

''(b) EXCESS QUALIFIED FOREIGN DISTRIBUTION AMOUNT.—For purposes of this section—

''(1) IN GENERAL.—The term 'excess qualified foreign distribution amount' means the excess (if any) of—

''(A) dividends received by the taxpayer during the taxable year which are—

''(i) from 1 or more corporations which are controlled foreign corporations in which the taxpayer is a United States shareholder on the date such dividends are paid, and

''(ii) described in a domestic reinvestment plan approved by the taxpayer's president, chief executive officer, or comparable official before the payment of such dividends and subsequently approved by the taxpayer's board of directors, management committee, executive committee, or similar body, which plan shall provide for the reinvestment of such dividends in the United States, including as a source for the funding of worker hiring and training; infrastructure; research and development; capital investments; or the financial stabilization of the corporation for the purposes of job retention or creation, over

''(B) the base dividend amount.

''(2) BASE DIVIDEND AMOUNT.—The term 'base dividend amount' means an amount designated under subsection (c)(7), but not less than the average amount of dividends received during the fixed base period from 1 or more corporations which are controlled foreign corporations in which the taxpayer is a United States shareholder on the date such dividends are paid.

''(3) FIXED BASE PERIOD.—

''(A) IN GENERAL.—The term 'fixed base period' means each of 3 taxable years which are among the 5 most recent taxable years of the taxpayer ending on or before December 31, 2002, determined by disregarding—

''(i) the 1 taxable year for which the taxpayer had the highest amount of dividends from 1 or more corporations which are controlled foreign corporations relative to the other 4 taxable years, and

''(ii) the 1 taxable year for which the taxpayer had the lowest amount of dividends from such corporations relative to the other 4 taxable years.

''(B) SHORTER PERIOD.—If the taxpayer has fewer than 5 taxable years ending on or before December 31, 2002, then in lieu of applying subparagraph (A), the fixed base period shall mean such shorter period representing all of the taxable years of the taxpayer ending on or before December 31, 2002.

''(c) DEFINITIONS AND SPECIAL RULES.—For purposes of this section—

''(1) DIVIDENDS.—The term 'dividend' means a dividend as defined in section 316, except that the term shall also include amounts described in section 951(a)(1)(B), and shall exclude amounts described in sections 78 and 959.

''(2) CONTROLLED FOREIGN CORPORATIONS AND UNITED STATES SHAREHOLDERS.—The term 'controlled foreign corporation' shall have the same meaning as under section 957(a) and the term 'United States shareholder' shall have the same meaning as under section 951(b).

''(3) FOREIGN TAX CREDITS.—The amount of any income, war, profits, or excess profit taxes paid (or deemed paid under sections 902 and 960) or accrued by the taxpayer with respect to the excess qualified foreign distribution amount for which a credit would be allowable under section 901 in the absence of this section, shall be reduced by 85 percent.

''(4) FOREIGN TAX CREDIT LIMITATION.—For all purposes of section 904, there shall be disregarded 85 percent of—

''(A) the excess qualified foreign distribution amount,

''(B) the amount determined under section 78 which is attributable to such excess qualified foreign distribution amount, and

''(C) the amounts (including assets, gross income, and other relevant bases of apportionment) which are attributable to the excess qualified foreign distribution amount which would, determined without regard to this section, be used to apportion the expenses, losses, and deductions of the taxpayer under section 861 and 864 in determining its taxable income from sources without the United States.

For purposes of applying subparagraph (C), the principles of section 864(e)(3)(A) shall apply.

''(5) TREATMENT OF ACQUISITIONS AND DISPOSITIONS.—Rules similar to the rules of section 41(f)(3) shall apply in the case of acquisitions or dispositions of controlled foreign corporations occurring on or after the first day of the earliest taxable year taken into account in determining the fixed base period.

''(6) TREATMENT OF CONSOLIDATED GROUPS.—Members of an affiliated group of corporations filing a consolidated return under section 1501 shall be treated as a single taxpayer in applying the rules of this section.

''(7) DESIGNATION OF DIVIDENDS.—Subject to subsection (b)(2), the taxpayer shall designate the particular dividends received during the taxable year from 1 or more corporations which are controlled foreign corporations in which it is a United States shareholder which are dividends excluded from the excess qualified foreign distribution amount. The total amount of such designated dividends shall equal the base dividend amount.

''(8) TREATMENT OF EXPENSES, LOSSES, AND DEDUCTIONS.—Any expenses, losses, or deductions of the taxpayer allowable under subchapter B—

''(A) shall not be applied to reduce the amounts described in subsection (a)(1), and

''(B) shall be applied to reduce other income of the taxpayer (determined without regard to the amounts described in subsection (a)(1)).

''(d) ELECTION.—

''(1) IN GENERAL.—An election under this section shall be made on the taxpayer's timely filed income tax return for the taxable year (determined by taking extensions into account) ending 120 days or more after the date of the enactment of this section, and, once made, may be revoked only with the consent of the Secretary.

''(2) ALL CONTROLLED FOREIGN CORPORATIONS.—The election shall apply to all corporations which are controlled foreign corporations in which the taxpayer is a United States shareholder during the taxable year.

''(3) CONSOLIDATED GROUPS.—If a taxpayer is a member of an affiliated group of corporations filing a consolidated return under section 1501 for the taxable year, an election under this section shall be made by the common parent of the affiliated group which includes the taxpayer, and shall apply to all members of the affiliated group.

''(e) REGULATIONS.—The Secretary shall prescribe such regulations as may be necessary and appropriate to carry out the purposes of this section, including regulations under section 55 and regulations addressing corporations which, during the fixed base period or thereafter, join or leave an affiliated group of corporations filing a consolidated return.''.

(b) CONFORMING AMENDMENT.—The table of sections for subpart F of part III of subchapter N of chapter 1 is amended by adding at the end the following new item:

''Sec. 965. Toll tax imposed on excess qualified foreign distribution amount.''.

(c) EFFECTIVE DATE.—Except as otherwise provided, the amendments made by this section, other than the amendment made by subsection (d), shall apply only to the first taxable year of the electing taxpayer ending 120 days or more after the date of the enactment of this Act.

(d) TERMINATION OF REHABILITATION CREDIT FOR BUILDINGS OTHER THAN CERTIFIED HISTORIC STRUCTURES.—Section 47 (relating to rehabilitation credit) is amended by adding at the end the following new subsection:

''(e) TERMINATION OF CREDIT FOR BUILDINGS OTHER THAN CERTIFIED HISTORIC STRUCTURES.—No credit shall be allowed under subsection (a)(1) with respect to expenditures incurred after December 31, 2003.''.

Mr. ENSIGN. Mr. President, the modification says the offset included in the amendment repeals the tax credit for refurbishing of nonhistoric structures only, not historic structures, with which people had concerns.

If you believe the American economy needs a shot in the arm right now, then you should vote for this amendment. Our amendment allows companies that have made money overseas to bring it back right now. They are taxed at 35 percent. When faced with a choice of whether they keep it overseas or bring it back, they keep it overseas. We are going to allow a 1-year exemption. The tax will be lowered from 35 percent to 5.25 percent. They have 1 year to invest the money to create jobs in this country. As with Senator BOXER's very fine amendment in our bill, it cannot go for executive pay. The money has to be invested in America to create jobs.

I believe this will be a tremendous stimulus to our economy, and I urge its adoption.

I yield 10 seconds to my friend from California.

The PRESIDING OFFICER. The Senator's time has expired.

Mrs. BOXER. I ask for 10 seconds.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. BOXER. Mr. President, I hope my colleagues will vote for this one-time infusion of private sector dollars to create jobs and encourage business investment in plants and equipment. This infusion will happen immediately. I think it is what we need to fight for because our people are hurting out there.

I thank the Chair.

The PRESIDING OFFICER. The Senator's time has expired.

USE OF FUNDS REPATRIATED

Mrs. BOXER. Mr. President, I rise to thank Senator ENSIGN for his leadership on the Invest in the USA Act. As we said earlier, this infusion of cash will provide an immediate and much needed boost to the economy. Over the next year, it is estimated that this legislation, which is included in this bill as an amendment, will bring $140 billion in foreign earnings back into the United States.

As my friend is aware, under our amendment, which is the Invest in the USA Act of 2003, these funds are to be used as a source for worker hiring and training; infrastructure; research, and

development; capital investments; or the financial stabilization of the corporation for the purposes of job retention or creation. Any attempt to use these funds to increase executive pay would be a violation of the intent of this legislation.

Mr. ENSIGN. Mr. President, the Senator from California is absolutely correct. These funds are meant to stimulate the economy. I pledge to work with Senator BOXER and our colleagues in conference to ensure that these funds may not be used for executive pay.

The Senator from Louisiana.

Mr. BREAUX. Mr. President, I rise in opposition to the Senator's amendment. This amendment was offered in the Senate Finance Committee. Republicans and Democrats joined to defeat this amendment.

There is no question that the international tax laws need to be assessed. We have agreed to do that in the Finance Committee. The Republican leadership said they would look at all international tax laws and consequences.

This is a retroactive tax break. This bill is supposed to be stimulative in the future, not in the past. This amendment will reward companies for what they did a long time ago when we ought to be looking at the bill in a prospective nature.

A retroactive tax cut is not what we need. We ought to examine international tax laws. We have an agreement to do it in a bipartisan fashion. This does not belong in the bill at this time.

I make a point of order that the amendment is nongermane under section 305(b)(2) of the Congressional Budget Act of 1974.

Mr. ENSIGN. Mr. President, I move to waive that section of the Congressional Budget Act. Also, I note that many of the people who voted against this amendment in the Finance Committee will be voting for it today.

Pursuant to section 904 of the Congressional Budget Act of 1974, I move to waive the applicable sections of that act for the consideration of this amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion. The clerk will call the roll.

The bill clerk called the roll.

The yeas and nays resulted—yeas 75, nays 25, as follows:

[Rollcall Vote No. 165 Leg.]

YEAS—75

Akaka	Dodd	McCain
Alexander	Dole	McConnell
Allard	Domenici	Miller
Allen	Ensign	Murkowski
Baucus	Enzi	Murray
Bayh	Feinstein	Nelson (NE)
Bennett	Fitzgerald	Nickles
Bond	Frist	Pryor
Boxer	Graham (SC)	Reid
Brownback	Grassley	Roberts
Bunning	Gregg	Santorum
Burns	Hagel	Schumer
Campbell	Hatch	Sessions
Cantwell	Hollings	Shelby
Carper	Hutchison	Smith
Chafee	Inhofe	Snowe
Chambliss	Jeffords	Specter
Cochran	Kyl	Stabenow
Coleman	Landrieu	Stevens
Collins	Lautenberg	Sununu
Cornyn	Leahy	Talent
Corzine	Lieberman	Thomas
Craig	Lincoln	Voinovich
Crapo	Lott	Warner
DeWine	Lugar	Wyden

NAYS—25

Biden	Durbin	Kohl
Bingaman	Edwards	Levin
Breaux	Feingold	Mikulski
Byrd	Graham (FL)	Nelson (FL)
Clinton	Harkin	Reed
Conrad	Inouye	Rockefeller
Daschle	Johnson	Sarbanes
Dayton	Kennedy	
Dorgan	Kerry	

The PRESIDING OFFICER. On this question, the yeas are 75, the nays are 25. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The question now is on the amendment.

Mr. GRASSLEY. I urge we now adopt the amendment by voice vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 622), as modified, was agreed to.

Mr. GRASSLEY. I move to reconsider the vote.

Mr. BAUCUS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 611

Mr. BAUCUS. Mr. President, my understanding is the next amendment is the amendment offered by the Senator from North Dakota, Mr. CONRAD.

The PRESIDING OFFICER. The Senator is correct.

The Senator from North Dakota.

Mr. CONRAD. Mr. President, this bill increases the child tax credit from $600 to $1,000 effective back at the beginning of this year.

My amendment simply takes it back another year to the beginning of 2002. This is an efficient way of targeting money to those who are most likely to use it to give stimulus to the economy.

I offset the additional cost by delaying part of the final reduction in the top marginal rate for a year and a half. This asks the top 1 percent, actually less than 1 percent of the taxpayers, to take part of their reduction somewhat later. It gives a benefit to 27 million American families by asking less than a million American families to wait for the final part of their additional tax reduction for a year and a half.

N O T I C E

Incomplete record of Senate proceedings.

Today's Senate proceedings will be continued in the next issue of the Record.

EXTENSIONS OF REMARKS

FINANCIAL NET WORTH

HON. F. JAMES SENSENBRENNER, Jr.

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2003

Mr. SENSENBRENNER. Mr. Speaker, through the following statement, I am making my financial net worth as of March 31, 2003, a matter of public record. I have filed similar statements for each of the 24 preceding years I have served in the Congress.

ASSETS

REAL PROPERTY

Single family residence at 609 Ft. Williams Parkway, City of Alexandria, Virginia, at assessed valuation. (Assessed at $964,000). Ratio of assessed to market value: 100%. (Encumbered)	$964,000.00
Condominium at N76 W14726 North Point Drive, Village of Menomonee Falls, Waukesha County, Wisconsin, at assessor's estimated market value. (Unencumbered)	109,300.00
Undivided 25/44ths interest in single family residence at N52 W32654 Maple Lane, Village of Chenequa, Waukesha County, Wisconsin, at 25/44 of assessor's estimated market value of $922,900.	524,375.00
Total real property	1,597,675.00

COMMON & PREFERRED STOCK

	No. of shares	Dollars per share	Value
Abbott Laboratories, Inc.	12200	37.61	$458,842.00
Agere Systems Class A	7	1.60	11.20
Agere Systems Class B	184	1.50	276.00
Allstate Corporation	370	33.17	12,272.90
American Telephone & Telegraph	264.253	16.20	4,280.90
AT&T Wireless	414	6.80	2,815.20
Avaya, Inc.	58	2.04	118.32
Bank One Corp.	3439	34.62	119,058.18
Bell South Corp.	1319.9968	21.67	28,604.33
Benton County Mining Company	333	0.00	0.00
BP Amoco	3604	38.59	139,078.36
Centerpoint Energy	300	7.05	2,115.00
Chenequa Country Club Realty Co.	1	0.00	0.00
Comcast	423	28.59	12,093.57
Covanta Engery (Ogden)	910	0.00	0.00
Darden Restaurants, Inc.	1440	17.85	25,704.00
Delphi Automotive	212	6.83	1,447.96
Dunn & Bradstreet, Inc.	2500	38.25	95,625.00
E.I. DuPont de Nemours Corp.	1200	38.86	46,632.00
Eastman Chemical Co.	270	28.99	7,827.30
Eastman Kodak	1080	29.30	31,644.00
El Paso Energy	150	6.05	907.50
Exxon Mobil Corp.	9728	34.95	339,993.60
Gartner Group	651	6.95	4,524.45
General Electric Co.	15600	25.50	397,800.00
General Mills, Inc.	2280	45.55	103,854.00
General Motors Corp.	304	33.62	10,220.48
Halliburton Company	2000	20.73	41,460.00
Highlands Insurance Group, Inc.	100	0.00	0.00
Imation Corp.	99	37.22	3,684.78
IMS Health	5000	15.61	78,050.00
Kellogg Corp.	3200	30.65	98,080.00
Kimberly-Clark Corp.	17678	45.46	803,641.88
Lucent Technologies	696	1.47	1,023.12
Merck & Co., Inc.	34078	54.78	1,866,792.84
Minnesota Mining & Manufacturing	1000	130.03	130,030.00
Monsanto Corporation	8360	16.40	137,104.00
Moody's	2500	46.23	115,575.00
Morgan Stanley/Dean Whitter	312	38.35	11,965.20
NCR Corp.	34	18.34	623.56
Newell Rubbermaid	1676	28.35	47,514.60
One Group Prime Money Market Fund	.....	.....	234,250.22
Pactiv Corp.	200	20.30	4,060.00
PG&E Corp.	175	13.45	2,353.75
Pfizer	18711	31.16	583,034.76
Pharmacia (Cognizant)	2500	43.30	108,250.00
Qwest	571	3.49	1,992.79
Reliant Energy	300	3.56	1,068.00
RH Donnelly Corp.	500	29.68	14,840.00
Sandusky Voting Trust	26	85.00	2,210.00
SBC Communications	2247.11	20.06	45,077.03
Sears Roebuck & Co.	200	24.15	4,830.00
Solutia	1672	1.55	2,591.60
Synavant	250	1.60	400.00
Tenneco Automotive	182	2.26	411.32
Texas Genco	15	17.39	260.85
Unisys, Inc.	167	9.26	1,546.42
US Bank Corp.	3081	18.98	58,477.38
Verizon (Bell Atlantic)	1151.5844	35.35	40,708.51
Vodaphone Airtouch	370	18.22	6,741.40
Weenergies (Wisconsin Energy)	1022	25.40	25,958.80
Total common and preferred stocks and bonds			6,320,354.05

BANK AND SAVINGS & LOAN ACCOUNTS

	Balances
Bank One, Milwaukee, N.A., checking account	$5,934.44
Bank One, Milwaukee, N.A., preferred savings	12,759.48
M&I Lake Country Bank, Hartland, WI, checking account	11,270.85
M&I Lake Country Bank, Hartland, WI, savings	361.10
Burke & Herbert Bank, Alexandria, VA, checking account	1,835.59
Firstar, FSB, Butler, WI, IRA accounts	90,755.04
Total Bank and Savings & Loan Accounts	122,916.50

MISCELLANEOUS

	Value
1994 Cadillac Deville—retail value	$6,950.00
1989 Cadillac Fleetwood—retail value	3,975.00
1996 Buick Regal—retail value	7,160.00
1991 Buick Century automobile—retail value	2,580.00
Office furniture & equipment (estimated)	1,000.00
Furniture, clothing & personal property (estimated)	170,000.00
Stamp collection (estimated)	70,000.00
Interest in Wisconsin retirement fund	227,036.83
Deposits in Congressional Retirement Fund	146,103.56
Deposits in Federal Thrift Savings Plan	166,037.69
Traveller's checks	7,418.96
20 ft. Manitou pontoon boat & 40 hp Yamaha outboard motor (estimated)	4,000.00
17 ft. Boston Whaler boat & 70 hp Johnson outboard motor (estimated)	7,500.00
Total miscellaneous	819,762.04
Total assets	9,320,644.37

LIABILITIES

Bank of America Mortgage Company, Louisville, KY on Alexandria, VA residence	$5,153.24
Miscellaneous charge accounts (estimated)	0.00
Total liabilities:	5,153.24
Net worth	9,315,491.13

STATEMENT OF 2002 TAXES PAID

Federal income tax	$98,414.00
Wisconsin income tax	24,346.00
Menomonee Falls, WI property tax	2,111.02
Chenequa, WI property tax	18,445.93
Alexandria, VA property tax	8,663.00

I further declare that I am trustee of a trust established under the will of my late father, Frank James Sensenbrenner, Sr., for the benefit of my sister, Margaret A. Sensenbrenner, and of my two sons, F. James Sensenbrenner, III, and Robert Alan Sensenbrenner. I am further the direct beneficiary of four trusts, but have no control over the assets of either trust. My wife, Cheryl Warren Sensenbrenner, and I are trustees of separate trusts established for the benefit of each son.

Also, I am neither an officer nor a director of any corporation organized under the laws of the State of Wisconsin or of any other state or foreign country.

HONORING LTCOL GREG STURDEVANT, USMC

HON. ERIC CANTOR

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2003

Mr. CANTOR. I rise today to honor Lt. Colonel Greg Sturdevant, USMC and his career as a Marine Corp helicopter aviator. He has served valiantly during his career and was awarded the Bronze Star for heroism in the Battle of Tora Bora in Afghanistan last fall.

His bravery was tested once again in the deserts of Iraq where he was liberating the people of Iraq in Operation Iraqi Freedom. Acting on a tip from a local Iraqi citizen, the U.S. military hastily put together a rescue attempt of a captured U.S. soldier, PFC Jessica Lynch, who was known to be held in an Iraqi hospital. During the planning of this midnight mission, for which the Marines were tasked to fly the rescue helicopter, the most experienced pilots were selected to lead each of the helicopters. Sturdevant's many years of service gave him the experience and technical proficiency to command one of these helicopters.

On April 2, 2003, LtCol Sturdevant and his fellow Marines flew the U.S. Army's Rangers

and the U.S. Navy's Seals to the Saddam Hospital in Al Nasiriyah where the soldier was thought to be held. After the Rangers and Seals secured the area, they emerged from the hospital with 19 year-old PFC Lynch, who had been taken prisoner with other members of her unit, the 507th Maintenance Company on March 23, 2003. LtCol Sturdevant's flight of Marines, Army Rangers, Navy Seals, and one former Prisoner of War returned to a coalition-held airfield where PFC Lynch was finally free of her captors.

I join the Janis Family, Bill, Rose Ann, Robert, and Michael, in honoring and recognizing LtCol Sturdevant and say thank you for all of his efforts in the defense of America's freedom.

THE FCC'S LOCAL COMPETITION RULING PROMISES CONTINUED UNCERTAINTY

HON. SUE WILKINS MYRICK

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2003

Mrs. MYRICK. Mr. Speaker, rather than bring clarity and direction to the troubled telecom sector, the Federal Communication Commission's recent, local competition ruling promises continued uncertainty and, worse yet, litigation.

At a time when the American economy is in desperate need of a jolt of innovation and investment, some of this country's most technologically strong, capital-rich companies are being kept on the sidelines. We need to reframe these issues in terms of the larger goals of getting more technology in the hands of customers and more capital pumped into the economy where it can create jobs, growth and entrepreneurial activity.

To get our economy growing again, we need policies that encourage investment and job creation, especially in high-technology industries like telecommunications.

Mr. Speaker, companies in this sector are poised to spend in excess $100 billion over the next ten years on orders for fiber, routers and switches to build the network of the future. Orders that will create jobs and incomes all across this nation.

Telecommunications is very important to my own state of North Carolina. More than 30,000 North Carolinians work in telecommunications. Thousands more depend on the industry to maintain their pensions and their retirement savings.

Congress needs to send the message to the FCC majority that we need policies to foster investment, innovation and jobs. Three months have passed and we are still waiting on the FCC to render the right policy decisions.

KEEP OUR PROMISES TO AMERICA'S CHILDREN AND TEACHERS ACT

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2003

Mr. VAN HOLLEN. Mr. Speaker, today I am introducing the ''Keep Our Promises to America's Children and Teachers Act'' or ''Keep Our PACT'' Act. Every parent knows first-hand how important it is to keep the promises we make to our children. I believe the federal government has a similar obligation. However, in too many areas, the rhetoric is not matching the reality.

Mr. Speaker, the No Child Left Behind Act signed just last year requires schools to adopt new accountability measures in exchange for the resources necessary to achieve high national standards. This was a bipartisan commitment. Unfortunately, the Bush Administration's budget and the one adopted by the House of Representatives falls $9 billion short of the funds promised.

Similarly, 28 years after passing the landmark Individuals with Disabilities Education Act special education law, it astonishes me that the federal government is providing less than half what was promised to children with disabilities under the original legislation. Where we should fund 40 percent of the costs, we are only at 18 percent.

Mr. Speaker, the bill I have introduced today would right these wrongs. It would fully fund No Child Left Behind and IDEA so that every child has the opportunity to meet his or her full potential. Here in Congress, we should never forget the lessons we teach our children: a promise made must be a promise kept.

HONORING NATIONAL POLICE WEEK

HON. ERIC CANTOR

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2003

Mr. CANTOR. Mr. Speaker, I rise today in honor of National Police Week. Our police officers are a crucial part of our communities, and without their efforts, we would be devoid of law and order. I am proud to honor those willing to sacrifice themselves to truly protect and serve our neighborhoods.

The role of our police officers has been greatly emphasized in the past year and a half since September 11, as they play an essential role in safeguarding the rights and freedoms of all Americans. These men and women have served our community by safeguarding life and property and by protecting us against violence and disorder.

This week, as the Nation commemorates past and present law enforcement officers for their loyal and dedicated service to their communities, we should remember that many police officers have made the ultimate sacrifice in service to their communities or have become disabled in the performance of duty. I join the residents of the 7th District of Virginia in honoring and remembering these brave men and women and say thank you to all of America's police officers.

I stand before you today to honor these brave American heroes.

DEMOCRATS NEED TO LEARN TO PLAY BY THE RULES

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2003

Mr. WILSON of South Carolina. Mr. Speaker, I have become saddened and dismayed at the continued obstructionism practiced by Democrats here in Washington and throughout our Nation. In politics, there are winners and losers, majority parties and minority parties. In 2002, Americans spoke loud and clear whose leadership they most trusted and wanted to lead this Nation, as they voted to increase the Republican majority in the U.S. House and give control of the U.S. Senate back to Republicans. The same is true on the state level, where Republicans continue to hold a majority of governorships and state legislatures.

Yet, since being voted out of power, Democrats seem to be experiencing fits of withdrawals, seemingly unable to play by the rules. In the U.S. Senate, we see the President's judicial nominees have waited over 2 years for a confirmation vote, because of an unprecedented Democratic filibuster. Before that, they spent their time holding up vital legislation like welfare reform and bans on human cloning and partial-birth abortion.

And now we learn that in Texas, over 50 Texas State House Democrats stopped working and have actually fled to Oklahoma to avoid a vote they would surely lose. Their reason is that they do not like a Republican proposed redistricting plan. If so, they should stay and fight to make their case in Austin, Texas, the place the voters elected them to serve. Instead, these lawmakers have chosen to cowardly flee a fair fight.

Texans democratically elected a Republican majority to govern the state, and Americans have elected a Republican President and Republican majorities in the U.S. Congress. Democrats are trying to force a minority rule, and it's not right, it's not fair, and it's not the American way.

HONORING NICOLA DiCICCO

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2003

Mr. RADANOVICH. Mr. Speaker, I rise today to recognize Nicola DiCicco posthumously for his many contributions to the communities of California. As co-founder of the DiCicco's Restaurant chain, for the 47 years, he and his family have provided countless citizens with hospitality and the most delectable food.

On January 7, 1933, Nicola was born in the small village of Pacento, Italy, and lived there through World War II until the age of 16. With a brief stay in Caracas, Venezuela, Nicola came to America and settled in Detroit, Michigan. He later visited an uncle from his hometown in Italy who now lived in Fresno. The warm ambiance of the Mediterranean-like climate reminded him and his family of Italy, and they decided to move to Central California. On April 12, 1956, Nicola and his brothers, Albert, Roberto, and Frank, known as the ''Four Sons

of Italy,'' opened the first DiCicco's Restaurant in Fresno. The brothers were famous for their sing-alongs with Italian songs played on the jukebox in their restaurant. Eventually, they would be accompanied by their younger brother, Paul, and would cook into the stomachs and sing into the hearts of the people of Fresno. In 1958, Nicola returned to Italy to marry his wonderful wife, Anna Vitucci. Ten years later, the DiCicco family opened their second restaurant in Fresno and then expanded to nearby Clovis.

DiCicco family members now operate 18 restaurants in Fresno, Clovis, Madera, Santa Clara, Sacramento, Hanford, Visalia and one in Colorado. In addition, the family has spun off several other well-known local restaurants, including Vitucci's, Fratelli's, LaRocca's, Ovidio's, and Giulia's. Mr. DiCicco is survived by his wife of 44 years, Anna; his mother, Maria DiCicco; his sons: Pasquale, Giuliano, Vittorio, and Enrico; four sisters: Lucia Santeufemia, Josephine LaRocca, Giulia Paolilli, and Rosaria Defendis; three brothers: Paul, Frank, and Roberto; and seven Grandchildren.

Mr. Speaker, I rise today to recognize Nicola DiCicco for the contribution of his many restaurants, for sharing the great cuisine of Italy with the community, and for the warm atmosphere which he and his family have provided in their restaurants for numerous years. I invite my colleagues to join me in recognizing Nicola, and in wishing his family many years of continued success.

NO ABORTIONS ON OVERSEAS MILITARY BASES

HON. W. TODD AKIN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2003

Mr. AKIN. Mr. Speaker, yesterday in the House Armed Services Committee (HASC) the majority of my colleagues and I rejected a proposal by one of the Committee's members to permit abortions on military bases overseas.

This proposal would have turned our overseas military bases into abortion clinics. This would not only be wrong, but would also be a prime example of wasteful spending for political gain.

The proposed amendment to the Armed Services authorization bill would have changed a Department of Defense (DoD) policy that has been in place since 1996, and before that, from 1988 to 1993, which prohibits using DoD funds for abortions, except when necessary to save the life of the mother or in cases of rape or incest.

The amendment follows the same flawed logic as President Clinton's executive order which overturned this policy in 1993 and allowed abortions to take place at military medical facilities. During the years that the executive order was in place, the DoD was not only unsuccessful in identifying obstetricians and gynecologists stationed overseas who would perform abortions, but the number of abortions actually provided during those years was very small.

Some of my colleagues argue for this amendment based on a perceived ''necessity'' for safe abortions at overseas military bases. However, this ''necessity'' does not exist. Even if this amendment were to have been adopted, DoD policy would still prohibit military doctors from performing abortions in those countries where abortion is restricted or not permitted.

Also, in most overseas locations where legal abortions are not available, military beneficiaries have the option of using space-available travel to return to the U.S. or travel to another overseas location for the purpose of obtaining an abortion just as do other service personnel and their family members who desire other elective procedures.

This amendment would also go against the DoD's official position on this policy. The Department opposes changing the policy for a number of reasons. First, it would involve the military in performing abortions for family planning purposes. Also, a change is not needed and is not considered to be necessary to protect the health of women in or affiliated with the armed forces overseas. Lastly, this change would create an assumption that practitioners adequately familiar with and willing to perform abortion services are available in overseas military facilities, which may not be true.

This amendment not only violates the spirit of the Hyde amendment, which prohibits federal funding of abortions, but it also would encourage a very dangerous precedent of providing federal funds for elective procedures. The non-elective exemptions for abortions in cases of rape, incest or when the life of the mother is at risk are already in place and no further expansion is needed. Consequently, the use of tax-payer dollars for an elective procedure will only lead to a slippery slope of fiscal irresponsibility and soaring healthcare costs.

The House has defeated this amendment every year since 1996, and we defeated it again last evening in the Armed Services Committee. We have done so for the sound reasons I mentioned above, and I applaud my HASC colleagues for their good judgment and unwillingness to diminish the sanctity of life at the nation's overseas military bases.

IN HONOR OF THE 75TH ANNIVERSARY OF THE VENTURA COUNTY FIRE DEPARTMENT

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2003

Mr. GALLEGLY. Mr. Speaker, I rise to pay tribute to the brave men and women who, during the past 75 years, have dedicated their lives to the service of others as members of the Ventura County Fire Department.

The Ventura County Fire Department has changed dramatically since May 11, 1928, when 277 voters went to the polls and 230 voted to form the department. Ventura County then was mostly rural and populated by ranchers and farmers. Wildfires were the primary concern. In 1928 the county experienced six house fires, but 2,820 acres of wildlands burned. The Fire Department's budget was $20,000. Its first equipment was a Ford truck equipped with a portable pump and 1,000 feet of hose.

The county has been blessed through the years by attracting visionary Fire Chiefs, from Walter Emerick in 1928 to Bob Roper today. Together they built a fire department worthy of envy.

During its first decade, the Fire Department built 10 new fire stations situated throughout the county. In the years following World War II the department instituted a building program to modernize some stations, adopted the County Civil Service Retirement Plan and appointed the first battalion chiefs.

In the 1950s and 1960s, firefighting methods were updated, and the latest protective equipment, tools and fire engines were obtained. In the 1970s, a central Dispatch Communications Center was established and the Ventura County Public Safety Aviation Unit was formed. A hazmat trailer and suburban command modules for battalion chiefs were added in the 1980s.

The 1990s were a buzz of activity: The Department's computerized Incident Reporting System was developed and implemented, the communication center was designed and centralized, and a state-of-the-art Training Center and new fire stations were built.

But the best equipment is useless without highly trained and qualified fire fighters who put their lives on the line time and again to protect the residents of Ventura County. The Ventura County Fire Department currently employs 549 professional and dedicated men and women, 417 of whom are in uniform. Together, they protect 865 square miles and more than 450,000 people in Ventura County.

But their dedication does not stop at Ventura County's borders. In the aftermath of September 11, 2001, a number of Ventura County firefighters volunteered to go to New York City to help with recovery efforts. They have joined their colleagues from other jurisdictions to battle wildfires across the United States again and again.

Mr. Speaker, I know many of Ventura County's firefighters and I can personally attest to their bravery, their professionalism, and their dedication to protecting the lives and property of their neighbors. I know my colleagues will join me in congratulating the Ventura County Fire Department on its 75th anniversary and in thanking its brave men and women for a job well done.

IN HONOR OF DR. AND MRS. JOHN W. PACE

HON. DAVID SCOTT

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2003

Mr. SCOTT of Georgia. Mr. Speaker, Dr. John W. Pace faithfully serves as Pastor of Red Oak United Methodist Church in Stockbridge, Georgia. Pastor Pace, affectionately known as ''Big Daddy'', is a native of the state Georgia. He is married to the lovely First Lady, Reba Pace. They have eight children, eleven grandchildren and one great-grandchild. Pastor Pace has one brother who is also a minister/pastor.

Dr. Pace and First Lady Pace came to Red Oak U.M.C. in 1989 from Golden United Methodist Church in Douglasville, GA. Upon their arrival, they were truly united in God's mission and as a result of much hard work, many prayers and many sacrifices made under his fine leadership, the ''New'' Red Oak was built along with the Christian Life Center.

Certainly, Red Oak U.M.C. has served all congregation members and many others

under the leadership of its pastor Dr. Pace and his lovely wife. They continue to work diligently as they serve others. I commend them at this celebration of their over 14 years of service to Red Oak United Methodist Church, and I encourage congregation members and friends to join in their appreciation celebration as Dr. and Mrs. Pace continue in their mission.

REGARDING LEGISLATIVE WALKOUT (TEXAS STATE HOUSE OF REPRESENTATIVES) MAY 14, 2003

HON. SOLOMON P. ORTIZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2003

Mr. ORTIZ. Mr. Speaker I rise to commend the Texas Legislators who staked their political careers on demanding the legislature cease work on a national Republican Party map that would override voters' choices in Congress, re-mapping the state by congressional district just one year after a federal court did the job for them.

Redistricting is a serious constitutional matter; it is not a childish ''do-over'' when it does not meet your partisan whims. I appreciate the leadership of Jim Solis (D-Brownsville), Rene Oliveira (D-Brownsville), Jaime Capelo (D-Corpus Christi), and Juan Escobar (D-Kingsville) and thank them for their unique patriotism. They are doing a very hard thing and the good people of South Texas appreciate their position.

In a democracy, voters should choose their representatives; representatives should never choose voters. Drawing congressional district lines is an exercise that is mandated once a decade by our constitution. We did this last year; a federal court drew new lines for Congressional districts, and each member of this body from Texas ran in those districts and won elections. To redistrict again, one year later, is unconscionable.

These members of the Texas State Legislature have done an incredibly courageous thing by leaving the state to force the House Republicans to abandon their plans to gerrymander the state of Texas' in Washington's Republican-driven redistricting effort. This effort is part of a national effort across the country, with Colorado also being a target of national meddling in the business of State Legislatures.

I commend these legislators, particularly my South Texas friends, who have the commitment and bravery to take the politically dangerous position of leaving the state Capitol in the midst of the session, a highly extraordinary move borne of a highly extraordinary national political grab. By denying the quorum, they are protecting the rights guaranteed to Texans in the Constitution.

These legislators are being criticized for their actions, yet it is the national Republican leadership that put these events in motion and they are the ones who can end it so Texans can get back to the urgent business of balancing our budget, reforming insurance rates, re-financing education reform, and economic development around the state.

Were it not for high-level, unapologetic tinkering in the state's business, the state legislators would now be working on the issues upon which they were elected to pursue. As it is, the only members now hard at work on substantive budgetary matters are the Democrats working out of Oklahoma trying to persuade the national republican leadership to pull the redistricting bill so they can proceed.

The legislators are fighting for open participation in government and redistricting, which is precisely the vision our forefathers had when they founded this country.

I commend the political courage of the legislators who staked their careers on the principle of democratic process and one person-one vote.

CROSS-STRAIT RELATIONS: PAST, PRESENT, FUTURE

HON. STEVE CHABOT

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2003

Mr. CHABOT. Mr. Speaker, C.J. (Chien-Jen) Chen, Taiwan's ambassador to the United States, in an address to the Foreign Policy Research Institute in Philadelphia earlier this year, spoke on the important issue of ''Cross-Strait Relations: Past, Present, Future.'' I know my colleagues will be interested in reading the ambassador's abridged remarks, which I include in the RECORD:

REMARKS BY REPRESENTATIVE C.J. (CHIEN-JEN) CHEN AT THE FOREIGN POLICY RESEARCH INSTITUTE—JANUARY 16, 2003

I know that the most pressing international issues at the moment involve Iraq and North Korea and that, in contrast, cross-strait relations appear to be quite tranquil. But, I am also sure that you know cross-strait relations are highly sensitive. Both now and for the foreseeable future, cross-strait relations directly affect not only Taiwan but also U.S. interests in the Western Pacific and peace and security in the entire region. So, this is a topic that merits further discussion.

Of course, to understand where cross-strait relations stand at present and to see where they might stand in the future, one must know something about the historical background of Taiwan's relationship vis-a-vis the Chinese mainland.

I. THE PAST

Over the course of the last four centuries, Taiwan has been transformed from a neglected backwater and unsettled frontier into a prosperous modern democracy of 23 million people. During this time, control over the island has passed through the hands of a succession of masters: indigenous tribes, Dutch colonizers, Han Chinese pioneers, Manchu officials, Japanese imperialists . . . In 1945, the island reverted to Chinese control under the Republic of China government. But just four years later, in a tragic twist of fate, China itself was divided by a Civil War into two parts: the free and capitalistic ROC on Taiwan and the tightly controlled and authoritarian People's Republic of China on the Chinese mainland. Throughout the Cold War, the two sides faced each other across the narrow Taiwan Strait in a tense confrontation marked by enmity, rancor, and distrust. For the past 16 years, my government has been working to break the impasse and facilitate reconciliation with the other side. In some respects, we have made much progress. In others, we have met with disappointment.

For the sake of brevity, I will not delve into all the twists and turns of Taiwan's fascinating history. But, I do want to point out that several factors and historical truths continue to influence cross-strait relations today and will likely shape them in the future.

First, Taiwan is situated on China's strategic periphery at the very nexus of international trade routes that crisscross East Asia. The Taiwan Strait, which is as narrow as 90 nautical miles in some places, is the only geophysical feature separating Taiwan from the Chinese mainland.

Second, the vast majority of people on Taiwan are Han Chinese whose ancestors arrived in Taiwan at different times over the course of the last four centuries. They share many ancestral, historic, cultural and linguistic ties with the people across the strait

Third, owing to their geographical proximity and cultural affinity, economic exchanges between Taiwan and the Chinese mainland have been nearly unavoidable and usually beneficial to both sides.

Fourth, owing to that fact that Taiwan and the Chinese mainland were united for less than five years in the 20th century and the fact that the PRC regime on the mainland has never ruled Taiwan even for a single day, distinct political, economic, and social systems have developed on each side.

Fifth, the long separation has also produced on either side of the Taiwan Strait different values, perspectives, visions, and even identities.

Sixth, cross-strait relations are dynamic, fluid, malleable. Taiwan's relationship to the Chinese mainland has changed a number of times in the past, is not static at present, and will likely evolve in the future. It is our hope that the relationship will change for the better.

II. THE PRESENT

That certainly was the motivation of our government, which, in 1987, sensed that the time had come to break the impasse between the two sides of the Taiwan Strait by allowing veterans on Taiwan to visit their relatives on the Chinese mainland. In the years following, private exchanges (i.e., travel, mail, phone calls) between the people on both sides have grown enormously as have indirect trade and investment. Along the way, our government unilaterally declared the end of hostilities against the Chinese mainland (1991) and amended ROC laws to recognize that, at present, our jurisdiction covers the Taiwan area only. Just as significantly, both sides of the Taiwan Strait set up liaison agencies to discuss practical issues arising from the various forms of interaction across the Taiwan Strait.

Now let us take a look at current developments—both positive and negative—in the relationship.

Positive

To give you a sense of the scope of that interaction, allow me to cite a few statistics. In addition to exchanging millions of phone calls and letters with people on the mainland, residents of Taiwan have, over the last 16 years, made nearly 27 million trips there, including more than 3 million trips in 2002. And during these trips to the mainland, they have spent roughly 30 billion U.S. dollars. At the same time, thanks to the gradual relaxation of our policy regarding visits from the people of the mainland, they have been able to make 817,000 short trips to Taiwan in the last few years.

Bilateral trade has surpassed 272 billion U.S. dollars since 1987. In just the first nine months of 2002, two-way trade between Taiwan and the mainland rose 26 percent over the same period the year before to 25 billion dollars.

The number of Taiwan-based businessmen investing in mainland China has also risen

rapidly since restrictions on travel to the mainland were lifted in 1987. According to my government, which counts only pre-approved cases of investment, as of June 2002, Taiwan's private sector has invested 24.2 billion U.S. dollars in the Chinese mainland. Other non-governmental sources estimate that Taiwan has actually invested well over 140 billion dollars in the mainland.

This trend may continue to strengthen now that both Taiwan and the mainland have acceded to the World Trade Organization. Under the WTO, Taiwan and the PRC are co-equals. They must abide by the same rules and regulations, meet the same standards, abide by the same procedures, and resolve trade disputes through the same mechanisms.

Other positive developments include some less-publicized events such as the start of the three mini links between our off-shore islands and the mainland coast, my government's decision to allow mainland Chinese to visit Taiwan as tourists, its decision to allow Taiwan-based banks to set up representative offices in the mainland, and the present efforts to establish indirect charter flights between the two sides during the Chinese New Year holiday.

Negative

But there have been negative developments as well.

First and most fundamental has been the PRC's continued insistence that Taiwan is a province of China. And since the PRC equates itself with China, this is tantamount to saying that Taiwan is a part of the PRC and should be subject to PRC leadership. Such a formulation not only runs contrary to the facts on the ground, it also alienates the people of Taiwan.

Second, because it insists that Taiwan is merely a local territory, the PRC also works very hard to deny Taiwan any room in the international community. To this day, the PRC strenuously objects to Taiwan's presence, participation, or even observership in certain non-political international organizations such as the World Health Organization or the International Civil Aviation Organization, not to mention numerous international activities. This has not helped cross-strait relations and has indeed further antagonized the people in Taiwan.

Third, the PRC refuses to resume dialogue with us or our designated liaisons. The PRC insists that no talks can be held unless we first agree to the so-called ''one-China'' principle. We, on the other hand, have made it clear that we are willing to discuss any issue with them including the one China issue, but that talks should be held without any preconditions.

Fourth, the PRC still refuses to renounce the use of force against us. In recent years, the PRC has deployed more than 350 advanced ballistic missiles along its coastline opposite Taiwan and is increasing the number of these missiles by 50 a year. These missiles are targeted directly at Taiwan and constitute a clear and present danger to us. In addition, they have increased their military budget by more than 17 percent a year for the past two years and they have been acquiring advanced weapons including Russian warships and fighters.

We cannot but increase our purchase of more and better defensive weapons from the U.S. It is most regrettable that resources, which could have been better used for other more meaningful purposes, must instead be used to finance those purchases.

The ROC's Policy Pronouncements

Let me now summarize the current policies of Taiwan and the mainland regarding their mutual relationship.

When President Chen Shui-bian was inaugurated almost three years ago, he declared that so long as Beijing has no intention of using military force against Taiwan, he would not declare Taiwan Independence, change our national title, push for the inclusion of the ''state-to-state'' formulation in our Constitution, or promote a referendum on the question of independence or unification. He also said that the abolition of the National Unification Council or the National Unification Guidelines would not be an issue. This policy, which was quickly named the ''five noes policy'' by media in Taiwan, remains unchanged.

On January 1, 2002, the president further said, ''If the Chinese mainland can renounce military intimidation and respect the people's free will, the two sides can begin with integration in the cultural, economic, and trade fields, before further seeking a new framework for permanent peace and political integration.''

On January 1 of this year, President Chen reiterated this policy formulation and called upon both sides of the Taiwan Strait to ''strive toward building a framework of interaction for peace and stability.'' The two sides, he said, should ''foster an environment conducive to long-term engagement'' and ''work together, abiding by the principles of democracy, parity and peace in an effort to resolve longer term issues.''

Such policy pronouncements, I believe, fully demonstrate our sincere goodwill and pragmatic approach to cross-strait relations.

The PRC's Policy Pronouncements

For its part, the PRC has toned down its rhetoric somewhat.

Last October and again yesterday, PRC vice Premier Qian Qichen also said that the establishment of direct air and shipping links between the two sides of the Taiwan Strait was a purely economic issue that need not by influenced by political factors. But, the PRC still insists on its ''one China'' principle and refuses to accept the role of our government whose participation is inevitable if links are to be established.

The fact is, the PRC still refuses to renounce the use of force against us. It still seeks to isolate us internationally. It still targets us with missiles, and it still insists that we must accept its ''one China'' principle before dialogue can be resumed. Just recently, when Jiang Zemin suggested the PRC might consider reducing these missile deployments in return for reductions in U.S. defensive arms sales to Taiwan, it was obviously an attempt to deflect criticism from their unprovoked arms buildup and their refusal to renounce use of force against us. We are glad the American people, and your leaders, see through such cynical gestures.

THE U.S. CAN BE A POSITIVE INFLUENCE

Your government, under either Republican or Democratic leadership, has frequently declared that the Taiwan Strait issue should be resolved peacefully, with the freely given assent of our people. It is very clear this policy has broad bipartisan support in your country.

Let me emphasize that we are grateful for American support of our democratic system and right of free choice.

The PRC depends greatly on U.S. trade, investment, cultural, and other relations. So we think Washington can be a very effective, positive influence in persuading Beijing to sit down and resume dialogue with us. Resolute and prudent U.S. policy commitments can go a long way towards preventing aggression and encouraging peaceful talks. Taken together, the Taiwan Relations Act and the Six Assurances of 1982, which have governed U.S. policy towards Taiwan for many years, are crucial to the trust underlying our relationship. And they are critical for peace across the Strait.

Let me point out that we have never asked the United States to act as a mediator between the two sides of the Taiwan Strait. But we do hope the U.S. continues to play an active role as a stabilizer to encourage peace across the Strait. We appreciate that the U.S. handles its relationships with both Taiwan and PRC in a very even-handed way. Balanced treatment serves the United States' own interests as well as ours.

III. THE FUTURE

What does the future hold for cross-strait relations? No one can be sure.

Leaders in Taipei and Beijing will no doubt continue fashioning cross-strait policies in light of tangible economic and security interests as well as intangible cultural and value-laden interests. But, cross-strait relations are also influenced by other sets of bilateral relations including our close and friendly relationship with the United States as well as by changes in the international environment.

Furthermore, we must keep in mind that many intractable differences remain between the two sides: (1) Our disparate economic. and political systems. (2) Our different standards of living. (3) Our distinctive mentalities and outlooks. And, (4) the lingering sense of misunderstanding and distrust. Until and unless the gaps in those areas can be narrowed and/or until and unless a better appreciation and acceptance of the differences between the two sides can be realized, cross-strait relations can only proceed at a slow and deliberate pace.

And yet, there are also a number of reasons for guarded optimism. For one thing, the governments and the people on both sides seem to understand peace, security, and continued economic development are in the interests of both sides. Secondly, to meet real needs, exchanges are sure to increase. Dialogue, though interrupted, is inevitable. And, with dialogue, the two sides eventually may reach some accommodation. Third, the twin processes of globalization and technological advancement are causing both sides to move toward a higher degree of,interaction, understanding, and perhaps common interests.

What is required now is patience, wisdom, and goodwill. These three things we possess in ample quantity, so I am reasonably optimistic and hopeful that a better relationship between the ROC and the PRC is in the cards.

I would therefore encourage you to keep an eye on cross-strait relations, to lend your support for positive change, and to help us bring lasting peace and prosperity to the entire Western Pacific region.

WORKFORCE REINVESTMENT AND ADULT EDUCATION ACT OF 2003

SPEECH OF

HON. RAHM EMANUEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 2003

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 1261) to enhance the workforce investment system of the Nation by strengthening one-stop career centers, providing for more effective governance arrangements, promoting access to a more comprehensive array of employment, training, and related services, establishing a targeted approach to serving youth, and improving performance accountability, and for other purposes:

Mr. EMANUEL. Mr. Chairman, last week the House of Representatives passed the Workforce Investment Act, a reauthorization bill short-changing job training programs in America. A current beneficiary of WIA funds is the Youth Community Technology Program administered by Korean American Community Services on the northwest side of Chicago. I am very proud to represent this organization in Congress because it has a proven record of success by helping hundreds of young people in my district learn how to build and maintain computers, gain valuable experience through internships in area non-profit organizations, and benefit from the experience and companionship of professionals working in the information technology industry.

Regrettably, the Youth Community Technology Program recently lost all WIA support to serve students, and funding to serve youth not in school was severely reduced. The consequences of diminished federal investment in youth workforce development are easily observed at the local level: Eight of 29 local WIA youth programs for in-school youth, including the Youth Community Technology Program, were eliminated in response to a 20 percent cut in federal WIA Youth Program appropriations in fiscal year 2003. As a result of these cuts, more than 150 youth were enrolled in these programs. These young people will not have the opportunities provided to Mario Argueta, one of my constituents and a participant in the Youth Community Technology Program. Without these important programs, young people like Mario could join the ranks of the more than 80,000 Chicago youth ages 16 to 24 who have dropped out of school and remain out of work or are at risk to violence, delinquency, early pregnancy, and dependency.

The bill passed by the House last week cuts WIA Youth Program formula funds, and this could have a direct impact young Americans like Mario and the community organizations that serve them. Young people deserve increased federal investment in education and training, not another funding cut. Additionally, diverting one quarter of WIA Youth Program formula funds to create discretionary ''Challenge Grants'' would result in yet another round of severe cuts for local providers who depend on this money to serve youth like Mario. Any new grant created through reauthorization of the WIA Youth Program must be created with additional funds, not by diverting formula funds, in order to allow providers who are already meeting the challenge to continue their critical work.

The United States is currently experiencing a jobs recession in which 2.5 million Americans have lost their jobs in the last two years, including two million in the manufacturing sector. Unemployment in Illinois has reached 6.6 percent with 17,400 jobs lost in the last month alone. It is important now more than ever to ensure that the unemployed and those workers who want to improve their skills and participate in the new economy can look forward,to a future in which they can achieve the American dream for themselves and their families.

Mr. Chairman, Mario Argueta is a young man pursuing that dream. He wrote the following letter about how the Youth Community Technology Program has changed his life for the better and which I now submit for the RECORD.

THE WAY MY LIFE IS GOING NOW IS JUST PERFECT

(By Mario Argueta, participant in the Youth Community Technology Program)

My name is Mario Argueta. I was born in the city of Chicago during the summer of 1985. When I was 2 and a half months old my mother sent me to live with my grandmom in Guatemala. I grew up over there and did pretty well in school. I completed eighth grade, then my mom decided to bring me back to the United States.

I came back to the Chicago to live with my mom, when I was 13 years old. Because of language problems, I had to repeat the 8th grade. I attended Irving Park Middle School for 4 months. I graduated from eighth grade, then I started going to Edwin G Foreman H.S. It was difficult for me, because I did not speak English and could hardly understand. I was doing really badly, my grades were very low, and I had a lot of problems at home. I dropped out of high school because 1 got desperate and felt that I could not improve. But I knew I was a good kid with no bad habits. I was smart and also respectful to people. I realized that I needed some help.

Someone told me about Antonia Pantoja Alternative High School. I applied, passed the entrance test, and started attending that school. My grades started to improve because of all the help I was getting. There were a lot of people helping me in class, after school, during lunch, and sometimes on Saturdays. I accepted the help because I wanted a good future. My social worker at Antonia Pantoja told me about Youth Community Technology Program (YCTP). When I got in touch with them, I found out that my old English teacher at Antonia Pantoja was working as the education coordinator at YCTP.

After being accepted into the program, I went to YCTP after school, four days a week, for about three months. I had a good time, and learned a lot about computers. After teaching me how to build computers and maintain operating systems, YCTP matched me with an internship. Right now, I am working on the internship at a non-profit agency called ''Computers For Schools''. So far, everything is going great. While working there I have gained a lot of skills in different areas, especially in hardware. Sometimes we work on machines that need network cards, sound cards, or video cards. Sometimes we have to ''ghost hard drives,'' which means copy an operating system to them, or sometimes wipe the hard-drives. I have fixed more than 25 machines. I work with a variety of systems. Now, I can understand a lot of things that I wouldn't have even imagined before. I have work experience to put on my resume, and am also giving something back to the community.

My long-term goal is to get a degree from a college and make the rest of my life comfortable. I still attend Antonia Pantoja right now and will graduate in two more semesters, but I'm close enough to feel like a winner already. Even though I am still learning a lot of things, the way my life is going now is just perfect.

TRIBUTE TO REV. AIMEE G. CORTESE

HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2003

Mr. SERRANO. Mr. Speaker, I am pleased to pay tribute to Rev. Aimee G. Cortese, who will be honored at a gala later this month for her exemplary life and service in active ministry around the world. She is best known in the South Bronx area, where for 16 years she was Associate Minister to her father, Rev. Rafael Garcia, of the Spanish Assemblies of God. Rev. Cortese has remained committed to the South Bronx community where she was raised, working with her brother, former Congressman Bob Garcia. She now serves as Founder and Pastor Emeritus of Crossroads Tabernacle, which will be celebrating its anniversary on May 29, 2003. She is also a mother of four children, who are all in active ministry.

Mr. Speaker, I ask unanimous consent to insert into the RECORD the biography of Rev. Aimee Garcia Cortese in recognition of her leadership, commitment to her community and extraordinary contributions, and in wishing her continued success.

Rev. Aimee G. Cortese is a dynamic, down-to-earth speaker who leaves the listener with the experience that Jesus is a reality. Her life speaks her theology—her foundation is the Bible. Rev. Cortese is both a wife and the mother of 4 children, giving her the experience of both home and family. Her preaching and teaching ministry placed her in great demand in churches, women's groups and colleges throughout the nation. Her message is timely, Christ-centered, and with a sensitivity towards human need. She ministers with a burden for souls and a determination to reach, to touch, and to share Jesus with people from all walks of life.

Rev. Cortese has been engaged in active evangelism both in the United States and throughout the world. Rev. Cortese is best known in the New York City area. For 16 years, she was Associate Minister to her father, Rev. Rafael Garcia of the Spanish Assemblies of God. Rev. Cortese has remained committed to the South Bronx community where she was raised, working with her brother Congressman Robert Garcia, In her own words, street ministry was her specialty and desire, ''I want to be where the people are, that is where Jesus is.''

Outside the U.S., Rev. Cortese and her husband Joseph Sr. both served with the Billy Graham Evangelistic Team in South America. She was a delegate to the First Congress on Evangelism in West Berlin, Germany.

Rev. Cortese broke ground as the first female Chaplain for the NYS Department of Corrections and ministered in this capacity for ten years. She worked with both male and female inmates at the Ossining Correctional Facility (Sing-Sing) for men, and Bedford Hills for women.

With ten years of Chaplaincy behind her, she felt qualified to push ahead with a strong preventative work with both young people and adults. She did prison work on a volunteer basis.

For the past 18 years, Rev. Cortese was Pastor of Crossroads Tabernacle, a thriving work in The Bronx, NY. This church serves as a counseling center to meet the needs of the community, and all who may need help. She now serves as Founder and Pastor Emeritus of Crossroads Tabernacle. Rev. Cortese continues to speak at whatever events she is invited to. Hearing Rev. Aimee G. Cortese is an experience long to be remembered.

THE 49TH ANNIVERSARY OF BROWN VS. BOARD OF EDUCATION

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2003

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today in honor of the 49th Anniversary of Brown vs. Board of Education decision, which declared segregation of public schools illegal. The case was sparked by Linda Brown, a black girl denied admission into a white elementary public school in Topeka, Kansas. The NAACP took up her case, along with similar ones in Kansas, South Carolina, Virginia, and Delaware. All five cases were argued together in December, 1952 by Thurgood Marshall.

I am proud to stand here today in honor of one of our country's pioneers in the history of civil rights. Before serving 24 years as the first African-American on the United States Supreme Court, Thurgood Marshall served as legal director of the NAACP. Marshall was once asked for a definition of ''equal'' by Justice Frankfurter. He responded, ''Equal means getting the same thing, at the same time, at the same place.''

As a tribute to Thurgood Marshall and his lifelong plight, the Congressional Black Caucus, Microsoft and the Thurgood Marshall Scholarship Fund recently announced the creation of the Thurgood Marshall Scholarship Fund Technology Initiative. This initiative will support technology, training for students at public Historically Black Colleges and Universities.

I am grateful to have contributed to the legacy of such a great American. As immediate past chair of the Congressional Black Caucus, I am pleased that the seed planted under my administration has now blossomed into a fruitful initiative.

Mr. Speaker, I would also like to thank all of my colleagues for being here today to commemorate this important event, so fundamental to our societal growth. I am here today because I believe that education must be our number one national priority. In my almost thirty years as a legislator, I have fought to ensure that education is at the forefront of the legislative agenda.

The President has promised to ''leave no child behind,'' unfortunately, the current administration is not getting the message. The President's budget falls $9.7 billion dollars short of the funding commitment made in No Child Left Behind to K–12 education and $5.3 billion dollars short of level provided in the Senate Appropriations bill for Fiscal Year 2004. How can we ask educators to meet high standards at the same time we hand them a budget that forces class size increases, cuts in academic programs, and teacher layoffs. Demanding more but paying less does not work.

In fact, President Bush proposes a second year of historically low federal investments in educations, with an increase of only 5.6 percent. This is contrast to the average increase of 13 percent over the past seven years. That doesn't even keep pace with inflation. The President's budget also cuts targeted funding for assistance for school dropouts and higher education programs.

Other programs barely survive the budget chopping block—resources for teacher training, educational technology, after-school programs, and safe and drug-free schools are frozen; while for the second year in a row he allocates no money for school modernization.

It is time we say, ''Enough is enough!'' We cannot afford to loose one more brilliant Black mind because the opportunity for a quality education was not available to him or her. Financial constraints should not hinder our youth from exploring knowledge and expanding their minds. We must make sure that the people we vote into office do not ignore our desire to educate our youth by selecting judicial nominees that rob us of equal access to education, just as it was robbed from us before Brown v. Board of Education. And we must educate the populace on legislation that threatens to take away our hardearned rights, rights that we should have never had to fight for in the first place, rights to receive equal and quality access and opportunity to education.

Education is not a luxury item that can be trimmed when more enticing budget items beckon. It is an essential element that should be our highest national priority. Now is the time to increase education spending.

Mr. Speaker, I would like to close by asking my colleagues in the House of Representatives to join me in extending my appreciation to the legacy of Justice Thurgood Marshall, the Brown family, and all of the unsung heroes who worked so tirelessly for equality and justice in America's public institutions of learning.

HONORING MYRON BLUMENFELD

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2003

Mr. ACKERMAN. Mr. Speaker, I rise today to honor the 35th Anniversary of Residents for a More Beautiful Port Washington and its Chairman, Myron Blumenfeld, for his strong leadership, dedication and commitment in making Port Washington a more beautiful town.

In 1968, Myron and a group of concerned citizens founded Residents for a More Beautiful Port Washington with the simple plan to plant a tree by a gas station. Soon, the people of Port Washington began to organize daily for environmental action and Myron's organization slowly grew from a handful of members to a prestigious and influential non-profit action group. Today, Residents for a More Beautiful Port Washington boasts more than 2,000 active members who cross political, racial, religious, ethnic and economic divides to preserve and enhance the environment of Port Washington and the surrounding communities.

Among the major projects the group has spearheaded are: protecting drinking water, building waterfront trails, contributing thousands of dollars to the Port Washington Board of Education to fund projects which helps students to learn about our ecosystem, planning the Main Street Park and Town Dock, and of course, planting hundreds of trees throughout Port Washington.

As the founder and chairman of Residents for a More Beautiful Port Washington, Myron Blumenfeld has consistently displayed his lifelong passion and spirit to improve our environment and our quality of life. A graduate of Syracuse University with a Masters Degree in Business from New York University, Myron was vice president of Bloomingdales for 34 years where he routinely answered his phone with ''Save Hempstead Harbor''. Myron's commitment to the environment was quickly recognized by then Governor Cuomo who appointed Myron as Chairman of the Long Island Parks Commission. As Chairman, Myron initiated the first Long Island Parks environmental education program. Myron also served as Chair of the Sierra Club's Atlantic Chapter and formed the Sierra Club's first Long Island Chapter. In addition, Myron served on the boards of the Environmental Planning Lobby and American Friends of Neot Kedumin. In November of 2002, Myron and the Residents for a More Beautiful Port Washington received the well deserved Environmental Advocates of New York State Award.

Mr. Speaker, I am proud to represent such an exceptional individual and commend Myron Blumenfeld for his dedication to preserving and working for the beautification of Port Washington. On May 18, 2003, Residents for a More Beautiful Port Washington will recognize Myron's important contributions at its 35th Annual Gala. I ask my colleagues in the House of Representatives to please join me in wishing Myron Blumenfeld and the Residents for a More Beautiful Port Washington many more years of success as they celebrate their 35th Anniversary.

INTRODUCTION OF G-8 RESOLUTION

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2003

Ms. LEE. Mr Speaker, today I am introducing a resolution calling on the President to encourage members of the G–8 and representatives of the European Union to pledge and contribute a substantial amount of money to the fight against global AIDS, tuberculosis, and malaria, in order to complement the recent commitment of the United States to spend $15 billion in the next five years.

The resolution clearly lays out the history of the G–8's involvement in the global HIV/AIDS fight, beginning in 1987 at the summit meeting in Venice, where the G–8 first recognized AIDS as one of the biggest potential health problems in the world. It was at this meeting that member states first agreed to expand international cooperation and intensify national efforts to educate the public and prevent AIDS from spreading even further.

Today, 15 years later, HIV/AIDS has become an even greater threat to humanity than we would have ever envisioned back in 1987. AIDS has already devastated the continent of Africa, where over 30 million people are currently living with AIDS, and where hundreds of millions more are still in danger of getting infected. And now AIDS is poised to wreak havoc in India and China, as each country's large population has the potential to mask rising trends of infection and understate the true reach of the pandemic.

As the leading killer of HIV/AIDS infected individuals, tuberculosis is on the rise, and in virtually every country surveyed by the World Health Organization, drug resistant strains of tuberculosis have already been found. Malaria

is also experiencing a resurgence, as AIDS makes it easier for the parasite to survive once it enters the body. Together these diseases represent an incredible challenge to public health systems worldwide, but particularly in developing nations that lack the infrastructure or resources to adequately deal with these three epidemics.

Back in 1998 when I was first elected to Congress, we already knew that AIDS in combination with tuberculosis was creating a humanitarian disaster in many parts of Africa. Together with my good friend and colleague, former Congressman Ron Dellums, and with strong support and help from Congressman JIM LEACH, we helped create the first truly global response to this pandemic through passage of the Global AIDS and Tuberculosis Relief Act of 2000—which established the framework for what would become the Global Fund to Fight AIDS, Tuberculosis, and Malaria.

At the same time, the G–8 had also reached a watershed moment in its response to AIDS and other infectious diseases at the Okinawa summit meeting in 2000. Recognizing the link between HIV/AIDS and poverty, the G–8 produced an ambitious plan to combat AIDS, tuberculosis and malaria. And yet, overall global funding for these diseases was slow in rising.

The UN Secretary General's formal call for the establishment of the Global Fund in the summer of 2001 did produce a total of $1.3 billion in pledges of support from members of the G–8. Although this was a noteworthy development, it represented only about a tenth of the total estimated need. Coming from the world's richest nations, this was a paltry commitment of resources.

At the same time, here in the House of Representatives we were working on legislation that would authorize about $1.4 billion for global AIDS programs, while the Senate was seeking to provide around $5.5 billion over two years. Both efforts recognized the importance of international institutions like the Global Fund, and committed between $750 million to $1 billion for the Fund in FY'03. Ultimately we were unable to reconcile these two bills. Tragically, another opportunity was lost.

In 2002, at the summit meeting in Kananaskis, Canada, the G–8 drafted and endorsed in partnership with a variety of African countries, the G–8 Africa Action Plan. This plan laid out a specific set of strategies to help empower Africans in combating the AIDS pandemic. Despite pledging their whole-hearted support for the initiative, little new actual funding materialized from the G–8 in the months following the meeting.

This year, AIDS has become an even more urgent issue for us to deal with. The President's pledge to provide $15 billion to combat AIDS stimulated our negotiations on this year's authorization bill, and finally provided the extra push to dramatically increase our level of funding.

House passage of H.R. 1298, The United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003, on May l, 2003, and the pending action on the bill in the Senate provides us with an even greater incentive to encourage the rest of the international community, particularly the G–8, to match our commitment to defeating these three pandemics.

My resolution follows on the recent passage of H.R. 1298, and would accomplish this objective. I encourage all members to support this resolution, and I hope that it will be considered on the floor.

DAMON KEITH—GUARDIAN OF THE CONSTITUTION

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2003

Mr. CONYERS. Mr. Speaker, I rise today to remind America what we all owe to the Honorable Damon J. Keith, who has faithfully served on the Federal Bench for some 35 years. His giant legacy looms large on America's legal landscape. He is widely respected by his fellow judges, by the Bar and by informed citizens throughout the land, not only for his constitutional scholarship, but also for the courage of his convictions and his judicious compassion.

Judge Keith has had a truly illustrious career. Above all, his decisions have protected the Bill of Rights from assaults by the Executive; and they have vindicated the Founding Fathers' wisdom in giving us an independent Judicial Branch. Like his namesake, the ''Damon'' of Greek mythology, Judge Keith's boundless love of the law and steadfast devotion to justice has won the respect of allies and adversaries alike.

Judge Keith was appropriately born on the Fourth of July in 1924. He holds a law degree from Howard Law School and a masters degree in law from Wayne State University. Judge Keith's accomplishments and commitment have garnered awards too numerous to enumerate fully. I will cite just a few.

Both the State of Michigan and the City of Detroit have repeatedly honored their native son. The Michigan Chronicle chose Judge Keith to represent the legal profession as one of Ten of ''The Century's finest Michiganders.'' The Detroit Legal News recognized him as one of Michigan's 16 ''Legal Legends of the Century.'' In recognition of his dedication to quality education for all, the Detroit Board of Education named the Damon J. Keith Elementary School in his honor. He was honored by the Detroit Urban League with its Edward J. Devitt Distinguished Service to Justice Award. (He was nominated for the Devitt Award by judges and attorneys throughout the country.)

The national legal community has equally recognized his contributions to the rule of law and his devotion to the Constitution. In 1990 President George Bush appointed him to the National Commission on the Bicentennial of the Constitution. Judge Keith's rejection of discrimination in any form earned him the Distinguished Public Service Award from the Anti-Defamation League of the B'nai B'rith. The NAACP awarded Judge Keith its highest accolade, the Spingarn Medal (whose previous recipients include Rev. Martin Luther King, Justice Thurgood Marshall and General Colin Powell.) Almost 40 universities and colleges have conferred honorary degrees on Judge Keith.

In 1997, The American Bar Association summed up why Judge Keith is universally held in such high esteem when it gave him its prestigious Thurgood Marshall Award:

> Judge Keith represents the best in the legal profession. His work reflects incisive analysis of issues, principled application of laws and the Constitution, passionate belief in the court's role in protecting civil rights, a commitment to community service and, most significantly, an independence of mind to do what's right that is at the core of his view of professional responsibility.

In 2001, the ABA also conferred on Judge Keith its ABA Spirit of Excellence Award.

This brief recital illustrates Judge Damon Keith's extraordinary standing within the Bar. In order for you to understand how he has earned that reputation, however, it is helpful to recall several of his most noteworthy opinions.

THE ''PONTIAC SCHOOL DESEGREGATION CASE''

This weekend, many of us in Detroit will be celebrating the anniversary of the Supreme Court's historic opinion in *Brown* v. *Board of Education*, unquestionably one of the greatest of that court's decision in our history. As you well know, however, it took decades of determined labor by many dedicated people to actually implement the proud promise of *Brown*. They were led, in the North as in the South, by brave federal judges who simply believed that the Constitution, as interpreted by the Supreme Court, must be enforced.

Judge Keith's opinion in the Pontiac school desegregation case will always be remembered by those in the struggle as a profile in courage. Judge Keith was not eager to reject the benefits of neighborhood school assignments, nor unmindful of the very strong community feelings. Still, he stayed true to his oath to uphold the Constitution. He enforced the necessary remedies of past de jure school segregation.

THE ''KEITH CASE''

Perhaps Judge Keith's most famous decision is aptly now known among constitutional scholars as the ''*Keith* case.'' Prior to 1970, every modern President had claimed ''inherent Executive power'' to conduct electronic surveillance in ''national security'' cases without the judicial warrant required in criminal cases by the Fourth Amendment to the Constitution. Then Attorney General John Mitchell, on behalf of President Richard Nixon sought to wiretap several alleged ''domestic'' terrorists without warrants, on the ground that it was a national security matter. Judge Keith rejected this claim of the Sovereign's inherent power to avoid the safeguard of the Fourth Amendment. He ordered the government to produce the wiretap transcripts. When the Attorney General appealed to the U.S. Supreme Court, the Court unanimously affirmed Judge Keith.

The *Keith* decision not only marked a watershed in civil liberties protection for Americans. It also led directly to the current statutory restriction on the Government's electronic snooping in national security cases. The Supreme Court had limited its agreement with Judge Keith that judicial warrants were required in cases involving alleged domestic security threats. The Court left open the question of whether judicial warrants also were required in the case of suspected foreign threats to national security. Nevertheless, the Nixon Administration was afraid to risk a subsequent Supreme Court ruling that they were required in that area, as well. Therefore, President Nixon reluctantly agreed to sign the Foreign Intelligence Surveillance Act creating a special ''FISA Court'' to hear applications for warrants in foreign national security cases.

THE ''HADDAD CASE''

Some thirty years later, history has come full circle. Once again, an overreaching Attorney General is undermining the Bill of Rights

on many fronts, ranging from secret, indefinite detention without charges and denial of counsel to ever-expanding efforts to spy on persons for whom no reasonable suspicion of criminal activity has been established. The Attorney General tells us, in essence, that Americans must choose between the liberties that have made our country great and a superficial sense of security. He is wrong.

In the post 9–11 world, millions of Americans are deeply concerned about this current struggle between civil liberty claims and Government claims of national security. The Government's intense efforts to weaken the FISA law, that was birthed by the *Keith* case, have been a centerpiece of that debate. But the FISA Court aftermath of Judge Keith's 1970 opinion in the *Keith* case is not the only way in which he has left his indelible mark on the current controversy.

One of the starkest examples of this Attorney General's disdain for the Bill of Rights came in the recent *Haddad* case. In a strongly worded, landmark opinion, Judge Keith, speaking for the United States Sixth Circuit Court of Appeals, flatly rejected the Attorney General's claim that it could hold deportation proceedings against Rabih Haddad in secret, beyond the scrutiny of press and public. Once against Judge Keith's deeply-rooted concern for the rule of law was offended. He offered a stern rebuke:

> Today, the Executive Branch seeks to take this safeguard away from the public by placing its actions beyond public scrutiny * * * The Executive Branch seeks to uproot people's lives outside the public eye and behind a closed door.

Then, with characteristically concise eloquence, Judge Keith reminded the Department of Justice, in words headlined around the world, that ''Democracies die behind closed doors.''

When he is not crafting judicial thunderbolts from the bench, Judge Keith and his physician wife Rachel Boone Keith, delight in their three daughters, Gildea, Debbie and Cecile, and in their two granddaughters, Nia and Camara. All those who know Damon Keith delight in him.

Mr. Speaker, like so many others whose lives he has touched, I am proud to call Damon Keith a mentor, a friend, and an inspiration. He is indeed a national treasure.

THE 49TH ANNIVERSARY OF THE BROWN VS. BOARD OF EDUCATION CASE

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2003

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in celebration of the 49th Anniversary of the historic Brown vs. Board of Education of Topeka, Kansas case, which struck down the doctrine of separate but equal in Plessy v. Ferguson, and desegregated public schools across this great Nation.

In early 1950, racial segregation in public schools was the norm throughout the United States. Although all the schools in a given district were supposed to be equal, most black schools were inferior to their white counterparts.

The situation was no different in Topeka, Kansas. In the early 1950s in Topeka, a young black fifth-grade student named Linda Brown had to walk over a mile to get to her segregated elementary school. Her daily journey took her through a railroad switchyard to get to her all-black. A white elementary school was only seven blocks away from Linda's home. Oliver Brown, Linda's father, attempted to enroll her in the all-white elementary school, but the principal of the school refused.

Oliver Brown then turned to McKinley Burnett, the head of the Topeka branch of the National Association for the Advancement of Colored People (NAACP), and asked for help. The NAACP was eager to assist Oliver and Linda Brown because they had long wanted to challenge segregation in public schools. With Brown's complaint, it had ''the right plaintiff at the right time.'' Soon, other black parents joined Oliver and Linda Brown, and in 1951 the NAACP filed an injunction that would forbid the segregation of Topeka's public schools.

The U.S. District Court for the District of Kansas heard Brown's case from June 25–26, 1951. At the trial, the NAACP argued that segregated schools sent the message to black children that they were inferior to whites. Therefore, the schools were inherently unequal.

The Board of Education's defense was that, because segregation in Topeka and elsewhere pervaded many other aspects of life, segregated schools simply prepared black children for the segregation they would face during adulthood. The board also argued that segregated schools were not necessarily harmful to black children; great African Americans such as Frederick Douglass, Booker T. Washington, and George Washington Carver had overcome more than just segregated schools to achieve what they achieved. Because of the precedent of Plessy v. Ferguson, the court felt ''compelled'' to rule in favor of the Board of Education. Brown and the NAACP, led by the great Thurgood Marshall, appealed to the Supreme Court on October 1, 1951. After several arguments over several years, on May 17, 1954, Chief Justice Earl Warren read the decision of the unanimous Court:

> We come then to the question presented: Does segregation of children in public schools solely on the basis of race, even though the physical facilities and other ''tangible'' factors may be equal, deprive the children of the minority group of equal educational opportunities? We believe that it does. . . . We conclude that in the field of public education the doctrine of ''separate but equal'' has no place. Separate educational facilities are inherently unequal. Therefore, we hold that the plaintiffs and others similarly situated for whom the actions have been brought are, by reason of the segregation complained of, deprived of the equal protection of the laws guaranteed by the Fourteenth Amendment.

The Supreme Court struck down the ''separate but equal'' doctrine of Plessy for public education, ruled in favor of the plaintiffs, and required the desegregation of schools across America.

Mr. Speaker, as we celebrate the anniversary of Brown vs. Board of Education, we must not lose sight that civil rights are still under attack today. On April 1, 2003, I attended the oral argument in the United States Supreme Court on the University of Michigan affirmative action cases. I listened with disgust as the Administration argued that the university sets aside seats for minority applicants and that there is a two-track system for reviewing applications. The Administration also characterized the admissions program as one that uses a quota system based upon race. Mr. Speaker, this simply is not true of affirmative action programs.

The Administration's position on affirmative action illustrates that the civil rights of African-Americans, Hispanic-Americans, and all Americans who believe in peace and equality are under attack.

On March 30, 2003 in Houston, Texas, Members of the Congressional Black Caucus held a town hall meeting titled the ''Call to Action: Summit to Stop the Attack on Affirmative Action.''

As we discussed the status of affirmative action in America we reached several conclusions. We concluded that the civil rights and the fundamental human rights of all Americans are in peril. Our right to vote is under attack. Our very survival has been jeopardized by an exclusionary and discriminatory health care system. Our economic opportunity has been diminished by flawed federal policies that enrich the few, while millions of other Americans face financial ruin. Our children's future has been endangered by educational policies that starve our public schools and subject millions of American children, of every background, to the most damaging segregation of all: ''the segregation of poverty.''

Mr. Speaker, we have come a long way since Brown vs. Board of Education, and I am proud to stand today and celebrate our advancements. I also stand today to encourage every American to recognize that we still have a long way to go.

A RESOLUTION HONORING JESSICA CAUTHON, LEGRAND SMITH SCHOLARSHIP WINNER OF JACKSON, MI

HON. NICK SMITH

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2003

Mr. SMITH of Michigan. Mr. Speaker, let it be known that it is with great respect for the outstanding record of excellence she has compiled in academics, leadership and community service, that I am proud to salute Jessica Cauthon, winner of the 2003 LeGrand Smith Scholarship. This award is made to young adults who have demonstrated that they are truly committed to playing important roles in our Nation's future.

As a winner of the LeGrand Smith Scholarship, Jessica is being honored for demonstrating that same generosity of spirit, intelligence, responsible citizenship, and capacity for human service that distinguished the late LeGrand Smith of Somerset, Michigan.

Jessica is an exceptional student at Jackson High School, and possesses an outstanding record of achievement in high school. Jessica has received numerous awards for her excellence in academics and athletics, as well as her volunteer activities with the Aware Shelter.

Therefore, I am proud to join with her many admirers in extending my highest praise and congratulations to Jessica Cauthon for her selection as winner of a LeGrand Smith Scholarship. This honor is a testament to the parents,

teachers, and others whose personal interest, strong support and active participation contributed to her success. To this remarkable young woman, I extend my most heartfelt good wishes for all her future endeavors.

HONORING TENNESSEE'S OLDEST WORLD WAR I VETERAN

HON. LINCOLN DAVIS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2003

Mr. DAVIS. Mr. Speaker, I rise today in honor of Mr. Henry Hoodenpyle who celebrated his 109th birthday on February 26, 2003.

At the age of twenty-three, Mr. Hoodenpyle enlisted in the U.S. Armed Forces where he served as a wagoner at Camp Gordon, Georgia during World War I.

After his honorable discharge from the service on June 13, 1919, Mr. Hoodenpyle moved back to Signal Mountain, Tennessee where he farmed and became an active and admired member of the community.

Mr. Hoodenpyle and his wife, Mrs. Loie Powell Hoodenpyle, were blessed with two children, three grandchildren, and five great-grandchildren. Mr. Hoodenpyle is a devout member of Lone Oak Baptist Church and the Harvey Merriman American Legion Post 190 of Dunlap.

I hope my colleagues join me in honoring Henry Hoodenpyle, Tennessee's oldest living World War I veteran, for his service and contribution to his country and Tennessee. I would also like to congratulate him on celebrating his 109th birthday.

HONORING THE 25TH ANNIVERSARY OF THE DEPUTY SHERIFF'S ASSOCIATION OF MICHIGAN

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2003

Mr. DINGELL. Mr. Speaker, today, I rise to acknowledge and celebrate the 25th Anniversary of the Deputy Sheriff's Association of Michigan (DSAM). Over the past 25 years, DSAM has been dedicated to improving public safety in Michigan and improving the quality of life for all Michiganders.

Since its inception in 1978, DSAM has grown to include thousands of members from most of Michigan's 83 counties. The men and women of DSAM volunteer their time to ensure that the concerns of Michigan's Sheriff Departments are heard by their elected officials. DSAM has worked to ensure the enactment of sound law enforcement and correction legislation, making Michigan a safer place to live.

DSAM goes above and beyond representing the Sheriff Departments of Michigan. By ensuring law enforcement has a voice on public safety legislation, DSAM has a direct impact on all of Michigan's people.

Mr. Speaker, I ask that you join me in congratulating the Deputy Sheriff's Association of Michigan on 25 years of continued dedication to ensure the public safety of Michigan.

CONGRATULATIONS TO THE CALABASAS HIGH SCHOOL JAZZ ''A'' BAND

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2003

Mr. WAXMAN. Mr. Speaker, I rise today to pay tribute to a truly remarkable and accomplished group of young musicians in the 30th Congressional District who are part of the Calabasas High School Jazz ''A'' Band.

The Jazz ''A'' Band has been named a finalist in the most comprehensive high school jazz competition in North America, which is produced by Jazz at Lincoln Center. Fifteen finalist bands will compete in the Essentially Ellington High School Jazz Band Competition & Festival, which takes place in New York City on May 17, 18, and 19, 2003.

Over 1,200 bands in the United States, Canada, and American schools abroad registered and received the competition music. From that group, over 130 of those bands were able to submit a recording for the competition. Just 15 bands were then selected as finalists from these recordings.

I am delighted that Calabasas High School is one of just 15 bands selected to compete for over $11,000 in cash awards at the competition finals. The three-day festival in New York will include workshops, rehearsals, a banquet dinner and jam sessions with members of the Lincoln Center Jazz Orchestra (LCJO).

The competition will culminate on May 18 in a competition before a distinguished panel of judges, including composer, conductor, and Ellington authority David Berger, bassist and composer Rufus Reid, saxophonist, bandleader and educator Loren Schoenberg, and LCJO's Artistic Director Wynton Marsalis. The three top bands selected in the competition will then perform alone and with Mr. Marsalis as soloist. LCHO will then conclude the evening by playing an all-Ellington set.

I ask my colleagues to join me in congratulating the Jazz ''A'' Band at Calabasas High School on being selected to participate in this very prestigious competition and to wish them the best of luck at the Essentially Ellington High School Jazz Band Competition & Festival.

CONGRATULATING THE SAGE FAMILY OF BOSTON, MA, ON THE 30TH ANNIVERSARY OF THE BISUTEKI STEAKHOUSE

HON. MICHAEL E. CAPUANO

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2003

Mr. CAPUANO. Mr. Speaker, I rise to congratulate the Sage Family of Boston, Massachusetts as they celebrate the 30th Anniversary of Bisuteki Japanese Steakhouse in Cambridge, MA.

For 30 years, the Sage family has offered diners a complete restaurant and entertainment experience at Bisuteki. Specially trained tepanyaki chefs prepare delightful four-course dinners right at the table, displaying showmanship and flair while flipping, chopping and serving freshly cooked, wholesome meals.

The continued success of the Bisuteki Japanese Steakhouse is testament to the Sage family's ability to provide guests with a truly memorable experience. After 30 years, patrons continue to flock to the restaurant located inside the Radisson Hotel.

Under the watchful eye of Head Chefs Vanhdy Vanlathanith and Hai Nguyen, who have overseen Bisuteki's tepanyaki grills for more than 20 years, the restaurant prepares flavorful, heaping portions of grilled filet and shrimp, as well as top quality sushi right on the historic Charles River.

I congratulate the Sage family and wish them many more years of success with the Bisuteki Japanese Steakhouse.

GROVER ''JEEP'' HARNED

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2003

Mr. McINNIS. Mr. Speaker, I would like to pay tribute to the life of a pioneer of the music industry, Grover Harned of Hermosa, Colorado. Grover passed away recently at the age of 72. As his beloved wife Carla, other family members and friends mourn his passing, I think it is fitting for us to recognize the remarkable achievements of this talented man.

Grover, or ''Jeep'' as his friends called him, will be remembered as the inventor of the multi-track recording devices that allowed musicians to mix together several recorded tracks. His recording innovations are credited with helping launch the careers of many notable artists, including Eric Clapton and the Bee Gees. Grover's equipment helped record many of American music's most notable songs, such as Aretha Franklin's ''Respect'' and James Brown's ''I Feel Good.'' He was so successful during the 1970s that about 60 percent of all the music recorded in this country took place at his company, MCI.

Millions of Americans have not only heard the music that Grover's machines have recorded, but his devices also helped launch a number of successful businesses. According to Billboard Magazine, Grover's recording equipment was instrumental in encouraging many other entrepreneurs to enter the music industry.

Mr. Speaker, Grover's death is a tragic loss to his family and friends, the recording industry, and all lovers of music. As his friends and family mourn his passing, Grover will be remembered for the wonderful tunes he helped create.

ATTORNEY RICHARD BISHOP HONORED WITH AMERICANISM AWARD

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2003

Mr. KANJORSKI. Mr. Speaker, today I call the attention of the House of Representatives to the honoring of Attorney Richard S. Bishop with the Americanism Award by B'nai B'rith

Amos Lodge No. 136 of Scranton. Attorney Bishop will be presented with the award at a dinner on May 18, 2003.

Attorney Bishop, a Hazleton native, is a graduate of Penn State University and Temple University School of Law, where he received his juris doctorate in 1971. He was a major in military intelligence in the Army Reserves, where he served from 1971 to 1986.

Attorney Bishop is now a partner in the prominent Northeastern Pennsylvania law firm of Hourigan, Kluger & Quinn, P.C., where his emphasis and expertise is in the areas of commercial law, real estate and estate planning. He is a member of the Pennsylvania, American and Lackawanna Bar Associations, a member of the Exceptional Children Lawyer Referral Network of the Pennsylvania Bar Association and a mediator in the Pennsylvania Bar Association Lawyers Dispute Resolution Program.

Throughout his professional career, he has served as an officer and a director of many charitable, civic and religious organizations. Over the past three decades, he has served as president of a variety of community organizations including Temple Israel of Scranton, Jewish Family Services of Lackawanna County, the Scranton Counseling Center, St. Francis of Assisi Kitchen, the Eastern Pennsylvania Council of B'nai B'rith, the Eastern Pennsylvania Region of the United Synagogue of Conservative Judaism and Amos Lodge No. 136 of B'nai B'rith.

He currently serves as president of the Mid-Atlantic Region of the United Synagogue of Conservative Judaism and president of Glen Oak Country Club. He also now serves as vice president of the Association for Retarded Citizens of Lackawanna County and the Greater Scranton Chamber of Commerce. He also serves on the boards of directors of no less than eight additional organizations.

In recognition of his service to the community, Attorney Bishop has received the Jewish Community Center Man of the Year Award in 1996 and the Lifetime Achievement Award of the Scranton Counseling Center in 1997.

Attorney Bishop and his wife Faye reside in Scranton and have three children, David, Stefanie, and Craig.

Mr. Speaker, I am pleased to congratulate Attorney Richard S. Bishop on receiving the Americanism Award from B'nai B'rith Amos Lodge No. 136, and I extend my best wishes to him and his family.

PAYING TRIBUTE TO ARON RALSTON

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2003

Mr. McINNIS. Mr. Speaker, I have the distinct honor to stand before this body today and honor a remarkably courageous young man from my district. Many of you have already heard of Aron Ralston and marveled at his story—one that has captured this nation's attention.

Aron went canyoneering in a remote part of Utah recently, and while scrambling up the side of a canyon wall, the unthinkable happened. A 1,000 pound boulder shifted and pinned his arm to the rock face. Aron tried every plausible means of escape, but nothing worked. He had only intended to be gone for one day, and by the third day, he had exhausted his supply of water. Eventually Aron realized that help probably wouldn't come soon, which led him to do something most people probably could not have done. On the fifth day of his ordeal, Aron amputated his own arm in order to save his life.

Once free, Aron set up anchors and amazingly rappelled about 70 feet with one arm. Then, even though he was bleeding, famished and dehydrated, he hiked some five miles out of the canyon to find help. Once news of his story got out, much of the world marveled at Aron's resourcefulness and will to live.

Mr. Speaker, Aron is an experienced adventurer with a long list of impressive athletic achievements. He has climbed all of Colorado's 14-thousand foot peaks and ascended 45 of the 57 alone in winter. We honor him today, though, not for conquering another mountain, but for overcoming an even greater challenge. Aron's amazing bravery in the face of adversity has made us all proud. He is not just an outstanding athlete—he is an inspiration. I wish him a quick recovery and all the best in his future endeavors.

HONORING REVEREND PHILLIP C. LAWSON

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2003

Ms. LEE. Mr. Speaker, we rise today to honor a great religious, spiritual, and civic leader, Reverend Phil Lawson, for his magnificent ministry. In June 2003, Rev. Lawson will retire as Pastor of Easter Hill United Methodist Church in Richmond, California. Today we honor and celebrate this giant of a human being.

The Rev. Phil Lawson came to Easter Hill in June 1992, from First United Methodist Church in Vallejo, California, where he served as pastor for six years following a six-year pastorate at El Cerrito United Methodist Church. Before coming to California, Rev. Lawson was pastor and Executive Director of the Methodist Inner City Parish in Kansas City, Missouri.

Along with his pastoral duties, he has worked with the Vallejo School District, Vallejo City government, Vallejo ministers and congregations to develop a community feeding program. Phil received special commendations from the Vallejo School Board and City Council, for his creativity and energy in serving the community.

Rev. Phil Lawson is the son of a Methodist minister, and the brother of Rev. J.M. Lawson, former pastor of Holman United Methodist Church in Los Angeles. He is a graduate of Butler University, Indianapolis, Indiana, and the Methodist Theological School in Ohio, where he received a Master of Divinity degree in 1968. From 1971 to 1973, Phil was selected as a Martin Luther King Fellow in Black Church studies, by Colgate-Rochester Divinity School. As a MLK Fellow, he studied in Nigeria, Ghana, and Atlanta, Georgia.

From an early age, Rev. Lawson has had a passion for justice and peace, nurtured in high school in Massillon, Ohio, when several drug stores were desegregated through nonviolent direct action in 1950. At the age of 16, following high school graduation, Rev. Lawson joined the Fellowship of Reconciliation, and met with youth from across America in Washington, DC, where they experimented in nonviolent direct action to integrate movies, swimming pools and drug stores in the Nation's capital.

Rev. Lawson's Ministry for Justice reached nationwide attention in the United Methodist Church in the 60's and 70's when his ministry led him into close relationship with the Kansas City, Missouri, Black Panther Party. Additionally, his passion for peace led him to travel to the former Soviet Union and North Viet Nam in 1970. Consequently, the Internal Security Committee of the U.S. House of Representatives began its investigation of the Black Panthers by subpoenaing Rev. Lawson in 1970, and the Missouri West Annual Conference convened a special session to ''deal with Phil Lawson,'' also in 1970. Both events generated national support for Rev. Lawson and his ministries. He has consistently spoken ''truth to power.''

Rev. Lawson is very active in ecumenical activities as President for the Northern California Inter-Religious Conference and its Peace with Justice Commission, and the Inter-Faith Witness for Peace. In the California-Nevada Annual Conference, he has served for 8 years as Chairperson of the Board of Church and Society, and on the conference Council of Ministries. The world has benefited from his spirit-filled leadership.

Finally, as we honor Reverend Lawson today, we want to thank him for being an exemplary role model, pastor, and preacher. He has been a friend who has shared his wisdom and has given us tremendous support. Most of all, we thank Pastor Lawson for his indomitable spirit and for his prayers.

We take great pride in joining Reverend Lawson's wife JoAnn, daughters Kelly and JoyceRenee, grandson Kelle, friends and colleagues to salute the extraordinary Phillip C. Lawson as he retires as Pastor of Easter Hill United Methodist Church.

PAYING TRIBUTE TO GILBERT SANCHEZ

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2003

Mr. McINNIS. Mr. Speaker, it is with great pleasure that I rise today to pay tribute to Gilbert Sanchez of Pueblo, Colorado, and his contributions to the field of mental health. Gilbert has long dedicated his life to serving mentally ill children throughout my state, and I would like to take this opportunity to recognize his hard work and dedication before this body of Congress.

For over twenty years Gilbert served as President of the Spanish Peaks Mental Health Center in Pueblo, Colorado. He has also served with many state, local and national mental health advocacy organizations, including the Child Advocacy Center, the Colorado Association of Community Mental Health Centers and Clinics, and the National Coalition of Hispanic Health and Human Services Organizations. Gilbert is dedicated to serving his

community and has also served on the Governor's Commission on Life and the Law and has been an influential member of the Latino Chamber of Commerce. However, it is not these appointments and honors that I wish to recognize, but rather his unceasing commitment to public service. Coloradans know Gilbert not only as President of the Spanish Peaks Mental Health Center, but also as a committed volunteer for children's mental health. For his efforts, Gilbert has received the Robert Hawkins Award for excellence in Mental Health Leadership given by the Mental Health Association of Pueblo.

Mr. Speaker, I am proud to recognize this man who has made such a significant difference in the lives of children. His dedication to the children of this nation deserves our recognition and our admiration. It is a great honor to recognize Gilbert Sanchez before this body of Congress and our nation today.

HONORING DENIS J. MCELLIGOTT

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2003

Mr. ISRAEL. Mr. Speaker, I rise today in recognition of Denis J. McElligott, who will be honored by the Smithtown Democratic Committee tonight.

Denis has been committed to politics since his early years on the campaign trail with his father. He went on to intern for my predecessor, Congressman Tom Downey in Washington. During his service on the Smithtown Committee from 1992 to 1999, Denis worked tirelessly to preserve the true spirit of the committee.

In 1999, Denis was tapped by New York State Attorney General Eliot Spitzer to run the Attorney General's Suffolk Regional Office. Since then, he has successfully represented the State of New York in various types of litigation.

In addition to his work in politics, Denis is also an active member of the legal community. He is a member of the Suffolk County Bar Association and has served as chairman of the Plaintiff's Negligence Committee.

I commend Denis on his commitment to the Democratic Party and his service to New York and Long Island.

PAYING TRIBUTE TO KAY WYLEY

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2003

Mr. MCINNIS. Mr. Speaker, it is with great pride that I rise today to honor Kay Wyley of Creede, Colorado and congratulate her upon her retirement from the Creede Repertory Theater. While retirement often means an opportunity for well-deserved rest and relaxation, Kay instead has chosen to continue her service to the citizens of Colorado as a respected advisor to the Colorado Council on the Arts. I admire Kay's dedication and it is my distinct honor to recognize her before Congress and the nation.

There are few in Colorado who have done more to preserve our heritage and to promote the arts than Kay, who presided over the largest expansion in the history of the Creede Repertory Theater, as well as the restoration of the historic Rio Grande Hotel. Kay's years of dedicated service have touched the lives of countless artists, art patrons, and Coloradans. A lifelong native of Creede, Kay has truly given back to her home state.

Mr. Speaker, Kay has inspired many, and continues to do so each day. Her dedication to her work serves as an example to all Americans, and has made Colorado proud. It is a great honor to represent such a fine person who has worked to make my state a more beautiful and enjoyable place to live. Congratulations on your retirement Kay, and I wish you all the best in the future.

HONORING NEW YORK'S ANTHONY FISHER

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2003

Mr. RANGEL. Mr. Speaker, on April 4, 2003, the country and the city of New York suffered a tremendous loss when a plane carrying real estate developer Anthony Fisher and his wife, Anne, crashed 35 miles northwest of Boston.

He was one of this city's greatest jewels, a dear friend who dedicated his many talents to both the financial and cultural future of our fine metropolis.

Mr. Fisher was a founder and partner at the equity firm of FdG Associates, as well as a senior partner at the prestigious real estate firm of Fisher Brothers Inc. His development efforts, including the Alliance Capital Building in Midtown, Park Avenue Plaza, and Third Avenue, proudly continued his family's tradition of redefining the city's physical and commercial landscape.

However, the city has lost not only a successful businessman, but also a social entrepreneur whose energy and philanthropy were as magnificent as any of one of his buildings. As chairman and chief executive officer of the Intrepid Sea-Air Foundation, I will fondly remember how he often put his money where his heart was, ensuring that both our city and our country did not forget the tireless efforts of its military veterans. Although he never formally served, he understood the debt that we owe to those that put on the uniform and the duty we all share in ensuring that those who are fortunate to return are well-cared for and appreciated.

Above all else, my sincerest condolences go out to Tony's five children, who have lost two loving parents. My heart goes out especially to his niece Tora, the sole survivor of this horrible crash. I join his family and friends in wishing her a speedy and successful recovery.

Words, no matter how true or eloquent, can rarely ease the pain of such a terrible tragedy. However, we can all draw strength and comfort in knowing that much of who Tony was still remains for the world to enjoy and marvel. His legacy and love will endure forever, in the buildings he erected, the charities to which he contributed and the hearts that he touched.

A RESOLUTION HONORING RYAN SHANNON, LEGRAND SMITH SCHOLARSHIP WINNER OF GRAND LEDGE, MI

HON. NICK SMITH

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2003

Mr. SMITH of Michigan. Mr. Speaker, let it be known that it is with great respect for the outstanding record of excellence he has compiled in academics, leadership, and community service, that I am proud to salute Ryan Shannon, winner of the 2003 LeGrand Smith Scholarship. This award is made to young adults who have demonstrated that they are truly committed to playing important roles in our Nation's future.

As a winner of the LeGrand Smith Scholarship, Ryan is being honored for demonstrating that same generosity of spirit, intelligence, responsible citizenship, and capacity for human service that distinguished the late LeGrand Smith of Somerset, MI.

Ryan is an exceptional student at Grand Ledge High School, and possesses an outstanding record of achievement in high school. Ryan has received numerous awards for his excellence in writing, math, and music, as well as his volunteer activities with the Grand Ledge High School National Honor Society. Ryan is a winner of the Candy Hyland Award for Mathematics and numerous awards for his participation in band.

Therefore, I am proud to join with his many admirers in extending my highest praise and congratulations to Ryan Shannon for his selection as winner of a LeGrand Smith Scholarship. This honor is a testament to the parents, teachers, and others whose personal interest, strong support and active participation contributed to his success. To this remarkable young man, I extend my most heartfelt good wishes for all his future endeavors.

LAKE ALLATOONA AWARENESS WEEK

HON. JOHNNY ISAKSON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2003

Mr. ISAKSON. Mr. Speaker, I rise today to acknowledge Lake Allatoona Awareness Week as proclaimed by Governor Sonny Perdue of Georgia.

Lake Allatoona is located in the foothills of north Georgia. The lake provides drinking water for over 500,000 Georgians and recreation activities for millions, and its watershed provides habitat for a number of endangered species, including the American Bald Eagle.

The counties of Cobb, Bartow, and Cherokee that surround the lake are some of the fastest growing in the country—making the preservation and restoration of this vital resource extremely important. In 1999, the Lake Allatoona Preservation Authority was formed to provide stewardship and education to the surrounding communities about the Lake Allatoona Watershed.

Mr. Speaker, I would like to recognize this week of May 12, 2003, as Lake Allatoona Awareness Week to acknowledge the ongoing

efforts to keep Lake Allatoona stable and healthy so that Georgians may enjoy its beauty for many, many generations to come.

WORKFORCE REINVESTMENT AND ADULT EDUCATION ACT OF 2003

SPEECH OF

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 2003

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 1261) to enhance the workforce investment system of the Nation by strengthening one-stop career centers, providing for more effective governance arrangements, promoting access to a more comprehensive array of employment, training, and related services, establishing a targeted approach to serving youth, and improving performance accountability, and for other purposes:

Ms. McCOLLUM. Mr. Chairman, I rise in opposition to H.R. 1261, the Workforce Reinvestment and Adult Education Act of 2003.

Nearly nine million Americans are unemployed today, the highest level in nearly a decade. Not only are there more unemployed, but people out of work are finding it harder to get a job. People who become unemployed are staying out of work for almost 20 weeks on average, the longest since 1984. The proportion of workers who exhaust their unemployment benefits before they find a new job is the highest since the 1970s.

Unfortunately, H.R. 1261 does nothing to put people back to work. It instead unravels the very programs that ensure these workers have the skills and training they need to find high paying, long-term jobs.

H.R. 1261 eliminates targeted programs designed to help both dislocated workers and unemployed adults find a job. It blocks grants dedicated to assistance, forcing low-income workers and welfare recipients to compete with dislocated workers for the same limited Federal resources.

This bill also eliminates dedicated funding for job search services, like Minnesota's Job Bank, which assists thousands of Minnesotans. This funding also supports a rapid response system that meets the immediate needs of workers affected by mass layoffs. These changes threaten to break apart Minnesota's statewide workforce development system at the very time when these services are needed most to help unemployed workers find jobs.

H.R. 1261 does nothing to ensure that job-training funds are used for training. It allows governors to take money from adult education and veterans' job programs to cover bureaucratic costs. It also repeals critical civil rights protections for employees of job training organizations by allowing organizations that receive Federal job-training funds to discriminate on the basis of religion.

Mr. Chairman, I strongly believe that we must strengthen our workforce investment system to help Minnesotans get back to work. H.R. 1261, however, fails to meet that goal. I urge my colleagues to reject this bill today.

IN HONOR OF DR. REX FORTUNE

HON. DOUG OSE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2003

Mr. OSE. Mr. Speaker, I rise today to honor Dr. Rex Fortune, Superintendent of Center Unified School District, in Sacramento, California, as he prepares for retirement.

Dr. Fortune began his career in education in 1964 as a science teacher at Sequoia Union High School in Redwood City, California. Throughout his career Dr. Fortune has contributed to education as a curriculum writer, a high school Vice Principal, a field researcher, associate superintendent, and superintendent. Education has taken him from Southern California to Northern California, to West Africa, and back to Northern California. For the last 15 years Center Unified School District has been his home where he was instrumental in the passage of a $59.2 million school bond for school renovation and new construction, established a Safe Schools program, secured funding for a K–6 reading program, and in 1989, created Project Pipeline, to produce future teachers of science and mathematics.

Dr. Fortune has dedicated 30 years of his life to the education of California children, and I am thankful for his commitment to excellence. Please join me in thanking Dr. Fortune for his contribution to our youth, and wishing him well as he retires.

A RESOLUTION HONORING JOSIE COLE, LEGRAND SMITH SCHOLARSHIP WINNER OF PARMA, MI

HON. NICK SMITH

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2003

Mr. SMITH of Michigan. Mr. Speaker, let it be known that it is with great respect for the outstanding record of excellence she has compiled in academics, leadership and community service, that I am proud to salute Josie Cole, winner of the 2003 LeGrand Smith Scholarship. This award is made to young adults who have demonstrated that they are truly committed to playing important roles in our Nation's future.

As a winner of the LeGrand Smith Scholarship, Josie is being honored for demonstrating that same generosity of spirit, intelligence, responsible citizenship, and capacity for human service that distinguished the late LeGrand Smith of Somerset, Michigan.

Josie is an exceptional student at Springport High School, and possesses an outstanding record of achievement in high school. Josie has received numerous awards for her excellence in academics and athletics, as well as her volunteer activities with the Eaton Rapids Women's Club and Vacation Bible School. Josie is also proficient in sign language and has signed the National Anthem at athletic events at Springport High School.

Therefore, I am proud to join with her many admirers in extending my highest praise and congratulations to Josie Cole for her selection as winner of a LeGrand Smith Scholarship. This honor is a testament to the parents, teachers, and others whose personal interest, strong support and active participation contributed to her success. To this remarkable young woman, I extend my most heartfelt good wishes for all her future endeavors.

SAINT ANTHONY OF PADUA PARISH CELEBRATES 75TH ANNIVERSARY

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2003

Mr. KANJORSKI. Mr. Speaker, today I call the attention of the House of Representatives to the 75th anniversary of Saint Anthony of Padua Parish of Exeter, Pennsylvania. The parish will celebrate this milestone with a Mass and dinner on May 18, 2003, with the dinner chaired by Attorney Charles J. Bufalino.

At the start of the 20th century, thousands of Italian immigrants came to America in search of a better life for themselves and their families. Many of them came to work in the coal mines of Northeastern Pennsylvania, with quite a few settling in the Exeter area. In addition to their common heritage and language, they shared a common faith, so they founded a parish where they could come together as a community.

The first church serving Saint Anthony of Padua Parish was built in 1928 and 1929, to be followed by a new church in 1963. Father Alphonse Manley, a diocesan priest, staffed the parish until the arrival of Father Emilio Boccalatte, O.S.J., an Oblate of Saint Joseph, in 1930. The Oblates of Saint Joseph have staffed the parish ever since. The present pastor is the Rev. Daniel Schwebs.

I am told it is quite common to find parishioners, young and old alike, in the church offering prayers throughout the day, and this is an example of the faith that abides at Saint Anthony's.

Mr. Speaker, I am pleased to call to the attention of the House the 75th anniversary of Saint Anthony of Padua Parish, and I extend my congratulations to all who are associated with the parish.

Daily Digest

HIGHLIGHTS

Senate passed H.R. 2, Jobs and Growth Reconciliation Tax Act.

Senate passed H.R. 1298, United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act.

The House passed H.R. 1527, National Transportation Safety Board Reauthorization.

House committees ordered recorded nine sundry measures.

Senate

Chamber Action

Routine Proceedings, pages S6407–S6428

Measures Introduced: Seven bills and one resolution were introduced, as follows: S. 1068–1074, and S. Res. 144. **(See next issue.)**

Measures Reported:

S. 521, to amend the Act of August 9, 1955, to extend the terms of leases of certain restricted Indian land, with an amendment in the nature of a substitute. (S. Rept. no. 108–48) **(See next issue.)**

S. 523, to make technical corrections to law relating to Native Americans, with an amendment in the nature of a substitute. (S. Rept. No. 108–49) **(See next issue.)**

Measures Passed:

Jobs and Growth Reconciliation Tax Act: By 51 yeas to 49 nays (Vote No. 179), Senate passed H.R. 2, to provide for reconciliation pursuant to section 201 of the concurrent resolution on the budget for fiscal year 2004, after striking all after the enacting clause and inserting in lieu thereof, the text of S. 1054, as amended, after taking action on the following amendments proposed thereto:

Pages S6407–15, S6421–28 (continued next issue)

Adopted:

By 98 yeas to 2 nays (Vote No. 148), Bunning/McConnell Amendment No. 589, to amend the Internal Revenue Code of 1986 to repeal the 1993 income tax increase on Social Security benefits. **Page S6408**

Baucus Amendment No. 624 (to Amendment No. 555), to increase the criminal penalties for fraud and false statements. **Page S6409**

Grassley Amendment No. 555, to increase the criminal monetary penalty the underpayment or overpayment of tax due to fraud. **Page S6409**

By 70 yeas to 30 nays (Vote No. 150), Specter Amendment No. 569, to urge the Senate Finance Committee and the Joint Economic Committee to hold hearings and consider legislation providing for a flat tax. **Pages S6409–10**

By 86 yeas to 12 nays, (Vote No. 156) Grassley Amendment No. 594, to amend title XVIII of the Social Security Act to enhance beneficiary access to quality health care services in rural areas under the Medicare program. **Pages S6413–14**

By 95 yeas to 3 nays, (Vote No. 157) Collins Amendment No. 596, to provide temporary State and local fiscal relief. **Page S6414**

Voinovich Modified Amendment No. 592, to establish a blue ribbon commission on comprehensive tax reform. **Page S4622**

Ensign Modified Amendment No. 622, to encourage the investment of foreign earnings within the United States for productive business investments and job creation. **Pages S6426–28**

By 50 yeas to 50 nays, Vice President voting yea (Vote No. 171), Nickles Amendment No. 664, to modify the dividend exclusion provision. **(See next issue.)**

Boxer Amendment No. 667, to require a parent who is chronically delinquent in child support to include the amount of the unpaid obligation in gross income. **(See next issue.)**

Reed Amendment No. 672, to preserve the value of the low-income housing tax credit. **(See next issue.)**

Grassley (for Burns/Rockefeller) Amendment No. 593, to amend the Internal Revenue Code of 1986

to allow the expensing of broadband Internet access expenditures. **(See next issue.)**

Baucus (for Bunning) Amendment No. 646, to allow a credit for distilled spirits wholesalers and for distilled spirits in control State bailment warehouses against income tax for the cost of carrying Federal excise taxes prior to the sale of the product bearing the tax. **(See next issue.)**

Grassley (for Santorum) Amendment No. 613, to clarify that water and sewerage service laterals qualify as contribution in aid of construction. **(See next issue.)**

Baucus/Grassley Modified Amendment No. 644, to extend certain expiring provisions. **(See next issue.)**

Baucus (for Reid /Graham (SC)) Amendment No. 665, to amend the Internal Revenue Code of 1986 to restore the deduction for the travel expenses of a taxpayer's spouse who accompanies the taxpayer on business travel. **(See next issue.)**

Baucus (for Inouye) Amendment No. 657, to exempt certain sightseeing flights from taxes on air transportation. **(See next issue.)**

Baucus (for Biden) Amendment No. 567, to require group health plans to provide coverage for reconstructive surgery following mastectomy, consistent with the Women's Health and Cancer Rights Act of 1998. **(See next issue.)**

Baucus (for Schumer) Amendment No. 651, to amend the Internal Revenue Code of 1986 to allow for the expansion of areas designated as renewal communities based on 2000 census data. **(See next issue.)**

Baucus (for Landrieu) Amendment No. 580, to amend the Internal Revenue Code of 1986 to allow employers in renewal communities to qualify for the renewal community employment credit by employing residents of certain other renewal communities. **(See next issue.)**

Grassley (for Allen) Amendment No. 571, to amend the Internal Revenue Code of 1986 to expand the combat zone income tax exclusion to include income for the period of transit to the combat zone and to remove the limitation on such exclusion for commissioned officers. **(See next issue.)**

Grassley (for McCain/Baucus) Amendment No. 661, to add provisions of the Armed Forces Tax Fairness Act of 2003. **(See next issue.)**

Baucus (for Graham (FL) Amendment No. 649, to provide tax relief to growers affected by citrus canker. **(See next issue.)**

Baucus (for Bingaman) Amendment No. 654, to amend title XIX of the Social Security Act to temporarily increase the floor for treatment as an extremely low DSH State and to provide for an allotment adjustment for certain States. **(See next issue.)**

Grassley (for Hatch) Amendment No. 626, to amend the Internal Revenue Code to simplify certain provisions applicable to real estate investment trusts. **(See next issue.)**

Grassley (for Hatch) Amendment No. 625, to provide for S corporation reform and simplification. **(See next issue.)**

Grassley (for Hatch) Amendment No. 627, to exclude certain punitive damages received by the taxpayer from gross income. **(See next issue.)**

Grassley (for DeWine) Amendment No. 673, to amend the Internal Revenue Code of 1986 to provide for the treatment of certain imported recycled halons. **(See next issue.)**

Baucus (for Schumer) Modified Amendment No. 659, to modify the involuntary conversion rules for businesses affected by the September 11, 2001, terrorist attacks. **(See next issue.)**

Grassley/Baucus Amendment No. 680, to provide an amendment. **(See next issue.)**

Rejected:

By 49 yeas to 51 nays (Vote No. 172), Breaux Amendment No. 663, to strike section 350 relative to the repeal of the earned income exclusion of citizens or residents living abroad. **(See next issue.)**

By 48 yeas to 52 nays (Vote No. 173), Kennedy Amendment No. 545, to eliminate the dividend and upper bracket tax cuts, which primarily benefit the wealthy, to provide the additional funds necessary for an adequate Medicare prescription drug benefit, including assuring that the benefit is comprehensive, with no gaps or excessive cost-sharing, covers all Medicare beneficiaries, provides special help for beneficiaries with low income, and does not undermine employer retirement coverage. **(See next issue.)**

By 49 yeas to 50 nays (Vote No. 174), Dodd Amendment No. 572, to improve access to higher education for middle-income families by making resources available to expand the Hope and Lifetime Learning Scholarship Credits and for lower-income families by making resources available to increase the maximum Pell Grant to $4500 and to provide an equal amount for deficit reduction by eliminating the 10 percent dividend tax exclusion for amounts above $500 and eliminating acceleration of the 38.6 percent income tax rate reduction. **(See next issue.)**

Hollings/Chafee Amendment No. 607, to promote fiscal responsibility.

Reid (for Dorgan) Amendment No. 668, to provide for deficit reduction. **(See next issue.)**

Durbin Amendment No. 669, to provide health care coverage for qualified caregivers. **(See next issue.)**

Rockefeller Modified Amendment No. 618, to expand the incentives for the construction and renovation of public schools. **(See next issue.)**

Dayton Amendment No. 616, to amend the Congressional Budget and Impoundment Control Act of 1974 to limit the phase-in of revenue-reducing measures to 1 year. **(See next issue.)**

Dorgan Amendment No. 666, to strike the section relating to qualified tax collection contracts. **(See next issue.)**

Withdrawn:

Harkin Amendment No. 595, to help rural health care providers and hospitals receive a fair reimbursement for services under Medicare by reducing tax cuts regarding dividends. **(See next issue.)**

Warner Modified Amendment No. 550, to amend the Internal Revenue Code of 1986 to increase the above-the-line deduction for teacher classroom supplies and to expand such deduction to include qualified professional development expenses. **Pages S6423–24**

Landrieu Amendment No. 621, to amend the Internal Revenue Code of 1986 to allow employers in renewal communities to qualify for the renewal community employment credit by employing residents of certain other renewal communities. **(See next issue.)**

Baucus (for McCain) Amendment No. 612, to add the provisions of the Armed Forces Tax Fairness Act of 2003. **(See next issue.)**

Burns Amendment No. 593, to amend the Internal Revenue Code of 1986 to allow the expensing of broadband Internet access expenditures. **(See next issue.)**

Santorum Amendment No. 670, to provide a dividend exclusion which eliminates the double taxation of corporate dividends. **(See next issue.)**

Santorum Amendment No. 648, to clarify the treatment of net operating loss in calculating tax attributes under section 108 of the Internal Revenue Code of 1986. **(See next issue.)**

During consideration of this measure today, Senate also took the following action:

By 49 yeas to 51 nays (Vote No. 149), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 305(b)(2) of the Congressional Budget Act of 1974, with respect to Dorgan/Baucus Amendment No. 556, to repeal the 1993 income tax increase on Social Security benefits and to offset the revenue loss. Subsequently, the point of order that the amendment was in violation of section 305(b)(2) of the Congressional Budget Act of 1974, relative to germaneness, was sustained, and the amendment thus falls. **Pages S6408–09**

By 47 yeas to 53 nays (Vote No. 151), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 302(f) of the Congressional Budget Act of 1974, with respect to Baucus Amendment No. 570, to ensure that the limit on refundability shall not apply to the additional $400 child credit for 2003, to make the dividend exclusion effective for taxable years beginning in 2003, and to eliminate the increase in the dividend exclusion from 10 percent to 20 percent of dividends over $500. Subsequently, the point of order that the amendment was in violation of section 302(f) of the Congressional Budget Act of 1974, since it would increase mandatory spending and cause the bill to exceed the committee's section 302(a) allocation, was sustained, and the amendment thus falls. **Page S6410**

By 50 yeas to 49 nays (Vote No. 152), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 305(b)(2) of the Congressional Budget Act of 1974, with respect to Kennedy Amendment No. 544, to provide for additional weeks of temporary extended unemployment compensation and to provide for a program of temporary enhanced regular unemployment compensation. Subsequently, the point of order that the amendment was in violation of section 305(b)(2) of the Congressional Budget Act of 1974, relative to germaneness, was sustained, and the amendment thus falls. **Page S6411**

By 49 yeas to 51 nays (Vote No. 153), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 302(f) of the Congressional Budget Act of 1974, with respect to Lincoln Amendment No. 578, to expand the refundability of the child tax credit. Subsequently, the point of order that the amendment was in violation of section 302(f) of the Congressional Budget Act of 1974, since it would increase mandatory spending and cause the bill to exceed the committee's section 302(a) allocation, was sustained, and the amendment thus falls. **Pages S6411–12**

By 49 yeas to 50 nays (Vote No. 154), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 305(b)(2) of the Congressional Budget Act of 1974, with respect to Cantwell Amendment No. 577, to permanently extend and modify the research and experimentation tax credit and strike the partial exclusion of dividends provision. Subsequently, the point of order that the amendment was in violation of section 305(b)(2) of the Congressional Budget Act of 1974, relative to germaneness, was sustained, and the amendment thus falls. **Page S6412**

By 49 yeas to 51 nays (Vote No. 155), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion

to waive section 302(f) of the Congressional Budget Act of 1974, with respect to Jeffords Amendment No. 587, to accelerate the elimination of the marriage penalty in the earned income credit. Subsequently, the point of order that the amendment was in violation of section 302(f) of the Congressional Budget Act of 1974, since it would increase mandatory spending and cause the bill to exceed the committee's section 302(a) allocation, was sustained, and the amendment thus falls. **Pages S6412–13**

By 47 yeas to 52 nays (Vote No. 158), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 302(f) of the Congressional Budget Act of 1974, with respect to Murray Amendment No. 564, to provide temporary State fiscal relief. Subsequently, the point of order that the amendment was in violation of section 302(f) of the Congressional Budget Act of 1974, since it would increase mandatory spending and cause the bill to exceed the committee's section 302(a) allocation, was sustained, and the amendment thus falls. **Pages S6414–15**

By 44 yeas to 56 nays (Vote No. 159), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 305(b)(2) of the Congressional Budget Act of 1974, with respect to Stabenow Amendment No. 614, to ensure the enactment of a Medicare prescription drug benefit. Subsequently, the point of order that the amendment was in violation of section 305(b)(2) of the Congressional Budget Act of 1974, relative to germaneness, was sustained, and the amendment thus falls. **Page S6421**

By 35 yeas to 65 nays (Vote No. 160), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 305(b)(2) of the Congressional Budget Act of 1974, with respect to Graham (FL) Amendment No. 617, in the nature of a substitute. Subsequently, the point of order that the amendment was in violation of section 305(b)(2) of the Congressional Budget Act of 1974, relative to germaneness, was sustained, and the amendment thus falls. **Pages S6422–23**

By 37 yeas to 61 nays, 1 responding present (Vote No. 161), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 305(b)(2) of the Congressional Budget Act of 1974, with respect to Kyl Amendment No. 575, to further enhance the denial of deduction for certain fines, penalties, and other amounts. Subsequently, the point of order that the amendment was in violation of section 305(b)(2) of the Congressional Budget Act of 1974, relative to germaneness, was sustained, and the amendment thus falls. **Page S6424**

By 46 yeas to 54 nays (Vote No. 162), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 305(b)(2) of the Congressional Budget Act of 1974, with respect to Landrieu Amendment No. 619, in the nature of a substitute. Subsequently, the point of order that the amendment was in violation of section 305(b)(2) of the Congressional Budget Act of 1974, relative to germaneness, was sustained, and the amendment thus falls. **Pages S6424–25**

By 46 yeas to 54 nays (Vote No. 163), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 305(b)(2) of the Congressional Budget Act of 1974, with respect to Landrieu Amendment No. 620, to provide pay protection for members of the Reserve and the National Guard. Subsequently, the point of order that the amendment was in violation of section 305(b)(2) of the Congressional Budget Act of 1974, relative to germaneness, was sustained, and the amendment thus falls. **Pages S6425–26**

By 49 yeas to 51 nays (Vote No. 164), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 305(b)(2) of the Congressional Budget Act of 1974, with respect to Schumer Amendment No. 557, to amend the Internal Revenue Code of 1986 to make higher education more affordable. Subsequently, the point of order that the amendment was in violation of section 305(b)(2) of the Congressional Budget Act of 1974, relative to germaneness, was sustained, and the amendment thus falls. **Page S6426**

By 75 yeas to 25 nays (Vote No. 165), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to waive section 305(b)(2) of the Congressional Budget Act of 1974, with respect to Ensign Modified Amendment No. 622, to encourage the investment of foreign earnings within the United States for productive business investments and job creation. Subsequently, the point of order that the amendment was in violation of section 305(b)(2) of the Congressional Budget Act of 1974, relative to germaneness, was not sustained. **Pages S6426–28**

By 49 yeas to 51 nays (Vote No. 166), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 302(f) of the Congressional Budget Act of 1974, with respect to Conrad Amendment No. 611, to make the child tax credit acceleration applicable to 2002. Subsequently, the point of order that the amendment was in violation of section 302(f) of the Congressional Budget Act of 1974,

since it would increase mandatory spending and cause the bill to exceed the committee's section 302(a) allocation, was sustained, and the amendment thus falls. **Pages S6428 (continued next issue)**

By 46 yeas to 54 nays (Vote No. 167), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 302(f) of the Congressional Budget Act of 1974, with respect to Daschle Amendment No. 656, to create jobs, provide opportunity, and restore prosperity. Subsequently, the point of order that the amendment was in violation of section 302(f) of the Congressional Budget Act of 1974, since it would increase mandatory spending and cause the bill to exceed the committee's section 302(a) allocation, was sustained, and the amendment thus falls. **(See next issue.)**

By 44 yeas to 56 nays (Vote No. 168), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 305(b)(2) of the Congressional Budget Act of 1974, with respect to Dayton Amendment No. 615, in the nature of a substitute. Subsequently, the point of order that the amendment was in violation of section 305(b)(2) of the Congressional Budget Act of 1974, relative to germaneness, was sustained, and the amendment thus falls. **(See next issue.)**

By 48 yeas to 51 nays (Vote No. 169), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 305(b)(2) of the Congressional Budget Act of 1974, with respect to Mikulski Amendment No. 605, to provide a partially refundable tax credit for caregiving related expenses. Subsequently, the point of order that the amendment was in violation of section 305(b)(2) of the Congressional Budget Act of 1974, relative to germaneness, was sustained, and the amendment thus falls. **(See next issue.)**

By 51 yeas to 49 nays (Vote No. 170), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive the Congressional Budget Act, with respect to Sessions Amendment No. 639, to apply the sunset provision to the revenue increase provisions. Subsequently, the point of order that the amendment was in violation of section 313(b)(1)(E) (Byrd Rule) of the Congressional Budget Act, was sustained, and the amendment thus falls. **(See next issue.)**

By 37 yeas to 63 nays (Vote No. 175), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 305(b)(2) of the Congressional Budget Act of 1974, with respect to Edwards Amendment No. 662, to amend the Internal Revenue Code of 1986 to close the ''janitors insurance'' tax loophole. Subsequently, the point of order that the amendment was in violation of section 305(b)(2) of the Congressional Budget Act of 1974, relative to germaneness, was sustained, and the amendment thus falls. **(See next issue.)**

By 43 yeas to 57 nays (Vote No. 176), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 202 of H.Con.Res. 95, Fiscal Year 2004 Concurrent Resolution on the Budget, with respect to Dorgan Amendment No. 666, to strike the section relating to qualified tax collection contracts. Subsequently, the point of order raised against the amendment was not sustained, and the amendment was then rejected by a voice vote (listed above). **(See next issue.)**

Senate insisted on its amendment, requested a conference with the House thereon, and the Chair was authorized to appoint the following conferees on the part of the Senate: Senators Grassley, Hatch, Nickles, Lott, Baucus, Rockefeller, and Breaux. **(See next issue.)**

Subsequently, S. 1054 was returned to the Senate Calendar. **(See next issue.)**

Global HIV/AIDS Act: Senate passed H.R. 1298, to provide assistance to foreign countries to combat HIV/AIDS, tuberculosis, and malaria, after taking action on the following amendments proposed thereto: **Pages S6415–21 (continued next issue)**

Adopted:

Biden/Leahy Amendment No. 686, to amend the International Financial Institutions Act to provide for modification of the Enhanced Heavily Indebted Poor Countries (HIPC) Initiative. **(See next issue.)**

Rejected:

By 48 yeas to 52 nays (Vote No. 177), Durbin Amendment No. 676, to provide alternate terms for the United States participation in the Global Fund to Fight AIDS, Tuberculosis and Malaria. **(See next issue.)**

By 48 yeas to 52 nays (Vote No. 178), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 302(f) of the Congressional Budget Act of 1974, with respect to Dorgan Amendment No. 678, to provide emergency funding for food aid to HIV/AIDS affected populations in sub-Saharan Africa. Subsequently, the point of order that the amendment was in violation of section 302(f) of the Congressional Budget Act of 1974, was sustained, and the amendment thus falls. **(See next issue.)**

By 45 yeas to 52 nays (Vote No. 180), Feinstein Amendment No. 682, to modify provisions relating to the distribution of funding. **(See next issue.)**

By 42 yeas to 54 nays (Vote No. 181), Kennedy Amendment No. 681, to provide for the procurement of certain pharmaceuticals at the lowest possible price for products of assured quality.

(See next issue.)

By 45 yeas to 50 nays (Vote No. 182), Boxer Amendment No. 684, to require a specific plan to help AIDS orphans. **(See next issue.)**

By 44 yeas to 51 nays (Vote No. 183), Dodd Amendment No. 685, to add CARICOM Countries and the Dominican Republic to Priority List of HIV/AIDS Coordinator. **(See next issue.)**

Clinton Amendment No. 652, to improve women's health and empowerment and reduce women's vulnerability to HIV/AIDS. **(See next issue.)**

Hometown Heroes Survivors Benefits Act: Committee on the Judiciary was discharged from further consideration of S. 459, to ensure that a public safety officer who suffers a fatal heart attack or stroke while on duty shall be presumed to have died in the line of duty for purposes of public safety officer survivor benefits, and the bill was then passed.

(See next issue.)

Fallen Law Enforcement Officers and Firefighters Flag Memorial Act: Committee on Rules and Administration was discharged from further consideration of S. 535, to provide Capitol-flown flags to the families of law enforcement officers and firefighters killed in the line of duty, and the bill was then passed, after agreeing to the following amendment proposed thereto:

Frist (for Dodd) Amendment No. 683, to provide for the delivery of flags through Congress.

(See next issue.)

Honoring the City of Fayetteville: Committee on the Judiciary was discharged from further consideration of H. Con. Res. 58, honoring the City of Fayetteville, North Carolina, and its many partners for the Festival of Flight, a celebration of the centennial of Wilbur and Orville Wright's first flight, the first controlled, powered flight in history, and the concurrent resolution was then agreed to.

(See next issue.)

Authorizing the Use of the Capitol Grounds: Senate agreed to H. Con. Res. 128, authorizing the use of the Capitol Grounds for the D.C. Special Olympics Law Enforcement Torch Run.

(See next issue.)

Department of Defense Authorization—Agreement: A unanimous consent agreement was reached providing for consideration of S. 1050, to authorize appropriations for fiscal year 2004 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, at 2:30 p.m., on Monday, May 19, 2003; provided that all first-degree amendments be relevant and that any second-degree amendments be relevant to the first-degree amendment to which it was offered; further that, the time until 5:30 p.m. be for debate only.

(See next issue.)

Removal of Injunction of Secrecy: The injunction of secrecy was removed from the following treaty:

Protocol of 1997 Amending MARPOL Convention (Treaty Doc. No. 108–7)

The treaty was transmitted to the Senate today, considered as having been read for the first time, and referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed. **(See next issue.)**

Nomination—Agreement: A unanimous-consent agreement was reached providing for consideration of the nomination of S. Maurice Hicks, Jr., of Louisiana, to be United States District Judge for the Western District of Louisiana, at 5:30 p.m., on Monday, May 19, 2003, with a vote to immediately occur on confirmation of the nomination.

(See next issue.)

Nominations Received: Senate received the following Nominations:

William Gerry Myers III, of Idaho, to be United States Circuit Judge for the Ninth Circuit.

Henry F. Floyd, of South Carolina, to be United States District Judge for the District of South Carolina.

Ronald A. White, of Oklahoma, to be United States District Judge for the Eastern District of Oklahoma. **(See next issue.)**

Messages From the House: **(See next issue.)**

Measures Referred: **(See next issue.)**

Executive Communications: **(See next issue.)**

Executive Reports of Committees: **(See next issue.)**

Additional Cosponsors: **(See next issue.)**

Statements on Introduced Bills/Resolutions: **(See next issue.)**

Additional Statements: **(See next issue.)**

Amendments Submitted: **(See next issue.)**

Authority for Committees to Meet: **(See next issue.)**

Record Votes: Thirty-six record votes were taken today. (Total—183) **Pages S6408–15, S6421, S6423–26, S6428 (continued next issue)**

Adjournment: Senate met at 9:15 a.m., and adjourned at 2:19 a.m., on Friday, May 16, 2003, until 2 p.m., on Monday, May 19, 2003. (For Senate's

program, see the remarks of the Majority Leader in the next issue of the Record.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS: DEPARTMENT OF DEFENSE

Committee on Appropriations: Subcommittee on Defense concluded hearings to examine proposed budget estimates for fiscal year 2004 for the Department of Defense, after receiving testimony from numerous public witnesses.

BUSINESS MEETING

Committee on Environment and Public Works: Committee ordered favorably reported the following business items:

S. 1039, to amend the Federal Water Pollution Control Act to enhance the security of wastewater treatment works, with an amendment; and

S. 1043, to provide for the security of commercial nuclear power plants and facilities designated by the Nuclear Regulatory Commission, with an amendment in the nature of a substitute.

HOMELAND SECURITY

Committee on Governmental Affairs: Committee concluded hearings to examine homeland security issues facing state and local governments, focusing on the role and direction of U.S. homeland security efforts, including preparedness planning, investing resources based on comprehensive and integrated statewide plans, maximizing the investment in intelligence gathering and analysis, and providing a multi-year framework for homeland security planning, after receiving testimony from Massachusetts Governor Mitt Romney, Boston, on behalf of the National Governors' Association; Mayor Kwame M. Kilpatrick, Detroit, Michigan, on behalf of the U.S. Conference of Mayors; Art Cleaves, Maine Emergency Management Agency, Augusta; and Mark Stenglein, Hennepin County Board of Commissioners, Minneapolis, Minnesota.

NOMINATIONS

Committee on Governmental Affairs: Committee concluded hearings to examine the nominations of Terrence A. Duffy, of Illinois, to be a Member of the Federal Retirement Thrift Investment Board, who was introduced by Senator Durbin and Allen, and Susanne T. Marshall, of Virginia, to be Chairman of the Merit Systems Protection Board, and Neil McPhie, of Virginia, to be a Member of the Merit Systems Protection Board, both of whom were introduced by Senator Allen, after each nominee testified and answered questions in their own behalf.

NATIVE AMERICAN LANGUAGE ACT

Committee on Indian Affairs: Committee concluded hearings to examine S. 575, to amend the Native American Languages Act to provide for the support of Native American language survival schools, after receiving testimony from Leanne Hinton, University of California at Berkeley; Christine P. Sims, Pueblo of Acoma, New Mexico, on behalf of the Linguistic Institute for Native Americans; Mary Eunice Romero, University of Arizona, Tucson, on behalf of the Cochiti Pueblo of New Mexico; Rosalyn R. LaPier and Joycelyn DesRosier, both of the Piegan Institute Nizipuhwahsin School, Browning, Montana; Geneva Woomavoyah Navarro and Rita Coosewon, both of the Comanche Nation College, Lawton, Oklahoma; Lawrence D. Kaplan, University of Alaska, Fairbanks; Rosita Worl, University of Alaska Southeast, Juneau, on behalf of the Sealaska Heritage Institute; Kalena Silva, Keiki Kawaiaea, William H. Wilson, and Holo Hoopai, all of the Ka Haka 'Ula O Ke'elikolani College, University of Hawaii at Hilo; Namaka Rawlins, Aha Punana Leo, Inc., Hilo, Hawaii; Mary Hermes, University of Minnesota, Duluth, on behalf of the Waadookodaading Ojibwe Language Immersion School, and Lisa LaRonge, Ojibwe Language Immersion School, Hayward, Wisconsin; William Y. Brown and Jennifer Chock, both of the Bishop Museum, Honolulu, Hawaii; David Dinwoodie, University of New Mexico, Albuquerque; and John W. Cheek, National Indian Education Association, Alexandria, Virginia.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following business items:

S. 878, to authorize an additional permanent judgeship in the District of Idaho, with an amendment in the nature of a substitute; and

The nominations of L. Scott Coogler, to be United States District Judge for the Northern District of Alabama, and Mark Moki Hanohano, to be United States Marshal for the District of Hawaii.

House of Representatives

Chamber Action

Measures Introduced: 31 public bills, H.R. 2112–2142; 5 resolutions, H. Con. Res. 183–184, and H. Res. 236–238 were introduced.

Pages H4203–04

Additional Cosponsors: **Pages H4204–06**

Reports Filed: Reports were filed today as follows:

H. Res. 180, supporting the goals and ideals of ''National Correctional Officers and Employees Week'' and honoring the service of correctional officers and employees (H. Rept. 108–101);

H.R. 982, to clarify the tax treatment of bonds and other obligations issued by the Government of American Samoa (H. Rept. 108–102, Pt. 1);

H.R. 1437, to improve the United States Code (H. Rept. 108–103); and

H.R. 1416, to make technical corrections to the Homeland Security Act of 2002, amended (H. Rept. 108–104). **Page H4203**

Guest Chaplain: The prayer was offered by the guest Chaplain, Rev. Joseph A. Darby, Pastor, Morris Brown African Methodist Episcopal Church of Charleston, South Carolina. **Page H4133**

Reception in the House Chamber to Receive Former Members of Congress: The House recessed to receive the United States Association of Former Members of Congress in the House Chamber. Later, agreed to the Lincoln Diaz-Balart of Florida motion that the proceedings had during the recess be printed in the Record. **Pages H4133–50**

Recess: The House recessed at 9:08 a.m. and reconvened at 11:07 a.m.

National Transportation Safety Board Reauthorization: The House passed H.R. 1527, to amend title 49, United States Code, to authorize appropriations for the National Transportation Safety Board for fiscal years 2003 through 2006 by voice vote.

Pages H4157–68

Agreed To:

Green of Texas amendment that defines recommendations concerning 15 passenger van safety, railroad grade crossing safety, and medical certifications for a commercial driver's license as ''significant safety recommendations;'' **Pages H4162–63**

Point of order sustained against:

Cardin amendment that sought to include provisions to extend unemployment compensation in the bill (agreed to sustain the ruling of the chair by recorded vote of 225 ayes to 200 noes, Roll No. 191).

Pages H4163–66

Withdrawn:

Udall of Colorado amendment no. 3 printed in the Congressional Record of May 13 was offered, but subsequently withdrawn, that sought to establish a dynamic rollover testing program; prohibit the purchase of used 15 passenger vans that will be used as school buses unless the vehicle complies with the motor vehicle standards prescribed for schoolbuses; and **Pages H4160–62**

Jackson-Lee of Texas amendment was offered, but subsequently withdrawn, that requires studies on the impact of age on the competence and qualifications of airline pilots and the impact of the use of rail systems in high population density cities, including any city population of more that 1 million persons.

Pages H4166–67

H. Res. 229, the rule that provided for consideration of the bill was agreed to by voice vote. Earlier agreed to order the previous question by yea-and-nay vote of 220 yeas to 205 nays, Roll No. 190.

Pages H4151–57

Legislative Program: The Majority Leader announced the legislative program for the week of May 19. **Pages H4168–70**

Meeting Hour Monday, May 19: Agreed that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Monday, May 19 for morning hour debate. **Page H4170**

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, May 21. **Page H4170**

Late Report—Committee on International Relations: The Committee on International Relations received permission to have until midnight on Friday, May 16 to file a report on H.R. 1950, Foreign Relations Authorization Act for Fiscal Years 2004 and 2005. **Page H4170**

Canada—United States Interparliamentary Group: The Chair announced the Speaker's appointment of the following members of the House to the Canada—United States Interparliamentary Group, in addition to Representative Houghton, appointed Chairman on March 13, 2002: Representatives Oberstar, Dreier, Shaw, Slaughter, Stearns, Peterson of Minnesota, Manzullo, Smith of Michigan, English, and Souder. **Page H4195**

Senate Messages: Messages received from the Senate today appear on page H4172.

Referral: S. 195 was referred to the Committee on Energy and Commerce and S. 709 was referred to the Committee on Financial Services. **Page H4202**

Quorum Calls—Votes: One yea-and-nay vote and one recorded vote developed during the proceedings of the House today and appear on pages H4156–57, and H4165–66. There were no quorum calls.

Adjournment: The House met at 9 a.m. and adjourned at 6:58 p.m.

Committee Meetings

RUNAWAY, HOMELESS AND MISSING CHILDREN PROTECTION ACT; CHILD MEDICATION SAFETY ACT

Committee on Education and the Workforce: Ordered reported, as amended, the following bills: H.R. 1925, Runaway, Homeless and Missing Children Protection Act; and H.R. 1179, Child Medication Safety Act of 2003.

PROJECT BIOSHIELD ACT

Committee on Energy and Commerce: Ordered reported H.R. 2122, Project Bioshield Act of 2003.

RETIREMENT SECURITY

Committee on Financial Services: Subcommittee on Capital Markets, Insurance and Government Sponsored Enterprises held a hearing entitled ''Retirement Security: What Seniors Need to Know about Protecting Their Futures.'' Testimony was heard from public witnesses.

OVEREXPOSED: THE THREATS TO PRIVACY AND SECURITY ON FILE SHARING NETWORKS

Committee on Government Reform: Held a hearing entitled ''Overexposed: The Threats to Privacy and Security on File Sharing Networks'' Testimony was heard from James E. Farnan, Deputy Assistant Director, Cyber Division, FBI, Department of Justice; and public witnesses.

OFFICE OF NATIONAL DRUG CONTROL POLICY REAUTHORIZATION ACT

Committee on Government Reform: Subcommittee on Criminal Justice, Drug Policy and Human Resources approved for full Committee action, as amended, H.R. 2086, Office of National Drug Control Policy Reauthorization Act of 2003.

U.S. POLICY TOWARD IRAQ

Committee on International Relations: Held a hearing on U.S. Policy Toward Iraq. Testimony was heard from the following officials of the Department of State: Alan P. Larson, Under Secretary, Bureau of Economic, Business, and Agricultural Affairs; and Wendy J. Chamberlin, Assistant Administrator, Bureau for Asia and the Near East, AID; and the following officials of the Department of Defense: Douglas J. Feith, Under Secretary, Policy; and Lt. Gen. Norton A. Schwartz, USAF, Director, Operations, The Joint Chiefs of Staff.

CLASS ACTION FAIRNESS ACT

Committee on the Judiciary: Held a hearing on H.R. 1115, Class Action Fairness Act of 2003. Testimony was heard from Viet Dinh, Assistant Attorney General, Office of Legal Policy, Department of Justice; Lawrence H. Mirel, Commissioner, Department of Insurance and Securities Regulation, District of Columbia; and public witnesses.

SPORTS AGENT RESPONSIBILITY AND TRUST ACT

Committee on the Judiciary: Subcommittee on Commercial and Administrative Law approved for full Committee action, as amended, H.R. 361, Sports Agent Responsibility and Trust Act.

Prior to this action, the Subcommittee held a hearing on H.R. 361. Testimony was heard from Representatives Gordon and Osborne; and public witnesses.

DEPARTMENT OF JUSTICE CIVIL RIGHTS DIVISION REAUTHORIZATION

Committee on the Judiciary: Subcommittee on the Constitution held an oversight hearing on the ''Reauthorization of the U.S. Department of Justice Civil Rights Division.'' Testimony was heard from Ralph F. Boyd Jr., Assistant Attorney General, Civil Rights Division, Department of Justice.

OVERSIGHT—CALFED'S CROSS-CUT BUDGET

Committee on Resources: Subcommittee Water and Power held an oversight hearing on CALFED's Cross-Cut Budget. Testimony was heard from Jason Peltier, Special Assistant, Assistant Secretary, Water and Sciences, Department of the Interior; and Patrick Wright, Director, California Bay-Delta Authority.

HEALTHY FORESTS RESTORATION ACT

Committee on Rules: Testimony was heard from Chairmen Goodlatte and Pombo; Representatives Walden of Oregon, Inslee, Udall of Colorado, George Miller of California and Matheson, but action was deferred on H.R. 1904, Healthy Forests Restoration Act of 2003.

SMALL BUSINESS COMMUNITY—COST OF REGULATIONS

Committee on Small Business: Subcommittee on Regulatory Reform and Oversight held a hearing on Federal Agency Treatment of Small Business. Testimony

was heard from Michael Barrera, National Ombudsman, SBA; and Nina Olson, National Taxpayer Advocate, IRS, Department of the Treasury; and public witnesses.

SMALL BUSINESSES—IMPACT OF HIGHWAY BEAUTIFICATION ACT

Committee on Small Business: Subcommittee on Rural Enterprise, Agriculture and Technology held a hearing on the Impact of the Highway Beautification Act on small businesses across America. Testimony was heard from public witnesses.

OVERSIGHT—ADMINISTRATION'S PROPOSED REAUTHORIZATION (SAFETEA)

Committee on Transportation and Infrastructure: Subcommittee on Highways, Transit and Pipelines held an oversight hearing on overview of Administration's Proposed Reauthorization bill (SAFETEA). Testimony was heard from Norman Mineta, Secretary of Transportation.

VETERANS LEGISLATION

Committee on Veterans' Affairs: Ordered reported the following bills: H.R. 1460, amended, Veterans Entrepreneurship Act of 2003; H.R. 1562, amended, Veterans Health Care Cost Recovery Act of 2003; H.R. 1683, Veterans' Compensation Cost-of-Living Adjustment Act of 2003; H.R. 1257, Selected Reserve Home Loan Equity Act; H.R. 1911, to amend title 38, United States Code, to enhance cooperation and the sharing of resources between the Department of Veterans Affairs and the Department of Defense; and H.R. 1715, to amend title 38, United States Code, to enhance the authority of the Department of Veterans Affairs to recover from third parties costs of medical care furnished to veterans and other persons by the Department.

SENSITIVE PROGRAMS BUDGET

Permanent Select Committee on Intelligence: Subcommittee on Intelligence Policy and National Security met in executive session to hold a hearing on Sensitive Programs Budget. Testimony was heard from departmental witnesses.

BIOSHIELD: COUNTERING THE BIOSHIELD THREAT

Select Committee on Homeland Security: Held a hearing entitled "Bioshield: Countering the Bioterrorist Threat." Testimony was heard from Anthony S, Fauci, M.D., Director, National Institute of Allergy and Infectious Diseases, NIH, Department of Health and Human Services; and public witnesses.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST *p. D439)*

S. 162, to provide for the use of distribution of certain funds awarded to the Gila River Pima- Maricopa Indian Community. Signed on May 14, 2003. (Public Law 108–22)

COMMITTEE MEETINGS FOR FRIDAY, MAY 16, 2003

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, and Related Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2004 for programs of the Department of Agriculture, 9:30 a.m., SD–124.

Committee on Foreign Relations: to hold hearings to examine the Department of State's Office of Children's Issues, focusing on international parental abduction, 9 a.m., SD–419.

House

Committee on Government Reform, hearing on "Protecting Our Most Vulnerable Residents: A Review of Reform Efforts at the District of Columbia Child and Family Services Agency," 10 a.m., 2154 Rayburn.

CONGRESSIONAL PROGRAM AHEAD
Week of May 19 through May 24, 2003
Senate Chamber

On Monday, at 2:30 p.m., Senate will consider S. 1050, to authorize appropriations for fiscal year 2004 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces.

During the balance of the week, Senate will continue consideration of S. 1050, Department of Defense Authorization, and may also consider S. 14, Energy Policy Act, H.J. Res. 51, Increased Public Debt, and any other cleared legislative and executive business.

Senate Committees

(Committee meetings are open unless otherwise indicated)

Committee on Appropriations: May 20, Subcommittee on Transportation, Treasury and General Government, to hold hearings to examine proposed budget estimates for fiscal year 2004 for the Department of the Treasury, 10 a.m., SD–138.

May 22, Subcommittee on Transportation, Treasury and General Government, to hold hearings to examine proposed budget estimates for fiscal year 2004 for highway safety initiatives, 10:30 a.m., SD–138.

Committee on Banking, Housing, and Urban Affairs: May 20, to hold oversight hearings to examine the Fair Credit Reporting Act and issues presented by the Re-authorization of the Expiring Preemption Provisions, to be immediately followed by a business meeting to consider the nominations of Nicholas Gregory Mankiw, of Massachusetts, to be a Member of the Council of Economic Advisers, Steven B. Nesmith, of Pennsylvania, to be an Assistant Secretary of Housing and Urban Development, and Jose Teran, of Florida, James Broaddus, of Texas, Lane Carson, of Louisiana, and Morgan Edwards, of North Carolina, each to be a Member of the Board of Directors of the National Institute of Building Sciences, 2 p.m., SD–538.

May 21, Full Committee, to hold oversight hearings to examine the national export strategy, 10 a.m., SD–538.

May 22, Full Committee, to hold oversight hearings to examine the economy, focusing on increasing investment in the equity markets, 10 a.m., SD–538.

Committee on Commerce, Science, and Transportation: May 20, to hold hearings to examine CEO compensation in the post-Enron Era, 9:30 a.m., SR–253.

May 20, Full Committee, to hold hearings to examine issues related to the North Pacific Crab, 2:30 p.m., SR–253.

May 21, Full Committee, to hold hearings to examine issues related to computer spam, 9:30 a.m., SR–253.

May 21, Full Committee, to hold oversight hearings to examine recommendations to tighten oversight of the Title XI Shipbuilding Loan Guarantee Program, 2:30 p.m., SR–253.

May 22, Full Committee, to continue hearings to examine media ownership, 9:30 a.m., SR–253.

May 22, Full Committee, to hold closed hearings to examine NHTSA reauthorization, 2:30 p.m., SR–253.

May 22, Subcommittee on Communications, to hold hearings to examine wireless broadband in rural areas, 2:30 p.m., SD–562.

Committee on Energy and Natural Resources: May 21, business meeting to consider, 10 a.m., SD–366.

Committee on Environment and Public Works: May 20, Subcommittee on Transportation and Infrastructure, to hold hearings to examine proposed legislation authorizing funds for programs of the Transportation Equity Act (TEA–21), 2 p.m., SD–406.

Committee on Foreign Relations: May 19, Subcommittee on Near Eastern and South Asian Affairs, to hold hearings to examine the nominations of Harry K. Thomas, Jr., of New York, to be Ambassador to the People's Republic of Bangladesh, and Jeffrey Lunstead, of the District of Columbia, to be Ambassador to the Democratic Socialist Republic of Sri Lanka, and to serve concurrently and without additional compensation as Ambassador to the Republic of Maldives, 10 a.m., SD–419.

May 19, Subcommittee on African Affairs, to hold hearings to examine fighting AIDS in Uganda, 2:30 p.m., SD–419.

May 20, Full Committee, to hold a closed briefing to examine North Korea and Indonesia, 11 a.m., S–407, Capitol.

May 20, Subcommittee on Western Hemisphere, Peace Corps and Narcotics Affairs, to hold hearings to examine the nomination of John F. Maisto, of Pennsylvania, to be Permanent Representative of the United States of America to the Organization of American States, with the rank of Ambassador, 2 p.m., SD–419.

May 20, Subcommittee on Western Hemisphere, Peace Corps and Narcotics Affairs, to hold hearings to examine the future of U.S. economic relations in the Western Hemisphere, 2:30 p.m., SD–419.

May 21, Full Committee, business meeting to consider an original bill to authorize foreign assistance for fiscal year 2004, to make technical and administrative changes to the Foreign Assistance and Arms Export Control Acts and to authorize a Millennium Challenge Account, 9:30 a.m., SD–419.

May 22, Full Committee, to hold hearings to examine Iraq stabilization and reconstruction, focusing on U.S. policy and plans, 2:30 p.m., SD–419.

Committee on Governmental Affairs: May 21, Permanent Subcommittee on Investigations, to hold hearings to examine SARS, focusing on state and local response, 9 a.m., SD–342.

Committee on Health, Education, Labor, and Pensions: May 21, to hold hearings to examine proposed legislation entitled ''Genetics Non-Discrimination Act'', 10 a.m., SD–430.

Committee on Indian Affairs: May 21, to hold oversight hearings to examine the proposed reorganization of the Bureau of Indian Affairs, 10 a.m., SR–485.

May 22, Full Committee, to hold oversight hearings to examine the status of telecommunications in Indian Country, 10 a.m., SR–485.

Committee on the Judiciary: May 20, to hold hearings to examine international drug trafficking and terrorism, 10 a.m., SD–226.

May 21, Full Committee, to hold hearings to examine the nomination of R. Hewitt Pate, of Virginia, to be an Assistant Attorney General, 10 a.m., SD–226.

May 22, Full Committee, to hold hearings to examine the nominations of Richard C. Wesley, of New York, to be United States Circuit Judge for the Second Circuit, J. Ronnie Greer, to be United States District Judge for the Eastern District of Tennessee, Thomas M. Hardiman, to be United States District Judge for the Western District of Pennsylvania, Mark R. Kravitz, to be United States District Judge for the District of Connecticut, and John A. Woodcock, Jr., to be United States District Judge for the District of Maine, 2 p.m., SD–226.

Committee on Rules and Administration: May 20, to hold oversight hearings to examine operations of the John F. Kennedy Center for the Performing Arts and the Smithsonian Institution, 9:30 a.m., SR–301.

Special Committee on Aging: May 19, to hold hearings to examine ageism in the health care system, focusing on short shifting seniors, 2 p.m., SD–628.

May 20, Full Committee, to hold hearings to examine baby boomers, focusing on enhancing independence through innovation and technology, 10 a.m., SD–628.

House Chamber

To be announced.

House Committees

Committee on Agriculture, May 20, Subcommittee on Department Operations, Oversight, Nutrition, and Forestry, hearing to review the current state of the Dairy industry, 10:30 a.m., 1300 Longworth.

May 21, full Committee, hearing to review the status of the World Trade Organization Negotiations on Agriculture, 10 a.m., 1300 Longworth.

May 22, Subcommittee on General Farm Commodities and Risk Management, hearing to review the financial status of the Crop Insurance industry, 10 a.m., 1300 Longworth.

Committee on Appropriations, May 20, Subcommittee on Legislative, on GPO, 10:30 a.m., and on Capitol Police, 11:30 a.m., H–140 Capitol.

May 21, Subcommittee on Foreign Operations, Export Financing and Related Programs, on Millennium Challenge Corporation, 2 p.m., 2359 Rayburn.

May 21, Subcommittee on Legislative, on Members of Congress, 10:30 a.m., and on Architect of the Capitol (Not Capitol Visitor's Center), 11:30 a.m., H–140 Capitol.

May 21, Subcommittee on Transportation, Treasury and Independent Agencies, on Benefits and Costs of Transportation Options, 10 a.m., 2358 Rayburn.

May 22, Subcommittee on Commerce, Justice, State, Judiciary and Related Agencies, on Impact of Chinese Imports on U.S. Companies, 10 a.m., 2359 Rayburn.

Committee on Education and the Workforce, May 20, Subcommittee on 21st Century Competitiveness, hearing on ''America's Teacher Colleges: Are They Making the Grade?'' 2 p.m., 2175 Rayburn.

Committee on Energy and Commerce, May 20, Subcommittee on Energy and Air Quality, hearing entitled ''The Hydrogen Energy Economy,'' 10 a.m., 2123 Rayburn.

Committee on Financial Services, May 22, Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises, hearing entitled ''The Long and Short of Hedge Funds: Effects of Strategies for Managing Market Risk,'' 10 a.m.,. 2128 Rayburn.

May 22, Subcommittee on Housing and Community Opportunity, hearing entitled ''The Section 8 Housing Assistance Program: Promoting Decent Affordable Housing for Families and Individuals who Rent,'' 2 p.m., 2128 Rayburn.

Committee on Government Reform, May 19, Subcommittee on National Security, Emerging Threats and International Relations, hearing on Stamping Out Anthrax in USPS Facilities: Technologies and Protocols for Bioagent Detection, 1 p.m., 2247 Rayburn.

May 20, Subcommittee on Technology, Information Policy, Intergovernmental Relations and the Census, oversight hearing entitled ''Can the Use of Factual Data Analysis Strengthen National Security?—Part Two,'' 10 a.m., 2154 Rayburn.

May 22, full Committee, hearing and markup of H.R. 2086, Office of National Drug Control Policy Reauthorization Act of 2003, 10 a.m., 2154 Rayburn.

Committee on International Relations, May 21, hearing on the Future of Kosovo, 10:30 a.m., 2172 Rayburn.

Committee on the Judiciary, May 20, Subcommittee on the Constitution, oversight hearing on ''Anti-Terrorism Investigations and the Fourth Amendment After September 11: Where and When Can the Government Go to Prevent Terrorist Attacks?'' 2 p.m., 2141 Rayburn.

Committee on Resources, May 22, Subcommittee on Fisheries Conservation, Wildlife and Oceans, hearing on the following bills: H.R. 2048, International Fisheries Reauthorization Act of 2003; and H. Res. 30, concerning the San Diego long-range sportfishing fleet and rights to fish the waters near the Revillagigedo Islands of Mexico, 10 a.m., 1334 Longworth.

May 22, Subcommittee on Water and Power, hearing on the following bills: H.R. 1598, Irvine Basin Surface and Groundwater Improvement Act of 2003; and H.R. 1732, Williamson County Water Recycling Act of 2003, 10 a.m., 1324 Longworth.

Committee on Transportation and Infrastructure, May 20, Subcommittee on Railroads, oversight hearing on Surface Transportation Board: Agency Resources and Requirements, 2:30 p.m., 2167 Rayburn.

May 22, Subcommittee on Coast Guard and Maritime Transportation, hearing on the Coast Guard and Maritime Transportation Act of 2003, 10 a.m., 2167 Rayburn.

May 22, Subcommittee on Water Resources and Environment, hearing on Water: Is it the ''Oil'' of the 2lst Century? 2 p.m., 2167 Rayburn.

Committee on Veterans' Affairs, May 22, Subcommittee on Health, hearing on long-term care programs in the Department of Veterans Affairs, 1:30 p.m., 334 Cannon.

Permanent Select Committee on Intelligence, May 20, executive, hearing on Budgets for intelligence-related activities within the Departments of State, Energy, and Treasury; and for the Department of Defense Foreign Counterintelligence Programs, 3 p.m., H–405, Capitol.

May 22, executive, hearing on the FBI National Security Programs Budget, 1 p.m., H–405, Capitol.

May 22, Subcommittee on Intelligence Policy and National Security, executive, briefing on Global Intelligence Update, 9 a.m., H–405 Capitol.

Select Committee on Homeland Security. May 19, Subcommittee on Rules, hearing entitled ''Perspectives on House Reform: Lessons from the Past,'' 5:30 p.m., 340 Cannon.

May 20, Full Committee, hearing entitled ''How is America Safer? A Progress Report on the Department of Homeland Security,'' 9 a.m., 210 Cannon.

May 21, Subcommittee on Cybersecurity, Science, and Research and Development, oversight hearing on ''Homeland Security Science and Technology: Preparing for the Future,'' 2 p.m., 2118 Rayburn.

Joint Meetings

Joint Economic Committee: May 21, to hold hearings to examine the economy, 9:30 a.m., SH–216.

Next Meeting of the SENATE

2 p.m., Monday, May 19

Senate Chamber

Program for Monday: After the transaction of any morning business (not to extend beyond 2:30 p.m.), Senate will consider S. 1050, to authorize appropriations for fiscal year 2004 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces.

At 5:30 p.m., Senate will consider and vote on the nomination of S. Maurice Hicks, Jr., to be United States District Judge for the Western District of Louisiana.

Next Meeting of the HOUSE OF REPRESENTATIVES

12:30 p.m., Monday, May 19

House Chamber

Program for Monday: To be announced.

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