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No. 136

House of Representatives

The House met at 12:30 p.m. and was called to order by the Speaker pro tempore (Mr. CHOCOLA).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
September 30, 2003.

I hereby appoint the Honorable CHRIS CHOCOLA to act as Speaker pro tempore on this day.

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

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 2691. An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2004, and for other purposes.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 2691) "An Act making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2004, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BURNS, Mr. STEVENS, Mr. COCHRAN, Mr. DOMENICI, Mr. BENNETT, Mr. GREGG, Mr. CAMPBELL, Mr. BROWNBACK, Mr. DORGAN, Mr. BYRD, Mr. LEAHY, Mr. HOLLINGS, Mr. REID, Mrs. FEINSTEIN, and Ms. MIKULSKI, to be the conferees on the part of the Senate.

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

S. 1244. An act to authorize appropriations for the Federal Maritime Commission for fiscal years 2004 through 2008.

S. 1301. An act to amend title 18, United States Code, to prohibit video voyeurism in the special maritime and territorial jurisdiction of the United States, and for other purposes.

S. 1375. An act to provide for the reauthorization of programs administered by the Small Business Administration, and for other purposes.

S. 1451. An act to reauthorize programs under the Runaway and Homeless Youth Act and the Missing Children's Assistance Act, and for other purposes.

S. 1591. An act to redesignate the facility of the United States Postal Service located at 48 South Broadway, Nyack, New York, as the "Edward O'Grady, Waverly Brown, Peter Paige Post Office Building".

MORNING HOUR DEBATES

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

The Chair recognizes the gentleman from North Carolina (Mr. JONES) for 5 minutes.

TRIBUTE TO LOU ROTTERMAN

Mr. JONES of North Carolina. Mr. Speaker, I rise today to honor a man who was part of our Nation's Greatest Generation, Lou Rotterman, who was called home by his Maker in July of this year.

Lou was a fixture on the Hill and in Washington for over 30 years. He was an old-school press secretary and speech writer who worked behind the scenes to put the people he believed in into the spotlight.

Like former President Reagan, he believed that much could be done when you did not worry about who got the credit.

Indeed, Lou Rotterman worked as an executive assistant and press secretary for Jack Kemp from 1972 until 1981, a period in which the New Yorker went from being a freshman Congressman, best known from his days as a Buffalo Bills football great, to one of the conservative intellectual powerhouses of the modern Republican Party. Kemp, as we all know, championed the Kemp-Roth across-the-board tax cuts signed into law by Ronald Reagan in 1981. Lou Rotterman, along with his counterpart Jim Brady, who worked with then-Senator Bill Roth's office, helped mobilize support for that historic measure.

As David King of the American Conservative Union wrote in *The Hill* newspaper, "Kemp would not have succeeded without Lou Rotterman, and Reagan would not have been the President he was without the ideas that the two promoted."

As respected as Rotterman was among Congressional press secretaries, he was far more than a Capitol Hill fixture.

Like many in his generation, he volunteered to fight in World War II. At the Battle of Leyte Gulf, Rotterman was a tail gunner on a crew that had to ditch in the ocean. For his bravery in that battle, Lou Rotterman was awarded the Distinguished Flying Cross for what was called a valiant attack on a large task force of Japanese. In the citation, Rotterman was hailed for his bravery, coolness, and determination displayed. His superior magnificent teamwork was also noted, a hallmark of Lou Rotterman's professional life.

Recently a journalist friend of Rotterman's said, "You can judge the measure of a man by how he treats those who aren't in a position to help him." The journalist said, "Lou was that way towards me."

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

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



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Prior to working on Capitol Hill, Rotterman had a distinguished career in journalism with the Dayton Daily News. During that time, he interviewed both Richard Nixon and John Kennedy during the 1960 Presidential campaign.

Rotterman never ducked a challenge. In the beginning of his career as a beat reporter, he once posed as a minister and walked out on a rain-soaked edge of an office building with a policeman to lure a suicidal man back to safety.

Lou Rotterman was the product of an earlier generation. He went to war, served his country, and raised a family.

Lou Rotterman is gone, but his successors are out there today working just as hard as he did. We do not read their names in the paper, because they are not in it for the glory. But they do their part to make the world a better place for all of us.

Simply put, Lou Rotterman was part of the Greatest Generation that understood sacrifice, duty, honor, and country. He will be missed by all that knew him.

Mr. Speaker, I close by asking God to please bless America, and bless our men and women in uniform.

DOWNED ANIMALS POSE THREAT TO FOOD SUPPLY

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

Mr. BLUMENAUER. Mr. Speaker, to make our communities livable, to make our families safe, healthy and economically secure, we must deal with the issues of food safety. 76 million Americans are ill every year from unsafe food, 325,000 are hospitalized, 5,000 die.

A century ago, Upton Sinclair's epic novel "The Jungle" exposed the scandal in America's meatpacking industry; and yet a century later, we still do not have it right.

Despite telling journalism and concerns from experts in food safety and animal welfare, the cattle industry and some of their key Congressional allies fight to continue allowing almost 200,000 unhealthy animals a year into our food supply. These animals are called "downers" because they are so sick they are unable to stand or walk. They are dragged to slaughter facilities around the country, and most of these sick animals end up in our food supply.

What difference does it make? Downed animals are often afflicted with many, sometimes fatal, illnesses. Sending these sick animals to slaughter facilities where they will mix with healthy animals is exceedingly dangerous.

Many afflicted animals that should have been euthanized at the farm were sent to auction markets and slaughter facilities where they could contaminate healthy animals.

A study of USDA slaughterhouse facilities in almost 1,000 packing plants

in the northeast United States found that 73 percent of downed animals ended up passing inspection and entering the food chain. These animals had afflictions such as gangrene, lymphoma, hepatitis, and pneumonia.

A study by the Livestock Conservation Institute revealed that 14 percent of the downed cows were salmonella positive. One cow even tested positive for a variant of salmonella that kills almost 1,000 Americans each year. This animal passed inspection and entered the food supply.

Another area of concern is mad cow disease, not just because of the dangers to humans, but because of the devastating effect that it can have on the cattle industry itself. Recently, a single infected animal in Canada shut down their entire industry. Perhaps the reason we have not found mad cow disease in the United States is because the American consumer is eating the evidence.

The Federal Government has started to react. The USDA recently added regulations, which Congress would not, to protect the ground beef that goes into school lunches from containing meat from downed animals.

Earlier this year, the USDA began circulating a proposed rule that specifically notes the health hazard for downed animals for consumers. Some fast-food leaders like Jack in the Box, and Burger King and Wendy's have responded to past tragic incidents by raising their standards.

But Congress has not just been "missing in action" to protect the American consumer from tainted beef; some have actually been leading the charge to keep those animals on your table. Some people put the convenience and profit of the cattle industry ahead of public safety.

Last year's agricultural bill passed both bodies of Congress with language to keep the downed animals out, yet in conference the conferees stripped away the language. They led a battle in this year's agriculture appropriations bill against an amendment that would have kept downed animals out of the food supply.

This is serious business. All independent experts know that downed animals are dangerous. Responsible producers understand the problem. Some State regulators have stepped up to deal with protecting their facilities. They are sending the right message, but they only deal with a small part of the overall food chain.

Congress and the Federal Government must act. The downed animals end up as hamburger in America's grocery stores because they are processed in just a few huge centers where the animals are ground up, they disappear into the food chain. The same child that is now safer in school goes home to the family dinner table, where the entire family is at risk.

It is time for Congress to withstand the pressures of the huge packers and their apologists and allies in Congress.

Until the agriculture appropriations bill has finally passed both Chambers, it is possible for the conferees to include provisions protecting the food supply, provisions, as I said, that have passed both Chambers last Congress.

Every single Member of Congress should sign on the critical bipartisan legislation led by the gentleman from New Jersey (Mr. SMITH), the gentleman from New York (Mr. HOUGHTON), the gentleman from New York (Mr. ACKERMAN), and the gentlewoman from Ohio (Ms. KAPTUR) that would prohibit downed animals from entering the food supply. This legislation already has the support of 119 Democrats and Republicans in Congress.

It is supported by people who care about animal welfare, food safety, to join with the State health officials and responsible members of the cattle industry. All these people know that our Nation needs to produce meat in a humane and safe manner. Continuing to process downed animals for human consumption is not part of the recipe.

COMPREHENSIVE SECURITY

The SPEAKER pro tempore. Pursuant to the order of the House of January 7, 2003, the gentleman from Texas (Mr. DELAY) is recognized.

Mr. DELAY. Mr. Speaker, it is another week of major activity in the war on terror. The President will sign the first annual Department of Homeland Security spending bill in American history. The House will continue our consideration of the President's spending request for military and democracy-building operations in Iraq and Afghanistan. American and Coalition Forces will continue their work around the globe to ensure the security of our people and the success of our cause.

None of these actions would be relevant or even possible without the others, because without bolstering our civil defense here at home, our anti-terror activities around the world would be useless; without our aggressive actions to root out and destroy terrorist cells where they live and plan, all of the Homeland Security spending in the world would be useless; and, finally, without an intense commitment to build viable and tolerant democracies in former terrorist states, neither our national nor domestic security goals could be met.

The results speak for themselves. Since 9/11, no terrorist attack has scarred our soil. Two tyrannical regimes have been replaced by fledgling democracies. And threats, be they terrorist states, networks or individuals, have been captured or destroyed, no longer to threaten innocent Americans.

The comprehensive security strategy of the Bush Doctrine that folds in homeland, national and international security priorities is working. Because of that comprehensive strategy, the United States has successfully combated terrorism abroad and repelled it at home for more than 2 years.

The lesson of the Bush Doctrine is very clear: You cannot separate homeland and national defense. They are one and the same comprehensive and indivisible security policy.

Critics can complain about one application of this policy or another, but given its overwhelming success and the absence of an alternative, these critics do so to the detriment of their own credibility. Without an alternative policy, these critics must be supporting the weak and indecisive foreign policy of the past.

This week, America's war on terror will move forward with strength and confidence, as always, with one objective in mind, and that is victory.

I commend the President for his leadership and urge him to stay bold in his defense of American lives and human freedom.

COMMENTS FROM THE HOME FRONT

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

Mr. BROWN of Ohio. Mr. Speaker, in 1838 a former President, John Quincy Adams, was a Member of this House of Representatives. Congress in those days, conservatives in Congress, had passed a House rule saying that slavery, believe it or not, could not be debated or discussed on the floor of the House of Representatives.

John Quincy Adams decided that he wanted the people of his district and other districts in Massachusetts to be heard, so he brought to the floor, every day or a couple of times a week, letters from his constituents protesting that slavery could not be discussed on the floor and supporting the ending of slavery in the United States.

Today, we are faced with a serious issue, perhaps not the seriousness quite of slavery in our country, the biggest blot in our history, but we are faced with the issues of what we do in Iraq and what we do with Iraq.

Debate in this House has not been particularly open or forthcoming, so I have chosen today, as John Quincy Adams did, to bring letters from constituents about Iraq to the House floor. I have received literally hundreds of them, as have my colleagues, questioning our intentions and the President's intentions, questioning the veracity of the administration, whether the administration has been straightforward with the American people. I would like to share some of those letters with you.

Patty from North Royalton, Ohio, said, "All of the worst case possibilities with Iraq, with the exception of the weapons of mass destruction, of course, and the truth of the administration, have proven true, and the American public is being asked to foot the bill.

"I suggest a proposal to break apart the military spending from the rebuild-

ing. Focus this administration on the bare necessities for now. We are trying to do way too much at one time."

Mary Lu wrote, "U.S. out, UN in. We should pull our soldiers out and turn the rebuilding process over the United Nations. Congress should vote no on the \$87 billion until the President works it out with the United Nations. Roll back the tax cuts to pay for the war. The only way we could responsibly pay for Iraq's reconstruction is by rolling back President Bush's tax cuts for the wealthy. If we roll back the tax cuts on the top 1 percent, we could pay for the \$87 billion and have money left over for other programs, like prescription drugs for the elderly."

Jay of Richfield, Ohio, writes, "If we assume there are 290 million men, women and children in the U.S., that means that every man, woman and child in America will be contributing \$300 to the reconstruction of a country we will never visit, and whose welfare would have never affected us but for the lies of the Bush administration."

Janet from Norton, Ohio, writes, "Please do not vote for one more cent to be spent on this losing proposition in Iraq. Enough is enough."

Judith writes, "Our President has arrogantly put us into a position where we stand, in many ways, alone, and we are making a huge mess of things. We do have an obligation to the Iraqis, but they aren't happy with our presence there and are crippling our ability to help them. The most effective thing we can do is turn over control of the operation to the United Nations."

Helen writes, "Wealthy Republicans who voted for Bush do not send their kids to die in Iraq, and wealthy Republicans made sure their tax money was given to them before presenting the bill in Iraq. The rest of the tax money isn't theirs to spend on defense contracts. It is ours.

"The U.S. kleptocrats want to profit from Iraq," talking about Halliburton and many of the President's friends who are getting the unbid contracts. "They can only do it by keeping the UN out."

I found in these letters, Mr. Speaker, literally dozens of them questioning the fact we are spending \$1 billion a week right now, before the President asked for \$87 billion more. A third of that money is going to private contractors, many of them contributors to the President, most of those contracts unbid, and many of them going to a company called Halliburton, from which Vice President CHENEY is still drawing a \$13,000 a month benefit check.

Andrew writes, "I believe the Bush administration should be required by law to submit to the following conditions before his request for \$87 billion is approved. The \$87 billion should be funded by the immediate cancellation of the recently-passed tax cut for the wealthy, where 43 percent of the tax benefit goes to the richest 1 percent of Americans."

It is clear there is a theme here. The American people in this mail, and in the mail that literally every Member of this Congress is getting, the people of this country are concerned that this \$87 billion is only a start, that it is going to be a lot more in the future. There is no plan. The American people need to continue to speak out.

IRAQI SUPPLEMENTAL SHOULD INCLUDE LOANS, NOT JUST GRANTS

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

Mr. STEARNS. Mr. Speaker, we will soon be asked to provide an additional \$87 billion in order to continue our efforts abroad in Iraq and Afghanistan.

Now, many, as you just heard, are complaining about the costs in Iraq and the billions that will be needed to maintain a stable Iraq into the future. One question I ask for my colleagues and the American people to consider is, what is the cost if we do not act? In reality, very few Members of Congress will vote against the President's supplemental request, but we do not need to blindly cast our vote without providing options on how to at least partially offset the cost for this reconstruction.

I recently had town meetings in my Congressional District. Some of the questions that some of the constituents asked centered on why the American taxpayer has to foot the entire bill for Iraq reconstruction? Why can Iraq not provide funding for reconstruction and security themselves? I think all of my colleagues would agree this is a valid question.

However, with the decrepit state of Iraq's infrastructure and economy, such a contribution from a people just emerging from decades of oppression and neglect, it is impossible to expect Iraq to provide much in the way of reconstruction funding in the near future.

The American people are generous people. They understand that it is for the greater good to help someone help themselves. But they also recognize we cannot continue to provide open-ended monetary assistance if we do not receive something in return. It is a meet-us-halfway approach, if you will.

Why not provide loans for reconstruction, or at least for rebuilding some of the infrastructure, to include electric and water, et cetera? I think that we should consider this as an alternative to the grantmaking that the administration is requesting.

Specifically, these loans should be linked to potential future Iraqi oil revenues. As we know, Iraq has the world's second largest oil reserve, 11 percent of the world's total. However, only 17 of 80 oil fields have been developed. In addition, Iraq has a sizable amount of natural gas reserves that have yet to be

developed. Given the substantial amount of revenues that Iraq could generate into the future, there exists a means to repay some of the costs of this reconstruction.

Now, the Coalition Provisional Authority is working on an Oil Trust Fund, a plan hoping to begin operation in early 2004. It would appear sensible to use such a fund in concert with a loan program to allow Iraq to repay some of these construction costs.

Of course, Iraq has already been saddled with billions in debt. However, Mr. Speaker, as we have learned in recent hearings on Iraq's future, much of the debt is owed to countries that refused to lift a finger to help the Iraqi people free themselves from oppression and a destitute existence. Instead, these countries thought it better to put Americans at risk to bring freedom to these oppressed people. So why should the United States and those countries that have allied with us remain concerned with those countries, that they get repaid first?

The American people have been asked to sacrifice much. Three thousand innocent lives were lost in 2001. We have lost more Americans in the ensuing war on terrorism, and families continue to endure the separation of loved ones and the economic hardships of Guard and Reserve members leaving their civilian jobs to serve in Operation Iraqi Freedom.

Are we asking too much for the administration to provide an opportunities for American generosity, persistence, patience and sacrifice to be acknowledged, appreciated and repaid? I think not. Americans will not shy away from the mission it has been tasked to complete. We are making progress every day, and our troops, while facing danger, are at the same time offering their time, money, and supplies to assist the local Iraqi people.

Once this supplemental is passed, we must support the seven necessary steps towards a new Iraq.

One, the appointment of the Iraqi Governing Council in July.

Two, in August the Governing Council named a Preparatory Committee for writing Iraq's new, permanent constitution.

Three, this month, the Governing Council appointed ministers to run the day-to-day affairs of Iraq.

Four, writing the Constitution.

Five, popular vote on ratifying Iraq's Constitution.

Six, finally electing a new government.

Seven, transferring sovereignty from the coalition to the new government.

Mr. Speaker, we will give the President the funds our country needs to protect and sustain our troops and rebuild a country whose people want to live proud and free again. All we are seeking is some measure to ensure that the American people aren't permanently footing this bill.

PAST COMMENTS ABOUT COST OF IRAQ

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

Mr. DEFAZIO. Mr. Speaker, during the lead-up to the war in Iraq, we had great assurances from the President and his staff that in the aftermath the United States would not be tagged with the bill.

Press Secretary Ari Fleischer: "It is a rather wealthy country. Iraq has to be able to shoulder much of the burden of their own reconstruction."

Deputy Defense Secretary Paul Wolfowitz, arguably the godfather of this policy: "There is a lot of money to pay for this that doesn't have to be U.S. taxpayer money, and it starts with the assets of the Iraqi people. The oil revenues of that country could bring between \$50 billion and \$100 billion over the course of the next 2 or 3 years. We are dealing with a country that can really finance its own reconstruction, and relatively soon."

Then, of course, the wonderful Defense Secretary, Donald Rumsfeld: "I do not believe the United States has responsibility for reconstruction. In a sense, funds can come from those various sources I mentioned: frozen assets, oil revenues and a variety of others things, including the Oil for Food program."

Well, what a difference a few months makes. The President has presented the second bill for Iraq, \$70 billion last April, and now another \$87 billion that he wants this Congress to borrow on behalf of the American people to spend for the ongoing conflict and to rebuild that country.

That is right, borrow. We are going to obligate Americans for the next 30 years to pay for the rebuilding of Iraq. Apparently, it is necessary when creating a democratic and civil society that there be massive investment in public works, public infrastructure, schools, hospitals, universal health care, telecommunications, ports, rail, water, all those things; and the American people should borrow the money, according to the President, to do those things so that the Iraqi people can move toward a democratic and civil society.

But, unfortunately, according to the President, it is not necessary to do those things and pay for those things and not advisable to borrow the money to do those things to pay for the continuance of a democratic and civil society here in the United States of America.

Yes, he says we can borrow \$20.3 billion to do all those things in Iraq, but we cannot afford it here. We are borrowing money to pay tens of thousands of Iraqis to have no-show, no-work jobs, to provide stability, but the President says we cannot draw on the Unemployment Trust Fund, the \$16 billion balance on taxes we have paid, to

give extended unemployment benefits to Americans.

On a per capita basis, the United States is going to spend ten times as much per citizen in Iraq on drinking water as it will in the United States, despite the D-minus grade that our water infrastructure has, despite the unfunded mandates on rural communities that cannot afford to meet those Federal requirements. Two times as much for water resource projects, ten times as much for sewer and drinking water.

Iraqis will receive 300 times as much to put together a reliable electricity system in their country. Did the President not notice, I guess they have generators at the White House and Camp David, he did not notice that the lights went out in the eastern United States, but they did because of a crumbling and underinvested infrastructure. We are going to spend 300 times as much per citizen in Iraq. Thirteen times as much for medical infrastructure.

In the little port of Umm Qasr over there, we are about to borrow from the American people another \$45 million to further upgrade that port, at the same time that the President cannot find \$8 million to dredge ports in Southern Oregon. We just do not have the money to keep those ports open, he says, but we can borrow \$45 million to further improve Umm Qasr, into which we have already dumped \$50 million.

Then there is the Mawizeh marsh. The President wants to borrow on behalf of the American people \$50 million to restore a marsh. Well, we have big huge controversy over the Klamath marsh and that area in Oregon, and we need \$25 million to move toward resolving that controversy. But the President says that money is not here in the United States of America, but he will borrow \$50 million to restore a marsh in Iraq.

Then there is the horrible problem of Basra and Umm Qasr. Their water supply comes through an open ditch, only half of which is lined. Of course, my city of Albany gets its water through an open ditch, none of which is lined. So it is an emergency that the American people borrow \$200 million for Umm Qasr and Basra so they can have a modern water supply system, but, sorry, there is no money for Albany, Oregon, and hundreds of other communities across this country.

Apparently it is necessary, the President says, to borrow these funds on behalf of this generation and future generations of Americans so that Iraqis can live a better life, but we cannot afford to do similar projects here in the United States of America, to put Americans to work. If that money were spent here in the United States of America, it would put 1 million people to work, but that is not on the President's radar screen.

SAVING SOCIAL SECURITY

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

Mr. SMITH of Michigan. Mr. Speaker, I am going to talk for 5 minutes on the challenge that faces this Congress and America in terms of the growing debt and the growing unfunded liabilities. "Unfunded liabilities" means the promises that government has made, but it needs money to come from someplace to keep the promises we have made, and Social Security is one of those promises.

We started Social Security in 1934, and Congress in effect said that instead of people going over the hill to the poorhouse, like they did after the Great Depression money should be saved for retirement, Franklin Delano Roosevelt said let us have a program where we have forced savings during your working years, and that will give you more security, "social security," in your retirement years.

So we started the program in 1935, and it was based on current workers paying in their taxes to pay for benefits for current retirees, sort of a pay-as-you-go program. I like the cartoon where Uncle Sam was explaining this to a young worker how Social Security worked, and said, "Well, now, here is a list of names. You put your name on the bottom of the list. You pay everybody on the top of the list, and eventually your name will be on the top of the list and everybody below you will be sending you a check in your retirement."

It is a pay-as-you-go program, sort of like a chain letter. But the problem is, there are fewer and fewer names under that top name on the list as we are looking at a declining birth rate and a longer lifespan.

The number of people working, for example, in 1940 was 47 people working, paying in their Social Security tax, for every one retiree. Today we are down to three people working paying in their Social Security tax for every one retiree.

So what we have done of course, is over the years every time we hit a problem of not having enough money, we do one of two things, or sometimes both. We either reduce benefits or increase taxes or a combination. That is what we did in 1983. We reduced benefits and increased taxes, so temporarily we have a little surplus coming in for Social Security.

This chart shows what I think should be everybody's goal as we look at saving Social Security. Number one, continue to provide retirement security for the elderly; number two, give young people an opportunity to improve their retirement prospects; number three, benefit the economy instead of burdening it. That is what my bill does.

It seems like every Member of Congress, the House, the Senate and White House, should be willing to agree to

this kind of a change, because what we are heading for is insolvency of Social Security. In fact, in 4 years that part of Social Security, the trust fund that pays disability benefits, if you get hurt on the job, is going to be broke. There is not enough money coming in. Just 4 years. In 12 years, we are going to not have insufficient money coming in from the payroll tax to pay promised retirement benefits.

Now, people give complicated explanations of what we might do to save the program, but really there is, again, one of two choices, or a combination. You either increase the money coming in, or you decrease the money going out, or a combination.

That is what I am doing in my Social Security bill that I just introduced. It reduces the money going out, number one, by changing wage inflation for calculating future retiree benefits to a CPI, normal inflation. It slows down the increase in benefits for high-income retirees. For income, instead of the average 2.7 percent return that the average retiree is going to get on Social Security, we increased that to a minimum of 3.7 percent.

I think probably the challenge that we have ahead of us is somehow convincing Americans that there is a real problem. It is a problem that is demagogued over the years. We have got to deal with it. We have to stand up to the issue. I am disappointed that there are only 26 Members of the House and Senate that have ever signed on to a Social Security bill that keeps Social Security solvent. It is an important program.

We have almost 80 percent of our retirees today that depend on Social Security for a majority of their retirement income. It is something that we cannot afford to let go broke.

Look, we are digging some deep holes for ourselves in terms of overspending every year. We are overspending this year \$540 billion. It is going to be over \$700 deficit spending next year. You add that on to approximately \$11 trillion of unfunded liability for Social Security and the other promises that we have made to veterans, the other promises we have made to civil servants and people working for government, and you must agree it is time Congress stood up to the issue. It is time, Mr. Speaker, that everybody looking at a congressional candidate this next election asks them how they are going to save Social Security.

SUPPORT OUR TROOPS: \$1,500
BONUS BILL

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

Mr. STUPAK. Mr. Speaker, this week the other body takes up the President's request for \$87 billion in supplemental aid for Iraq and Afghanistan. The supplemental appropriation should do

more to support our troops who have been deployed in Iraq and Afghanistan. Specifically, to support our troops and their families who are under increasing duress, Congress should grant a \$1,500 bonus to all those who serve in Iraq and Afghanistan. Not since Vietnam have such a large number of troops received such long deployments. This puts tremendous pressure on our troops and their families.

This summer, the Department of Defense upped deployments for troops serving under Operation Iraqi Freedom and Operation Enduring Freedom to one year, and not until last week did the Department of Defense offer these troops, largely living under very primitive, highly stressful conditions, a 2-week leave.

Tragically, this month, our U.S. casualties in Iraq surpassed the number of those killed in the first Gulf War, Desert Storm. We have lost more than 308 people in Iraq.

Recognizing the increasing gravity of U.S. military involvement along, my legislation, H.R. 3051, qualifies all active duty military personnel deployed for any length of time under Operation Iraqi Freedom or Operation Enduring Freedom for a \$1,500 bonus. This bonus should be made part of the supplemental appropriations for Iraq.

Although as Members of Congress we may have different ideas about U.S. policy in Iraq, we can all agree that our servicemen and women deserve our sincere commendation for their courageous efforts. \$1,500 will not only help boost morale but will send a strong bipartisan message to our troops that Congress is unified behind them.

The present administration wants to talk about its proposed \$21 billion in direct grants to support infrastructure development in Iraq. In this \$87 billion supplemental appropriation, there is another part, \$66 billion for military operations. I see no reason why these two parts, the \$21 billion and the \$61 billion, cannot be separated out and why we cannot require the use of Iraqi oil to be used as collateral for international loans to at least pay for the \$21 billion for the infrastructure improvements in Iraq and ensure the reconstruction contracts are competitively bid to all companies internationally.

We should also consider using Iraqi oil reserves to pay down Iraq's \$200 billion international debt. Either way, American citizens should not be expected to support Iraqi development, while many Americans here at home face shortfalls in funding for health care needs, prescription drugs, school construction and critical infrastructure needs we find throughout this country.

Congress must continue to work to restore Iraq to a stable and self-governing state but not at the expense of the American people here at home and our troops abroad.

I also question several items contained in the administration's supplemental appropriation for Iraq, like \$4

million to develop a set of telephone numbers, \$100 million to build seven planned communities with 3,258 houses, \$10 million to finance 100 prison building experts, \$50,000 for garbage trucks. How about \$850 million for health construction and medical equipment, \$20 million for Afghanistan consultants, whatever they are, and \$900 million to import petroleum products such as kerosene and diesel to a country with the world's second largest oil reserves?

Some of these requests do not make sense. Instead of again dipping into the pockets of working Americans and risking veteran benefits for our troops when they return home, I support proposals to suspend the tax cuts for the top 1 percent of income earners to pay for the President's \$87 billion request for Iraq; and I urge Congress to consider my bill, H.R. 3051, to include support for our troops in this supplemental package on Iraq.

Again, my bill provides for a \$1,500 bonus to military personnel who served under the Army, Navy, Air Force, Marine Corps, Coast Guard, National Guard or Reserves in a combat zone under Operation Iraqi Freedom or Operation Enduring Freedom.

In the coming year, in this coming year, an estimated 150,000 young men and women will not see their families. A record number of Reservists and Guardsmen and women will put their private sector opportunities and employment on hold, and thousands of children every night will say a prayer for their parent's safe return. These extraordinary times deserve extraordinary measures. I urge Members to support my bill, H.R. 3051, to provide our troops in Iraq and Afghanistan a \$1,500 bonus, a bonus they certainly deserve, and make this part of the supplemental appropriation bill.

HEALTH DISPARITIES

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

Mr. PALLONE. Mr. Speaker, this afternoon I would like to discuss the issue of health disparities.

Unfortunately, Mr. Speaker, we have a system of delivering health care in the United States that has resulted in severe disparities along racial and ethnic lines in health care access, quality of care, and also health outcomes. All Americans deserve equal treatment in health care, and in an effort to appropriately address this issue, Democrats will soon offer legislation to eliminate these racial and ethnic health disparities.

Mr. Speaker, there are several principles that I would like to highlight that will be reflected in the Democrat's bill. I emphasize that Democrats are committed to ensuring that minority communities aren't burdened by higher prevalence or incidence of disease and illness than the general population.

Some of these principles involve expanding the health care safety net. There is a lack of health insurance for many minorities and also access to adequate health services. This results in significant declines in health status within racial and ethnic minority communities.

Also, we need, and this is the second principle, to diversify the health care workforce. Efforts must be made to recruit and train health care professionals from underrepresented groups.

Third, we have to ensure that health care access is made in compliance with civil rights laws. There are many people with limited English proficiency in the country that have a difficult time accessing federally conducted and supported programs. Persons with limited English proficiency should not be inhibited from accessing vital health care services, paid for often by their families and their own personal Federal income taxes.

Fourthly, we have to promote the collection and dissemination of data that is helpful to give indication of disparities amongst minorities. In order to fully understand the scope of health care disparities, it is necessary to have data on an individuals' health care access and utilization that includes race, ethnicity, primary language, immigration status and socioeconomic status.

Fifth, Mr. Speaker, we have to combat diseases that disproportionately affect racial and ethnic minorities. Existing research has illustrated that diseases such as diabetes, obesity, heart disease, asthma and HIV/AIDS disproportionately impact racial and ethnic minorities.

Federal initiatives should focus on preventing and treating these diseases, educating all communities about their impact, and identifying the behavioral, emotional and environmental factors that contribute to these diseases.

Next we have to enhance medical research that benefits these communities. It is important that Federal medical research be conducted by and on behalf of racial and ethnic minorities.

Lastly, I want to emphasize, Mr. Speaker, prevention and behavioral health. Estimates suggest that as much as 50 percent of health care costs are caused by behavior-related illnesses, including heart disease, high blood pressure, obesity and substance abuse. Cultural and social factors can contribute to the behavioral patterns underlying these illnesses, and intervention is necessary to prevent such illnesses and save billions of dollars in health care costs.

Now, Mr. Speaker, I wanted to talk about in the context of the overall issue of disparities and the principles that the Democrats seek to initiate in this legislation that we are soon to introduce, I wanted to pay particular attention to the problems of Native Americans because I am the vice chair of the Native American Caucus.

And Democrats feel that, in particular, when we address health care

disparities, we cannot leave out Native Americans. Native Americans have been subject to extreme discrimination in health care access and, as a result, they are a population with overall low health status.

Some of these issues will be addressed in not only the legislation I mention, but also in a hearing tomorrow in the House Committee on Resources where we will be holding a hearing on the Indian Health Care Improvement Act which is vital, I think, to the health care and well-being of American Indians as well as Alaskan natives.

The focus of the hearing tomorrow will be on Title I of the Indian Health Care Improvement Act which deals with Indian health, human resource, and development in an effort to address the need for an adequate supply of health care professionals in the Indian health system and creating more opportunities for Native Americans to pursue health careers.

I want to emphasize, Mr. Speaker, that Congress has never funded Indian health care at a level that would result in health services that are comparable to services received by other Americans. So the big problem in the disparity issue, with regard to Native Americans, is making sure there is adequate funding for the Federal Indian Health Service Program.

The Native American population is approximately 40 percent rural and predominantly lives in geographically dispersed areas with low population density. And this demographic aspect makes access to health care more difficult. There are Indian Health Service facilities available throughout the country, however, there are still some States that completely lack any Indian Health Service facilities.

Overall, Mr. Speaker, I believe access to primary health care and prevention services is good amongst Native Americans. However, beyond primary care, the situation quickly gets worse. For example, speciality services are sparse. What services are available are typically overcrowded and patients are often prioritized.

So we must address these issues, and I hope they can be addressed both in the Democratic health disparities legislation and in the hearing we have tomorrow on the Indian Health Care Improvement Act.

RECESS

The SPEAKER pro tempore (Mr. CHOCOLA). There being no further requests for morning hour debates, pursuant to clause 12(a), rule 1, the House will stand in recess until 2 p.m. today.

Accordingly (at 1 o'clock and 18 minutes p.m.) the House stood in recess until 2 p.m.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WHITFIELD) at 2 p.m.

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer: Lord God of heaven and earth, You love all You have created. Fill this Chamber of the House of Representatives with Your presence and love.

Guide the Members and their staffs to live and work in a manner worthy of their calling.

Let all atone for mistakes of the past and rectify the governing of Your people.

It is Your Divine Providence, O Lord, which has brought us together at this time; to accomplish great deeds in the name of this country we choose to love and serve, now and forever.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. WILSON of South Carolina 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.

REMEMBERING THE HISTORIC LIFE OF ALTHEA GIBSON

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

Mr. WILSON of South Carolina. Mr. Speaker, an American hero, Althea Gibson, died Sunday at the age of 76. Gibson was a champion tennis player, the first black athlete to compete in the U.S. Open, in 1950, and at Wimbledon, in 1951. She went on to win major tournaments, including the Wimbledon and U.S. Opens in 1957 and 1958, the French Open, and three doubles titles at Wimbledon. In golf, she was the first African-American woman on the LPGA tour.

Althea Gibson was born in South Carolina, raised in Harlem, New York, and went on to become an outstanding professional tennis and golf player. She carried herself with grace and dignity and is a role model for millions of young Americans learning to break down racial barriers.

Althea Gibson's tremendous character and talent allowed her to make great progress for civil rights while playing tennis and golf, much in the same way Jackie Robinson did in baseball. She will always be remembered and is greatly missed.

In conclusion, God bless our troops.

LACK OF A GOOD HEALTH CARE SYSTEM

(Ms. EDDIE BERNICE JOHNSON of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, as a nurse by professional training, I have spent much of my public career working to ensure that the Nation's health care system is affordable and provides the best possible services for all Americans. While Americans still have a world class health care system, there are those whose lives have been threatened by a focus on profits over healing.

Mr. Speaker, nearly a quarter of the residents in Texas, my home State, lack health coverage. That is a larger percentage than any other State. The situation has been getting worse, according to a U.S. Census Bureau report to be released today. The survey shows 24.7 percent of the State's residents had no insurance during the 2-year period ending last December. Texas also had the Nation's highest proportion of uninsured in 2000 and 2001.

I support a plan that would expand Medicare coverage for prescription medications. However, there must be some cost containment agreement with manufacturers and a streamlining of the Federal administrative structure to reduce costs to beneficiaries. Mr. Speaker, now is the time for all Americans to have access to quality health care and meaningful patient protection. Our citizens deserve and expect nothing less.

NEW IRAQ

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

Mr. PITTS. Mr. Speaker, a recent poll showed that two out of three residents in Baghdad believe that they are better off today than they were under Saddam Hussein. Less than 15 percent would rather live under repression. We are starting to hear more and more stories of Iraqis pointing us in the right direction in Iraq. A tip from an Iraqi led to a discovery of a priceless mask, thousands of years old. Another tip led to a buried cache of weapons. We do not hear much about these successes in the media, but Iraqi public opinion is with us.

This week, Congress will begin consideration of the Iraq supplemental. As we move forward, we should encourage Iraqis to step forward and take control of their own country. But we should

not, as some in this body suggest, turn over full control of that country before democracy has taken root, before we can ensure that a new Iraq will not become a haven for terrorists and Saddam's murderous followers. Iraq's future and our safety hang in the balance.

CALL FOR A PARTNERSHIP IN REBUILDING IRAQ

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

Mr. PENCE. Mr. Speaker, Operation Iraqi Freedom has been a historic success, a military victory of astonishing proportions in its decisiveness as well as its compassion on the civilian population. In the next 2 weeks, the President of the United States has come to Congress to ask for some \$87 billion to continue the work, and well we should. Extending every dollar to make sure our troops have the resources they need to get the job done and come home safe should be Congress' top priority. But with regard to the investment in civil society, the reconstruction dollars, some \$20.3 billion, I rise respectfully, Mr. Speaker, to say that we should ask the people of Iraq and their future generations to partner with us, to structure reconstruction dollars as a loan, and give the Iraqi people the opportunity to invest along with us in their own peace and stability and democracy as full partners in their future.

NO MORE DOLLARS FOR IRAQI FREEDOM

(Ms. WATERS asked and was given permission to address the House for 1 minute.)

Ms. WATERS. Mr. Speaker, I had not come to the floor prepared to say anything; except when I heard my colleagues from the other side of the aisle talking about the success of Iraqi Freedom, I just have to remind the Congress of the United States that we have been asked for \$87 billion to continue this war that was a preemptive strike that most of us, or many of us, did not agree with.

The fact of the matter is we are finding out every day that we have been misled, that we have been told stories that are not true. They have still not found the weapons of mass destruction, and now we are asked not only to support our soldiers, but we are now asked to rebuild Iraq. Most of us are certainly in support of our soldiers, and we are very upset that they have not had the equipment and the supplies and other kinds of things good planning would have caused any army to have. But most of us are not satisfied with the fact that we are asked to rebuild Iraq when, in fact, this administration told us that they were going to get the money from the oil wells, the oil wells that they secured when they first went

in, to pay for the rebuilding of Iraq; \$87 billion, not now.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Record votes on postponed questions will be taken after 6:30 p.m. today.

OFFICE OF NATIONAL DRUG CONTROL POLICY REAUTHORIZATION ACT OF 2003

Mr. SOUDER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2086) to reauthorize the Office of National Drug Control Policy, as amended.

The Clerk read as follows:

H.R. 2086

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

SECTION 1. SHORT TITLE; REFERENCES; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Office of National Drug Control Policy Reauthorization Act of 2003”.

(b) AMENDMENT OF OFFICE OF NATIONAL DRUG CONTROL POLICY REAUTHORIZATION ACT OF 1998.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Office of National Drug Control Policy Reauthorization Act of 1998 (Public Law 105-277; 21 U.S.C. 1701 et seq.).

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

- Sec. 1. Short title; references; table of contents.
- Sec. 2. Amendments to definitions.
- Sec. 3. Amendments relating to appointment and duties of Director and Deputy Directors.
- Sec. 4. Amendments relating to coordination with other agencies.
- Sec. 5. Development, submission, implementation, and assessment of National Drug Control Strategy.
- Sec. 6. High intensity drug trafficking areas program.
- Sec. 7. Funding for certain high intensity drug trafficking areas.
- Sec. 8. Amendments relating to Counter-Drug Technology Assessment Center.
- Sec. 9. Repeals.
- Sec. 10. National Youth Antidrug Media Campaign.
- Sec. 11. Authorization of appropriations.
- Sec. 12. Extension of termination date.

SEC. 2. AMENDMENTS TO DEFINITIONS.

(a) AMENDMENTS TO DEFINITIONS.—Section 702 (21 U.S.C. 1701) is amended—

(1) in paragraph (1)—

(A) by striking “and” at the end of subparagraph (F);

(B) by striking the period at the end of subparagraph (G) and inserting a semicolon; and

(C) by adding at the end the following:

“(H) interventions for drug abuse and dependence; and

“(I) international drug control coordination and cooperation with respect to activities described in this paragraph.”;

(2) in paragraph (9), by striking “implies” and inserting “indicates”;

(3) in paragraph (10)—

(A) by striking “and” at the end of subparagraph (B);

(B) by striking the period at the end of subparagraph (C) and inserting “; and”; and

(C) by adding at the end the following:

“(D) domestic drug law enforcement, including law enforcement directed at drug users.”; and

(4) in paragraph (11)—

(A) by inserting before the semicolon in subparagraph (A) the following: “(including source country programs, and law enforcement outside the United States)”;

(B) by inserting “and” after the semicolon in subparagraph (B);

(C) by striking “; and” at the end of subparagraph (C) and inserting a period; and

(D) by striking subparagraph (D).

(b) CONFORMING AMENDMENTS.—Section 703(b)(3) (21 U.S.C. 1702(b)(3)) is amended—

(1) in subparagraph (A), by striking “(G)” and inserting “(H)”;

(2) in subparagraph (C)—

(A) by striking “(C)” and inserting “(D)”;

and

(B) by striking “and subparagraph (D) of section 702(11)”.

SEC. 3. AMENDMENTS RELATING TO APPOINTMENT AND DUTIES OF DIRECTOR AND DEPUTY DIRECTORS.

(a) DESIGNATION OF OTHER OFFICERS.—Section 704(a)(3) (21 U.S.C. 1703(a)(3)) is amended—

(1) by striking “permanent employee” and inserting “officer or employee”; and

(2) by striking “serve as the Director” and inserting “serve as the acting Director”.

(b) RESPONSIBILITIES OF DIRECTOR.—Section 704(b) (21 U.S.C. 1703(b)) is amended—

(1) in paragraph (4), by striking “Federal departments and agencies engaged in drug enforcement,” and inserting “National Drug Control Program agencies.”;

(2) by inserting “and” at the end of paragraph (12);

(3) by striking paragraphs (13) and (14); and

(4) by redesignating paragraph (15) as paragraph (13).

(c) REVIEW AND CERTIFICATION OF NATIONAL DRUG CONTROL PROGRAM BUDGET.—Section 704(c)(3) (21 U.S.C. 1703(c)(3)) is amended—

(1) by redesignating subparagraphs (C) and (D) as subparagraphs (D) and (E), respectively;

(2) by inserting after subparagraph (B) the following new subparagraph:

“(C) SPECIFIC REQUESTS.—The Director shall not confirm the adequacy of any budget request that—

“(i) requests funding for Federal law enforcement activities that do not adequately compensate for transfers of drug enforcement resources and personnel to law enforcement and investigation activities not related to drug enforcement as determined by the Director;

“(ii) requests funding for law enforcement activities on the borders of the United States that do not adequately direct resources to drug interdiction and enforcement as determined by the Director;

“(iii) requests funding for drug treatment activities that do not provide adequate result and accountability measures as determined by the Director;

“(iv) requests funding for any activities of the Safe and Drug Free Schools Program that do not include a clear antidrug message or purpose intended to reduce drug use;

“(v) requests funding to enforce section 484(r)(1) of the Higher Education Act of 1965 (20 U.S.C. 1091(r)(1)) with respect to convic-

tions for drug-related offenses not occurring during a period of enrollment for which the student was receiving any Federal grant, loan, or work assistance;

“(vi) requests funding for drug treatment activities that do not adequately support and enhance Federal drug treatment programs and capacity, as determined by the Director; or

“(vii) requests funding for fiscal year 2005 for activities of the Department of Education, unless it is accompanied by a report setting forth a plan for providing expedited consideration of student loan applications for all individuals who submitted an application for any Federal grant, loan, or work assistance that was rejected or denied pursuant to 484(r)(1) of the Higher Education Act of 1965 (20 U.S.C. 1091(r)(1)) by reason of a conviction for a drug-related offense not occurring during a period of enrollment for which the individual was receiving any Federal grant, loan, or work assistance.”;

(3) in subparagraph (D)(iii), as so redesignated, by inserting “and the authorizing committees of Congress for the Office” after “House of Representatives”; and

(4) in subparagraph (E)(ii)(bb), as so redesignated, by inserting “and the authorizing committees of Congress for the Office” after “House of Representatives”.

(d) REPROGRAMMING AND TRANSFER REQUESTS.—Section 704(c)(4)(A) (21 U.S.C. 1703(c)(4)(A)) is amended by striking “\$5,000,000” and inserting “\$1,000,000”.

(e) POWERS OF DIRECTOR.—Section 704(d) (21 U.S.C. 1703(d)) is amended—

(1) in paragraph (8)(D), by striking “have been authorized by Congress;” and inserting “authorized by law;”;

(2) in paragraph (9)—

(A) by inserting “notwithstanding any other provision of law,” after “(9)”;

(B) by striking “Strategy; and” and inserting “Strategy and notify the authorizing Committees of Congress for the Office of any fund control notice issued;”;

(3) in paragraph (10), by striking “(22 U.S.C. 2291j).” and inserting “(22 U.S.C. 2291j) and section 706 of the Department of State Authorization Act for Fiscal Year 2003 (22 U.S.C. 2291j-1);”;

(4) by adding at the end the following new paragraphs:

“(11) not later than August 1 of each year, submit to the President a report, and transmit copies of the report to the Secretary of State and the authorizing Committees of Congress for the Office, that—

“(A) provides the Director’s assessment of which countries are major drug transit countries or major illicit drug producing countries as defined in section 481(e) of the Foreign Assistance Act of 1961;

“(B) provides the Director’s assessment of whether each country identified under subparagraph (A) has cooperated fully with the United States or has taken adequate steps on its own to achieve full compliance with the goals and objectives established by the United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances and otherwise has assisted in reducing the supply of illicit drugs to the United States; and

“(C) provides the Director’s assessment of whether application of procedures set forth in section 490(a) through (h) of the Foreign Assistance Act of 1961, as provided in section 706 of the Department of State Authorization Act for Fiscal Year 2003, is warranted with respect to countries the Director assesses have not cooperated fully; and

“(12) appoint a United States Interdiction Coordinator under subsection (i).”.

(f) UNITED STATES INTERDICTION COORDINATOR.—Section 704 (21 U.S.C. 1703) is further amended by adding at the end the following:

“(i) UNITED STATES INTERDICTION COORDINATOR.—

“(1) IN GENERAL.—There shall be in the Office a United States Interdiction Coordinator, who shall be appointed by the Director and shall perform duties determined by the Director with respect to coordination of efforts to interdict illicit drugs from the United States.

“(2) APPOINTMENT.—

“(A) IN GENERAL.—Notwithstanding any other provision of law (except subparagraph (B)), the Director may appoint any individual to serve as the United States Interdiction Coordinator.

“(B) LIMITATION.—The Director may not appoint to such position any individual who concurrently serves as the head of any other Federal department or agency or any subdivision thereof with responsibility for narcotics interdiction activities, except the counternarcotics officer of the Department of Homeland Security appointed under section 878 of the Homeland Security Act of 2002 (6 U.S.C. 458).”

(g) REQUIREMENT FOR SOUTH AMERICAN HEROIN STRATEGY.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Director of National Drug Control Policy shall submit to the Congress a comprehensive strategy that addresses the increased threat from South American heroin, and in particular Colombian heroin.

(2) CONTENTS.—The strategy shall—

(A) include opium eradication efforts to eliminate the problem at the source to prevent it from reoccurring before the heroin enters the stream of commerce;

(B) interdiction and precursor chemical controls;

(C) demand reduction and treatment;

(D) provisions that ensure the maintenance at current levels of efforts to eradicate coca in Colombia; and

(E) assessment of the level of additional funding and resources necessary to simultaneously address the threat from South American heroin and the threat from Colombian coca.

SEC. 4. AMENDMENTS RELATING TO COORDINATION WITH OTHER AGENCIES.

Section 705 (21 U.S.C. 1704) is amended—

(1) in subsection (a)(1)(A), by striking “abuse”;

(2) by amending paragraph (3) of subsection (a) to read as follows:

“(3) REQUIRED REPORTS.—

“(A) SECRETARIES OF THE INTERIOR AND AGRICULTURE.—The Secretaries of Agriculture and Interior shall, by July 1 of each year, jointly submit to the Director and the authorizing Committees of Congress for the Office an assessment of the quantity of illegal drug cultivation and manufacturing in the United States on lands owned or under the jurisdiction of the Federal Government for the preceding year.

“(B) ATTORNEY GENERAL.—The Attorney General shall, by July 1 of each year, submit to the Director and the authorizing Committees of Congress for the Office information for the preceding year regarding the number and type of—

“(i) arrests for drug violations;

“(ii) prosecutions for drug violations by United States Attorneys; and

“(iii) the number and type of seizures of drugs by each component of the Department seizing drugs, as well as statistical information on the geographic areas of such seizures.

“(C) SECRETARY OF HOMELAND SECURITY.—The Secretary of Homeland Security shall, by July 1 of each year, submit to the Director and the authorizing Committees of Congress for the Office information for the preceding year regarding—

“(i) the number and type of seizures of drugs by each component of the Department seizing drugs, as well as statistical information on the geographic areas of such seizures; and

“(ii) the number of air and maritime patrol hours undertaken by each component of the Department primarily dedicated to drug supply reduction missions.

“(D) SECRETARY OF DEFENSE.—The Secretary of Defense shall, by July 1 of each year, submit to the Director and the authorizing Committees of Congress for the Office information for the preceding year regarding the number of air and maritime patrol hours primarily dedicated to drug supply reduction missions undertaken by each component of the Department of Defense.”; and

(3) in subsection (b)(2)(B), by striking “Program.” and inserting “Strategy.”.

SEC. 5. DEVELOPMENT, SUBMISSION, IMPLEMENTATION, AND ASSESSMENT OF NATIONAL DRUG CONTROL STRATEGY.

Section 706 (21 U.S.C. 1705) is amended to read as follows:

“SEC. 706. DEVELOPMENT, SUBMISSION, IMPLEMENTATION, AND ASSESSMENT OF NATIONAL DRUG CONTROL STRATEGY.

“(a) TIMING, CONTENTS, AND PROCESS FOR DEVELOPMENT AND SUBMISSION OF NATIONAL DRUG CONTROL STRATEGY.—

“(1) IN GENERAL.—Not later than February 1 of each year, the President shall submit to Congress a National Drug Control Strategy, which shall set forth a comprehensive plan for reducing illicit drug use and the consequences of illicit drug use in the United States by reducing the demand for illegal drugs, limiting the availability of illegal drugs, and conducting law enforcement activities with respect to illegal drugs.

“(2) CONTENTS.—

“(A) IN GENERAL.—The National Drug Control Strategy submitted under paragraph (1) shall include—

“(i) comprehensive, research-based, long-range, and quantifiable goals for reducing illicit drug use and the consequences of illicit drug use in the United States;

“(ii) annual objectives and strategy for demand reduction, supply reduction, and law enforcement activities, specific targets to accomplish long-range quantifiable reduction in illicit drug use as determined by the Director, and specific measurements to evaluate progress toward the targets and strategic goals;

“(iii) a strategy to reduce the availability and purity of illegal drugs and the level of drug-related crime in the United States;

“(iv) an assessment of Federal effectiveness in achieving the National Drug Control Strategy for the previous year, including—

“(I) a specific evaluation of whether the objectives and targets for reducing illicit drug use for the previous year were met and reasons for the success or failure of the previous year’s Strategy; and

“(II) an assessment of the availability and purity of illegal drugs and the level of drug-related crime in the United States;

“(v) notification of any program or budget priorities that the Director expects to significantly change from the current Strategy over the next five years;

“(vi) a review of international, State, local, and private sector drug control activities to ensure that the United States pursues well-coordinated and effective drug control at all levels of government;

“(vii) such statistical data and information as the Director deems appropriate to demonstrate and assess trends relating to illicit drug use, the effects and consequences thereof, supply reduction, demand reduction, drug-related law enforcement, and the imple-

mentation of the National Drug Control Strategy; and

“(viii) a supplement reviewing the activities of each individual National Drug Control Program agency during the previous year with respect to the National Drug Control Strategy and the Director’s assessment of the progress of each National Drug Control Program agency in meeting its responsibilities under the National Drug Control Strategy.

“(B) CLASSIFIED INFORMATION.—Any contents of the National Drug Control Strategy that involve information properly classified under criteria established by an Executive order shall be presented to Congress separately from the rest of the National Drug Control Strategy.

“(C) SELECTION OF DATA AND INFORMATION.—In selecting data and information for inclusion under subparagraph (A), the Director shall ensure—

“(i) the inclusion of data and information that will permit analysis of current trends against previously compiled data and information where the Director believes such analysis enhances long-term assessment of the National Drug Control Strategy; and

“(ii) the inclusion of data and information to permit a standardized and uniform assessment of the effectiveness of drug treatment programs in the United States.

“(3) PROCESS FOR DEVELOPMENT AND SUBMISSION.—

“(A) CONSULTATION.—In developing and effectively implementing the National Drug Control Strategy, the Director—

“(i) shall consult with—

“(I) the heads of the National Drug Control Program agencies;

“(II) Congress;

“(III) State and local officials;

“(IV) private citizens and organizations with experience and expertise in demand reduction;

“(V) private citizens and organizations with experience and expertise in supply reduction;

“(VI) private citizens and organizations with experience and expertise in law enforcement; and

“(VII) appropriate representatives of foreign governments;

“(ii) with the concurrence of the Attorney General, may require the El Paso Intelligence Center to undertake specific tasks or projects to implement the National Drug Control Strategy;

“(iii) with the concurrence of the Director of Central Intelligence and the Attorney General, may request that the National Drug Intelligence Center undertake specific tasks or projects to implement the National Drug Control Strategy; and

“(iv) may make recommendations to the Secretary of Health and Human Services on research that supports or advances the National Drug Control Strategy.

“(B) RECOMMENDATIONS.—Recommendations under subparagraph (A)(iv) may include recommendations of research to be performed at the National Institutes of Health, including the National Institute on Drug Abuse, or any other appropriate agency within the Department of Health and Human Services.

“(C) INCLUSION IN STRATEGY.—The National Drug Control Strategy under this subsection shall include a list of each entity consulted under subparagraph (A)(i).

“(4) SUBMISSION OF REVISED STRATEGY.—The President may submit to Congress a revised National Drug Control Strategy that meets the requirements of this section—

“(A) at any time, upon a determination by the President, in consultation with the Director, that the National Drug Control

Strategy in effect is not sufficiently effective; or

“(B) if a new President or Director takes office.

“(b) PERFORMANCE MEASUREMENT SYSTEM.—Not later than February 1 of each year, the Director shall submit to Congress a description of the national drug control performance measurement system, designed in consultation with affected National Drug Control Program agencies, that includes performance measures for the National Drug Control Strategy and activities of National Drug Control Program agencies related to the National Drug Control Strategy.”

SEC. 6. HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM.

(a) IN GENERAL.—Section 707 (21 U.S.C. 1706) is amended to read as follows:

“SEC. 707. HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM.

“(a) ESTABLISHMENT.—There is established in the Office a program to be known as the High Intensity Drug Trafficking Areas Program (in this section referred to as the ‘Program’).

“(b) PURPOSES.—The purposes of the Program are the following:

“(1) To reduce drug availability and facilitate cooperative efforts between Federal, State, and local law enforcement agencies in areas with significant drug trafficking problems that harmfully impact other parts of the Nation.

“(2) To provide assistance to agencies to come together to assess regional threats, design coordinated strategies to combat those threats, share intelligence, and develop and implement coordinated initiatives to implement the strategies.

“(c) DESIGNATION.—The Director, upon consultation with the Attorney General, the Secretary of the Treasury, the Secretary of Homeland Security, heads of the National Drug Control Program agencies, and the Governor of each applicable State, may designate any specified area of the United States as a high intensity drug trafficking area.

“(d) FACTORS FOR CONSIDERATION.—

“(1) IN GENERAL.—In considering whether to designate an area under this section as a high intensity drug trafficking area, the Director shall consider, in addition to such other criteria as the Director considers to be appropriate, the extent to which—

“(A) the area is a major center of illegal drug production, manufacturing, importation, or distribution for the United States as compared to other areas of the United States;

“(B) State and local law enforcement agencies have committed resources to respond to the drug trafficking problem in the area, thereby indicating a determination to respond aggressively to the problem;

“(C) drug production, manufacturing, importation, or distribution in the area is having a significant harmful impact in other areas of the United States; and

“(D) a significant increase in allocation of Federal resources is necessary to respond adequately to drug-related activities in the area.

“(2) CONSIDERATIONS.—For purposes of paragraph (1)(A), in considering whether an area is a major center of illegal drug production, manufacturing, importation, or distribution as compared to other areas of the United States, the Director shall consider—

“(A) the quantity of illicit drug traffic entering or transiting the area originating in foreign countries;

“(B) the quantity of illicit drugs produced in the area;

“(C) the number of Federal, State, and local arrests, prosecutions, and convictions

for drug trafficking and distribution offenses in the area;

“(D) the degree to which the area is a center for the activities of national drug trafficking organizations; and

“(E) such other criteria as the Director considers appropriate.

“(e) SOUTHWEST BORDER.—The Director may not designate any county contiguous to the international land border with Mexico as part of any high intensity drug trafficking area other than as part of a single Southwest Border high intensity drug trafficking area.

“(f) REMOVAL FROM DESIGNATION.—The Director may remove an area or portion of an area from designation as a high intensity drug trafficking area under this section upon determination that the area or portion of an area no longer is a high intensity drug trafficking area, considering the factors in subsections (d) and (e) in addition to such other criteria as the Director considers to be appropriate.

“(g) AUTHORITY OF THE DIRECTOR.—After making such a designation and in order to provide Federal assistance to the area so designated, the Director may—

“(1) obligate such sums as appropriated for the Program, in accordance with subsection (h);

“(2) direct the temporary reassignment of Federal personnel to such area, subject to the approval of the head of the department or agency that employs such personnel; and

“(3) take any other action authorized under section 704 to provide increased Federal assistance to those areas.

“(h) ALLOCATION OF FUNDING.—In obligating sums appropriated for the Program, the Director shall comply with the following:

“(1) 30 PERCENT SET ASIDE.—The Director shall expend no less than 30 percent of the amounts appropriated under this section in the seven high intensity drug trafficking areas (excluding the Southwest Border high intensity drug trafficking area) for which the Director determines that Program activities with respect to such areas will have the greatest impact on reducing overall drug traffic in the United States.

“(2) 25 PERCENT SET ASIDE.—The Director shall expend no less than 25 percent of the amounts appropriated under this section in nine other high intensity drug trafficking areas (excluding the Southwest Border high intensity drug trafficking area) for which the Director determines that Program activities with respect to such areas will have the next greatest impact on reducing overall drug traffic in the United States.

“(3) SOUTHWEST BORDER AREA.—

“(A) 20 PERCENT SET ASIDE.—The Director shall expend no less than 20 percent of the amounts appropriated under this section in the Southwest Border high intensity drug trafficking area.

“(B) REALLOCATION WITHIN AREA.—The executive committee of the Southwest Border high intensity drug trafficking area may reallocate up to five percent of the total funds allocated to that area among its components, with the approval of the Director.

“(4) REMAINING AREAS.—The Director shall expend no less than 10 percent of the amounts appropriated under this section in the remaining high intensity drug trafficking areas.

“(5) DISCRETIONARY EXPENDITURES.—

“(A) IN GENERAL.—In addition to the amounts allocated under paragraphs (1) through (4) the Director may expend 15 percent of the amounts appropriated under this section on a discretionary basis.

“(B) CONSIDERATION OF IMPACT.—In allocating funds under this paragraph, the Director shall consider—

“(i) the impact of activities funded on reducing overall drug traffic in the United States;

“(ii) performance measures of effectiveness; and

“(iii) such other criteria as the Director considers appropriate.

“(i) USE OF FUNDS.—

“(1) LIMITATION.—No funds appropriated for the Program shall be expended for drug treatment programs.

“(2) LIMITATION ON APPLICABILITY.—Paragraph (1) shall not apply with respect to the Baltimore/Washington high intensity drug trafficking area.

“(j) TERRORISM ACTIVITIES.—

“(1) ASSISTANCE AUTHORIZED.—The Director may authorize use of resources available for the Program to assist Federal, State, and local law enforcement agencies in investigations and activities related to terrorism and prevention of terrorism, especially but not exclusively where such investigations are related to drug trafficking.

“(2) LIMITATION.—The Director shall ensure—

“(A) that assistance provided under paragraph (1) remains incidental to the purpose of the Program to reduce drug availability and carry out drug-related law enforcement activities; and

“(B) that significant resources of the Program are not redirected to activities exclusively related to terrorism.

“(k) BOARD REPRESENTATION.—None of the funds appropriated under this section may be expended for any high intensity drug trafficking area, or for a partnership under the Program, if the executive board or equivalent governing committee with respect to such area or partnership is not comprised of equal voting representation between representatives of Federal law enforcement agencies and representatives of State and local law enforcement agencies.

“(l) ROLE OF DRUG ENFORCEMENT ADMINISTRATION.—The Director, in consultation with the Attorney General, shall ensure that a representative of the Drug Enforcement Administration is included in the Intelligence Support Center for each high intensity drug trafficking area.

“(m) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Office of National Drug Control Policy to carry out this section—

“(1) \$230,000,000 for fiscal year 2004;

“(2) \$240,000,000 for each of fiscal years 2005 and 2006; and

“(3) \$250,000,000 for each of fiscal years 2007 and 2008.”

(b) REVIEW OF CURRENT AREAS.—Within one year after the date of enactment of this Act, the Director of National Drug Control Policy shall—

(1) review each of the areas currently designated as a high intensity drug trafficking area to determine whether it continues to warrant designation as a high intensity drug trafficking area, considering the factors in section 707(d) of the Office of National Drug Control Policy Reauthorization Act of 1998, as amended by this section, in addition to such other criteria as the Director considers to be appropriate; and

(2) terminate such description for an area or portion of an area determined to no longer warrant designation.

SEC. 7. FUNDING FOR CERTAIN HIGH INTENSITY DRUG TRAFFICKING AREAS.

(a) SHORT TITLE.—This section may be cited as the “Dawson Family Community Protection Act”.

(b) FINDINGS.—Congress finds the following:

(1) In the early morning hours of October 16, 2002, the home of Carnell and Angela Dawson was firebombed in apparent retaliation for Mrs. Dawson’s notification of police

about persistent drug distribution activity in their East Baltimore City neighborhood.

(2) The arson claimed the lives of Mr. and Mrs. Dawson and their 5 young children, aged 9 to 14.

(3) The horrific murder of the Dawson family is a stark example of domestic narco-terrorism.

(4) In all phases of counter-narcotics law enforcement—from prevention to investigation to prosecution to reentry—the voluntary cooperation of ordinary citizens is a critical component.

(5) Voluntary cooperation is difficult for law enforcement officials to obtain when citizens feel that cooperation carries the risk of violent retaliation by illegal drug trafficking organizations and their affiliates.

(6) Public confidence that law enforcement is doing all it can to make communities safe is a prerequisite for voluntary cooperation among people who may be subject to intimidation or reprisal (or both).

(7) Witness protection programs are insufficient on their own to provide security because many individuals and families who strive every day to make distressed neighborhoods livable for their children, other relatives, and neighbors will resist or refuse offers of relocation by local, State, and Federal prosecutorial agencies and because, moreover, the continued presence of strong individuals and families is critical to preserving and strengthening the social fabric in such communities.

(8) Where (as in certain sections of Baltimore City) interstate trafficking of illegal drugs has severe ancillary local consequences within areas designated as high intensity drug trafficking areas, it is important that supplementary High Intensity Drug Trafficking Areas Program funds be committed to support initiatives aimed at making the affected communities safe for the residents of those communities and encouraging their cooperation with local, State, and Federal law enforcement efforts to combat illegal drug trafficking.

(C) FUNDING FOR CERTAIN HIGH INTENSITY DRUG TRAFFICKING AREAS.—Section 707 (21 U.S.C. 1706) is further amended in subsection (h) by adding at the end the following new paragraph:

“(6) SPECIFIC PURPOSES.—

“(A) IN GENERAL.—The Director shall ensure that, of the amounts appropriated for a fiscal year for the Program, at least \$1,000,000 is used in high intensity drug trafficking areas with severe neighborhood safety and illegal drug distribution problems.

“(B) REQUIRED USES.—The funds used under subparagraph (A) shall be used—

“(i) to ensure the safety of neighborhoods and the protection of communities, including the prevention of the intimidation of potential witnesses of illegal drug distribution and related activities; and

“(ii) to combat illegal drug trafficking through such methods as the Director considers appropriate, such as establishing or operating (or both) a toll-free telephone hotline for use by the public to provide information about illegal drug-related activities.”.

SEC. 8. AMENDMENTS RELATING TO COUNTER-DRUG TECHNOLOGY ASSESSMENT CENTER.

(a) CHIEF SCIENTIST.—Section 708(b) (21 U.S.C. 1707(b)) is amended—

(1) in the heading by striking “DIRECTOR OF TECHNOLOGY.—” and inserting “CHIEF SCIENTIST.—”; and

(2) by striking “Director of Technology,” and inserting “Chief Scientist.”.

(b) ADDITIONAL RESPONSIBILITIES OF DIRECTOR.—Section 708(c) (21 U.S.C. 1707(c)) is amended to read as follows:

“(c) ADDITIONAL RESPONSIBILITIES OF THE DIRECTOR OF NATIONAL DRUG CONTROL POLICY.—

“(1) IN GENERAL.—The Director, acting through the Chief Scientist shall—

“(A) identify and define the short-, medium-, and long-term scientific and technological needs of Federal, State, and local law enforcement agencies relating to drug enforcement, including—

“(i) advanced surveillance, tracking, and radar imaging;

“(ii) electronic support measures;

“(iii) communications;

“(iv) data fusion, advanced computer systems, and artificial intelligence; and

“(v) chemical, biological, radiological (including neutron, electron, and graviton), and other means of detection;

“(B) identify demand reduction (including drug prevention) basic and applied research needs and initiatives, in consultation with affected National Drug Control Program agencies, including—

“(i) improving treatment through neuroscientific advances;

“(ii) improving the transfer of biomedical research to the clinical setting; and

“(iii) in consultation with the National Institute on Drug Abuse and the Substance Abuse and Mental Health Services Administration, and through interagency agreements or grants, examining addiction and rehabilitation research and the application of technology to expanding the effectiveness or availability of drug treatment;

“(C) make a priority ranking of such needs identified in subparagraphs (A) and (B) according to fiscal and technological feasibility, as part of a National Counter-Drug Enforcement Research and Development Program;

“(D) oversee and coordinate counter-drug technology initiatives with related activities of other Federal civilian and military departments;

“(E) oversee and coordinate a technology transfer program for the transfer of technology to State and local law enforcement agencies; and

“(F) pursuant to the authority of the Director of National Drug Control Policy under section 704, submit requests to Congress for the reprogramming or transfer of funds appropriated for counter-drug technology research and development.

“(2) PRIORITIES IN TRANSFERRING TECHNOLOGY.—In transferring technology under the authority of paragraph (1)(E), the Chief Scientist shall give priority, in transferring technologies most likely to assist in drug interdiction and border enforcement, to State, local, and tribal law enforcement agencies in southwest border areas and northern border areas with significant traffic in illicit drugs.

“(3) LIMITATION ON AUTHORITY.—The authority granted to the Director under this subsection shall not extend to the award of contracts, management of individual projects, or other operational activities.”.

(c) ASSISTANCE FROM SECRETARY OF HOMELAND SECURITY.—Section 708(d) (21 U.S.C. 1707(d)) is amended by inserting “, the Secretary of Homeland Security,” after “The Secretary of Defense”.

SEC. 9. REPEALS.

The following provisions are repealed:

(1) Sections 709 and 711 (21 U.S.C. 1708 and 1710).

(2) Section 6073 of the Asset Forfeiture Amendments Act of 1988 (21 U.S.C. 1509).

SEC. 10. NATIONAL YOUTH ANTIDRUG MEDIA CAMPAIGN.

(a) IN GENERAL.—The Act is further amended by inserting after section 708 the following:

“SEC. 709. NATIONAL YOUTH ANTIDRUG MEDIA CAMPAIGN.

“(a) IN GENERAL.—The Director shall conduct a national media campaign in accordance with this section for the purpose of reducing and preventing illicit drug use among young people in the United States, through mass media advertising.

“(b) USE OF FUNDS.—

“(1) IN GENERAL.—Amounts made available to carry out this section for the media campaign may only be used for the following:

“(A) The purchase of media time and space.

“(B) Creative and talent costs.

“(C) Advertising production costs.

“(D) Testing and evaluation of advertising.

“(E) Evaluation of the effectiveness of the media campaign.

“(F) The negotiated fees for the winning bidder on requests for proposals issued either by the Office or its designee for purposes otherwise authorized in this section.

“(G) Partnerships with community, civic, and professional groups and government organizations related to the media campaign.

“(H) Entertainment industry outreach, interactive outreach, media projects and activities, public information, news media outreach, and corporate sponsorship and participation.

“(I) Operational and management expenses.

“(2) SPECIFIC REQUIREMENTS.—

“(A) CREATIVE SERVICES.—

“(i) In using amounts for creative and talent costs under paragraph (1)(B), the Director shall use creative services donated at no cost to the Government wherever feasible and may only procure creative services for advertising—

“(I) responding to high-priority or emergent campaign needs that cannot timely be obtained at no cost; or

“(II) intended to reach a minority, ethnic, or other special audience that cannot reasonably be obtained at no cost.

“(ii) No more than \$1,000,000 may be expended under this section each fiscal year on creative services, except that the Director may expend up to \$2,000,000 in a fiscal year on creative services to meet urgent needs of the media campaign with advance approval from the Committee on Appropriations of the House of Representatives and of the Senate upon a showing of the circumstances causing such urgent needs of the media campaign.

“(B) TESTING AND EVALUATION OF ADVERTISING.—In using amounts for testing and evaluation of advertising under paragraph (1)(D), the Director shall test all advertisements prior to use in the media campaign to ensure that the advertisements are effective and meet industry-accepted standards. The Director may waive this requirement for advertisements using no more than 10 percent of the purchase of advertising time purchased under this section in a fiscal year and no more than 10 percent of the advertising space purchased under this section in a fiscal year, if the advertisements respond to emergent and time-sensitive campaign needs or the advertisements will not be widely utilized in the media campaign.

“(C) EVALUATION OF EFFECTIVENESS OF MEDIA CAMPAIGN.—In using amounts for the evaluation of the effectiveness of the media campaign under paragraph (1)(E), the Director shall—

“(i) designate an independent entity to evaluate annually the effectiveness of the national media campaign based on data from—

“(I) the ‘Monitoring the Future Study’ published by the Department of Health and Human Services;

“(II) the Attitude Tracking Study published by the Partnership for a Drug Free America;

“(III) the National Household Survey on Drug Abuse; and

“(IV) other relevant studies or publications, as determined by the Director, including tracking and evaluation data collected according to marketing and advertising industry standards; and

“(ii) ensure that the effectiveness of the media campaign is evaluated in a manner that enables consideration of whether the media campaign has contributed to reduction of illicit drug use among youth and such other measures of evaluation as the Director determines are appropriate.

“(3) PURCHASE OF ADVERTISING TIME AND SPACE.—For each fiscal year, not less than 77 percent of the amounts appropriated under this section shall be used for the purchase of advertising time and space for the media campaign, subject to the following exceptions:

“(A) In any fiscal year for which less than \$125,000,000 is appropriated for the media campaign, not less than 82 percent of the amounts appropriated under this section shall be used for the purchase of advertising time and space for the media campaign.

“(B) In any fiscal year for which more than \$195,000,000 is appropriated under this section, not less than 72 percent shall be used for advertising production costs and the purchase of advertising time and space for the media campaign.

“(c) ADVERTISING.—In carrying out this section, the Director shall devote sufficient funds to the advertising portion of the national media campaign to meet the goals of the campaign.

“(d) PROHIBITIONS.—None of the amounts made available under subsection (b) may be obligated or expended for any of the following:

“(1) To supplant current antidrug community-based coalitions.

“(2) To supplant pro bono public service time donated by national and local broadcasting networks for other public service campaigns.

“(3) For partisan political purposes, or express advocacy in support of or to defeat any clearly identified candidate, clearly identified ballot initiative, or clearly identified legislative or regulatory proposal.

“(4) To fund advertising that features any elected officials, persons seeking elected office, cabinet level officials, or other Federal officials employed pursuant to section 213 of Schedule C of title 5, Code of Federal Regulations.

“(5) To fund advertising that does not contain a primary message intended to reduce or prevent illicit drug use.

“(6) To fund advertising containing a primary message intended to promote support for the media campaign or private sector contributions to the media campaign.

“(e) MATCHING REQUIREMENT.—

“(1) IN GENERAL.—Amounts made available under subsection (b) shall be matched by an equal amount of non-Federal funds for the media campaign, or be matched with in-kind contributions of the same value.

“(2) NO-COST MATCH ADVERTISING DIRECT RELATIONSHIP REQUIREMENT.—The Director shall ensure that at least 70 percent of no-cost match advertising provided directly relates to substance abuse prevention consistent with the specific purposes of the media campaign, except that in any fiscal year in which less than \$125,000,000 is appropriated to the media campaign, the Director shall ensure that at least 85 percent of no-cost match advertising directly relates to substance abuse prevention consistent with the specific purposes of the media campaign.

“(3) NO-COST MATCH ADVERTISING NOT DIRECTLY RELATED.—The Director shall ensure that no-cost match advertising that does not directly relate to substance abuse prevention includes a clear antidrug message. Such message is not required to be the primary message of the match advertising.

“(f) FINANCIAL AND PERFORMANCE ACCOUNTABILITY.—The Director shall cause to be performed—

“(1) audits and reviews of costs of the media campaign pursuant to section 304C of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 254d); and

“(2) an audit of the cost of the media campaign described in section 306 of such Act (41 U.S.C. 256).

“(g) STRATEGIC GUIDANCE AND DONATIONS.—The Partnership for a Drug Free America shall serve as the primary outside strategic advisor to the media campaign and be responsible for coordinating donations of creative and other services to the campaign, except with respect to advertising created using funds permitted in subsection (b). The Director shall inform the Partnership for a Drug Free America of the strategic goals of the campaign and consider advice from the Partnership for a Drug Free America on media campaign strategy.

“(h) REPORT TO CONGRESS.—The Director shall submit on an annual basis a report to Congress that describes—

“(1) the strategy of the media campaign and whether specific objectives of the media campaign were accomplished;

“(2) steps taken to ensure that the media campaign operates in an effective and efficient manner consistent with the overall strategy and focus of the media campaign;

“(3) plans to purchase advertising time and space;

“(4) policies and practices implemented to ensure that Federal funds are used responsibly to purchase advertising time and space and eliminate the potential for waste, fraud, and abuse; and

“(5) all contracts entered into with a corporation, partnership, or individual working on behalf of the media campaign.

“(i) LOCAL TARGET REQUIREMENT.—The Director shall, to the maximum extent feasible, use amounts made available under this section for media that focuses on, or includes specific information on, prevention or treatment resources for consumers within specific local areas.

“(j) PREVENTION OF MARIJUANA USE.—

“(1) FINDINGS.—The Congress finds the following:

“(A) 60 percent of adolescent admissions for drug treatment are based on marijuana use.

“(B) Potency levels of contemporary marijuana, particularly hydroponically grown marijuana, are significantly higher than in the past, rising from under 1 percent of THC in the mid-1970s to as high as 30 percent today.

“(C) Contemporary research has demonstrated that youths smoking marijuana early in life may be up to five times more likely to use hard drugs.

“(D) Contemporary research has demonstrated clear detrimental effects in adolescent educational achievement resulting from marijuana use.

“(E) Contemporary research has demonstrated clear detrimental effects in adolescent brain development resulting from marijuana use.

“(F) An estimated 9,000,000 Americans a year drive while under the influence of illegal drugs, including marijuana.

“(G) Marijuana smoke contains 50 to 70 percent more of certain cancer causing chemicals than tobacco smoke.

“(H) Teens who use marijuana are up to four times more likely to have a teen pregnancy than teens who have not.

“(I) Federal law enforcement agencies have identified clear links suggesting that trade in hydroponic marijuana facilitates trade by criminal organizations in hard drugs, including heroin.

“(J) Federal law enforcement agencies have identified possible links between trade in marijuana and financing for terrorist organizations.

“(2) EMPHASIS ON PREVENTION OF YOUTH MARIJUANA USE.—In conducting advertising and activities otherwise authorized under this section, the Director may emphasize prevention of youth marijuana use.

“(k) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Office to carry out this section, \$195,000,000 for each of fiscal years 2004 and 2005 and \$210,000,000 for each of fiscal years 2006 through 2008.”.

(b) REPEAL OF SUPERSEDED PROVISIONS.—The Drug-Free Media Campaign Act of 1998 (21 U.S.C. 1801 et seq.) is repealed.

SEC. 11. AUTHORIZATION OF APPROPRIATIONS.

Section 714 (21 U.S.C. 1711) is amended—

(1) by striking “title,” and inserting “title, except activities for which amounts are otherwise specifically authorized by this title,”; and

(2) by striking “1999 through 2003” and inserting “2004 through 2008”.

SEC. 12. EXTENSION OF TERMINATION DATE.

Section 715(a) is amended by striking “September 30, 2003, this title and the amendments made by this title are repealed” and inserting “September 30, 2008, this title is repealed”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Indiana (Mr. SOUDER) and the gentleman from Maryland (Mr. CUMMINGS) each will control 20 minutes.

The Chair recognizes the gentleman from Indiana (Mr. SOUDER).

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, the abuse of illegal narcotics and its silent, everyday impact on the health and safety of families and the stability of every community across the country continues to be one of the most pressing issues facing the United States. This bill, introduced by myself and the gentleman from Virginia (Mr. TOM DAVIS), the distinguished chairman of the full committee, is a forceful and bipartisan recommitment to our diverse national efforts to control drug abuse and to renew our support for a strong Office of National Drug Control Policy, to plan and coordinate the President's strategy to measurably reduce drug use by American youth and to control drug abuse and its consequences.

Mr. Speaker, most people driving on two-lane highways throughout the farmland of northeast Indiana would probably find it hard to believe that

the plague of illegal narcotics hits home even there, but drug use and abuse is not unique to the big cities on the coasts. In 1996, Indiana law enforcement knew of only a single methamphetamine lab in the entire State. Only 5 years later, there were 499. That number dropped to 375 in 2002, but it is still an indication of the kinds of challenges places like Indiana face when it comes to illegal drugs.

Meth is not the only problem in Indiana. Fort Wayne is not a huge city, about 225,000, but there have been some huge cocaine busts there this year. This summer alone, two separate stings in Fort Wayne yielded 50 pounds of cocaine with a street value of \$2.3 million. We thought cocaine was nearly gone. We were wrong.

Mr. Speaker, almost half of the 12th graders in Indiana say they have used marijuana in the last year. Almost 9 percent say they have used powdered cocaine; 15 percent have used methamphetamines, but that is not the worst of it. Almost four in 100 sixth graders in Indiana say they have used marijuana in the last year. One in 200 have used powdered cocaine. These are 11- and 12-year-olds.

Consequently, one might ask, is there any point in fighting this battle at all? I am frequently asked whether we believe we can ever completely eliminate illegal drug use. The simple answer to that question is no. We cannot eliminate sin. But that does not mean we cannot and should not try, any more than we would give up on spouse abuse or child abuse. It does mean that we can make a difference in some cases.

The current administration has made a real effort to fight the scourge of illegal drugs, and that effort has shown results. Usage statistics that peaked in the late 1990s are now making a slow but steady decline, both nationwide and in my home State of Indiana. The numbers I cited above are too high, but they are improvements over statistics just a few short years ago.

What does that mean? That means there is a long fight ahead, but things are far from helpless. We can make a difference in people's lives, and that is why this bill is so important. This bill does not and cannot address each of the many specific national programs involved in our coordinated strategies to reduce demand for illegal drugs, the prevention and treatment, reduce the supply of narcotics through source-country programs, and interdiction and to disrupt and dismantle drug trafficking organizations and control the consequences of drug-related crime through coordinated law enforcement. The details of these programs continue to be dealt with by each of the separate authorizing committees of jurisdiction. It does, however, provide a cornerstone and ensure that these programs will be coordinated and effective through the broad guidance and coordination of the Office of National Drug Control Policy on behalf of the President.

The legislation reauthorizes ONDCP and its programs for 5 years. It makes some significant revisions to current law that will enhance the effectiveness and accountability of the National Drug Control strategy and its programs, streamline and simplify the process for its development, and provide increased flexibility to the ONDCP Director to respond to changing circumstances.

For example, we have replaced an inflexible legal requirement for a bloated 5-year strategy, guided by pages of outdated statutory mandates, with a flexible and responsive annual strategy that still follows the same basic principles to ensure a comprehensive and responsible drug strategy. We have also worked in many areas to improve performance measurement for the annual strategy, Federal drug control programs, ONDCP programs, and even some private sector efforts to ensure that these programs will be effective and accountable. For example, we are now requiring that the director conduct a specific evaluation of the performance of each Federal agency in carrying out its responsibilities under the strategy each year and have mandated, for the first time ever, that a uniform system be developed to evaluate the effectiveness of the drug treatment programs in the United States.

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The bill also provides for direct evaluation of the effectiveness of the media campaign in its individual ads.

Another key theme of the bill is our efforts to ensure that ONDCP programs, most notably the HIDTA program and the media campaign, remain directed to their original intent and purpose in areas where our oversight activities have clearly demonstrated some lack of focus.

Finally, the bill is intended to ensure that the Federal Government maintains appropriate attention and resources directed to drug control, which has recently too often been subjugated to other purposes and policies.

This bill is a true bipartisan effort passed by unanimous vote in subcommittee and authorizing subcommittee, and by voice vote in the full committee, and represents the outcome of ongoing consultation and discussions with the minority.

The bill contains a complete text of the Dawson Family Community Protection Act that was introduced by the distinguished ranking member of the subcommittee, the gentleman from Maryland (Mr. CUMMINGS), to address witness and community protection initiatives in the wake of the tragic death of the Dawson family in Baltimore at the hands of violent drug dealers.

The bill reported from the committee also contains a number of items requested by the gentleman from California (Mr. WAXMAN), the distinguished ranking member of the full committee, many of which reflect a clear bipartisan agreement that the media cam-

paign should not be used for political purposes.

The bill also contains many suggestions from Members on both sides of the aisle including the work of the gentleman from Ohio (Mr. PORTMAN) on the media campaign and changes to the current law requested by Director Walters in the administration.

It incorporates suggestions and ideas from key outside groups including the Community Anti-Drug Coalitions of America, drug treatment providers, the Partnership for Drug Free America, and members of the Federal, State, local and tribal law enforcement participating in the HIDTA and CTAC programs, most notably the Drug Enforcement Administration.

While no one is necessarily completely happy with this bill, the final result was a bill that achieved nearly unanimous bipartisan support in the committee. This is a strong bipartisan bill to send to the other body.

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

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

Mr. Speaker, I rise in support of H.R. 2086, the Office of National Drug Control Policy Reauthorization of 2003.

Mr. Speaker, there is no greater problem in America than drug abuse. Illegal drugs contribute to an estimated 50,000 deaths in the United States each year. Nineteen thousand of these deaths are a direct result of illegal drug use.

According to the National Household Survey on Drug Abuse, 16 million Americans used an illegal drug on at least a monthly basis in 2001, including 6.1 million who needed treatment. In Baltimore City alone there are some 50,000 people addicted to drugs.

Most crime in the United States has an illegal drug nexus; and most of the prisoners sitting in the United States' prisons, jails, and detention facilities are there because of illegal drug activity.

These facts paint an ugly picture of the impact of drugs on American society; but they do not begin to describe the tragic harm done to individuals, families, and communities by drugs and drug-related crimes. In neighborhoods in Baltimore and Howard counties, I cannot escape seeing every day the devastating, destructive impact that drugs and drug-related crime, including violent crime, exact on communities. So it is with great seriousness that I approach this legislation reauthorizing the Office of National Drug Control Policy and related drug control programs.

The Office of National Drug Policy plays a central role in shaping and coordinating our Nation's policy and programs relating to illegal drugs. Established in 1988 and last reauthorized in 1997, ONDCP has the lead responsibility in the executive branch for establishing policies, priorities, and objectives relating to the demand for, and the supply of, illegal drugs in the United States.

The director of National Drug Control Policy, or the drug czar, will have strong influence over the shape, direction, and implementation of Federal drug policy by certifying the drug control budgets of Federal departments and agencies that contribute to the national drug control strategy.

In addition to its policy and coordination functions, the ONDCP directly administers the High Intensity Drug Trafficking Areas program, the National Youth Anti-Drug Media Campaign, the Counterdrug Technology Assessment Center, and the Drug Free Communities program. Each of these programs plays an important role in implementing the national drug control strategy's goal of preventing drug use before it starts, healing America's drug users, and disrupting the market for illegal drugs.

H.R. 2086 would reauthorize for 5 years not only the Office of National Drug Control Policy, but also the HIDTA program, the CTAC, and the media campaign. And I believe that the office and these programs should be reauthorized.

This bill is not perfect, and I would agree with Mr. SOUDER that no one is completely happy with it. It is not the bill that I would have written. I know that some of my Democratic colleagues have strong concerns in certain areas, and I share some of those concerns. But we have worked in the Committee on Government Reform to make this bill better than it was. And through bipartisan negotiations with the gentleman from Virginia (Mr. TOM DAVIS), chairman of the drug control policy subcommittee, and the gentleman from Indiana (Mr. SOUDER), the gentleman from California (Mr. WAXMAN) and I were able to make significant improvements in key areas.

In particular, my colleagues who serve on the Committee on the Judiciary have raised legitimate concerns about language in the bill prohibiting the use of High Intensity Drug Trafficking Area program funds for treatment and prevention. The gentleman from California (Mr. WAXMAN) and I have tried over the past several weeks to address this concern with Chairman DAVIS and Chairman SOUDER.

The majority and ONDCP were not receptive to ideas we proposed that would have allowed additional HDTAs to establish new treatment initiatives. We were able to achieve, however, an agreement to return to lift the restriction on HIDTA funds used for prevention, and we will continue to work through conference to restore the ability of HDTAs that already have limited treatment programs to continue their treatment initiatives.

I hope that eventually we will see fit to allow additional HDTAs the opportunity to implement new treatment initiatives as part of a strategy to reduce the public safety threat posed by offenders who use drugs and commit drug related crimes, including violent crimes.

I would point out that the Washington-Baltimore HIDTA's innovative use of treatment as a crime control tool in direct support of law enforcement initiatives has resulted in substantially reduced recidivism and re-arrest rates for offenders who have participated in HIDTA-funded treatment programs. In other words, our HIDTA law enforcement efforts are more effective because they are linked with HIDTA-funded treatment initiatives that are specifically designed to support them. Other HDTAs should have the ability to invest in this approach which shows that law enforcement and treatment work best when they are pursued in a closely coordinated fashion.

Our negotiations with the majority also resulted in the elimination of a provision that would have opened the door to partisan political use of a national anti-drug media campaign with respect to anti-legalization efforts by the ONDCP director. As a result of our negotiations, the current bill would, one, maintain the existing prohibition on partisan political use of the media campaign; two, bar the use of media campaign funds to support advocacy against or in favor of any candidate, ballot initiative, or legislative or regulatory proposal, even if the candidate or measure is not partisan in nature; and finally absolutely prohibit the appearance of highly visible Federal officials in media campaign advertising.

Together, these provisions reflect a bipartisan agreement that the media campaign should place its focus on the goal of preventing youth drug use and that it should stay out of the business of influencing elections and legislative or regulatory proposals involving medical marijuana or any other extraneous issue.

The current bill also does not contain a provision that sought to punish State and local law enforcement in high-intensity drug trafficking areas in which States have adopted medical marijuana laws. The bill before us does include H.R. 1599, the Dawson Family Community Protection Act, legislation I introduced in response to one of the most tragic drug-related crimes in memory. The bill commemorates the lives of a courageous mother and a devoted father and five precious children who were senselessly murdered when their home was set ablaze in the middle of the night on October 16 of last year, apparently in retaliation for Angela Dawson's repeated complaints to police about drug distribution in her East Baltimore neighborhood.

This legislation would direct the drug czar to fund HIDTA initiatives aimed at increasing neighborhood safety and facilitating witness cooperation in communities ravaged by rampant drug trafficking activity and related violence.

I thank the gentleman from Indiana (Chairman SOUDER) again for his co-sponsorship of H.R. 1599 and for including it in this reauthorization package.

Amendments that I offered and were adopted with the gentleman from Indiana's (Chairman SOUDER) support in subcommittee were slightly modified in full committee but remain mostly intact. This bill says the director must ensure through his budget certification authority that the administration's proposed funding of drug treatment programs will be adequate to enhance Federal treatment programs and capacity. Most of our States are suffering through fiscal crises, and cutbacks in State funding for drug treatment are widespread. Maintaining and expanding access to treatment on demand despite this economic trend is indeed vital.

With that, Mr. Speaker, I would like to thank the gentleman from Virginia (Mr. TOM DAVIS), the gentleman from Indiana (Chairman SOUDER), and the gentleman from California (Mr. WAXMAN) for their cooperation of collaborative approach in working with us to resolve the matters of sharpest disagreement between the majority and the minority. I would also like to commend the gentleman from California (Mr. WAXMAN), ranking member, again for his leadership in representing the interests of the minority in this legislation and concerning a multitude of other issues that have come before the Committee on Government Reform and this great House.

I urge my colleagues to support this bill.

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

Mr. SOUDER. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from Florida (Mr. MICA), the former chairman of the subcommittee.

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

Mr. Speaker, I am pleased to rise in support this afternoon of one of the most important reauthorization pieces of legislation that will be addressed by this Congress, and that is the reauthorization of the Office of National Drug Control Policy.

Unfortunately, this is an issue that sometimes gets shoved below the radar screen in Congress and in our society, but I can tell the Members that there are very few social issues facing this Nation like the problem of illegal narcotics. In the latest report I have, the deaths that were drug related in this country in the year 2000, this is 3 years old, were 19,698. That is almost 54 human beings, 54 citizens in our country that die from drug-related deaths each day in the United States, an incredible number. And that is not to mention those who lose their lives such as the tragic death of those who were murdered in a drug-related crime in Baltimore, the Dawson family. Drug deaths now exceed homicides in the United States, and I would venture to say that nearly half of the homicides in the United States are drug related.

One of the issues that has been raised if this reauthorization is putting more money in treatment, and when I was chairman I supported a good balanced

approach, and I think the gentleman from Indiana (Mr. SOUDER) and the gentleman from Maryland (Mr. CUMMINGS) have tried to do that, and certainly the administration has. We have to understand that in the previous fiscal year 2002, the Federal Government spent nearly half, 45 percent, of all of its drug control policy budget on treatment and prevention. And it is not always how much we spend. It is very important how we spend that money, that it is spent effectively.

□ 1430

If we have learned nothing else in our experience over the years on this major social problem facing us, it is that a balance of education and prevention, of treatment, of interdiction, of enforcement, and all of these elements put together in a balanced approach will make a difference. That is why this is a good, balanced approach.

We have seen what has happened when we have good enforcement and when we do not have good enforcement. The gentleman from Maryland (Mr. CUMMINGS) has experienced that himself in Baltimore, one of our Nation's great cities, where the death toll was way over the 300 mark and they had lax enforcement. Mayor O'Malley went in, with the guidance of the gentleman from Maryland (Mr. CUMMINGS), and with attention from the Federal Government and others, we have reduced the tragedy of deaths in that city.

We saw in New York City under the Giuliani plan deaths and homicides exceeded 2,000 in New York City. With a tough enforcement plan, that was reduced to between 600 and 700; and we still see the results of that tough enforcement. So we cannot make the mistake of imbalancing our approach, and that is why this is a good approach.

Mr. Speaker, I want to salute the chairman and ranking member. The President of the United States has taken a personal interest in the leadership of John Walters, the head of the Office of Drug Control Policy. They have a plan. It is working, it is effective, and it is a balanced approach and the right approach.

So, Mr. Speaker, I urge my colleagues to pass this important reauthorization.

Mr. CUMMINGS. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Illinois (Mr. DAVIS), a member of the subcommittee.

Mr. DAVIS of Illinois. Mr. Speaker, I want to commend the gentleman from Indiana (Chairman SOUDER) and the gentleman from Maryland (Ranking Member CUMMINGS) for the tremendous amount of work that has gone into the development of this legislation. In addition to that, I want to commend them for the overall work that has been done on this issue. We have attended hearings in many places throughout the country, well attended, as an indication of the tremendous amount of interest that people have in one of the most pernicious issues facing our society.

Out of respect for the bipartisan efforts that have taken place to try and reach agreement, I am very pleased that this legislation is on the floor. I am in agreement with those who suggest that not enough emphasis, though, is placed upon treatment. While all of the components of trying to wrestle with the drug problem are necessary and essential and while they must be balanced, I, for one, believe that we need to place more emphasis and put more resources into treatment for those individuals who are, in fact, addicted. As a matter of fact, I am a proponent of what I call treatment on demand. That is, whenever a person who is addicted presents himself or herself seeking treatment, they ought to be able to receive it.

I am also concerned that in this country, while it is not necessarily a part of this legislation or covered in this bill, that there are individuals who are denied the opportunity to receive a Pell grant to go to college because they have been convicted of a drug offense. While that may seem rational and logical and wholesome and healthy and good because there are never enough resources to go around for everybody in our country to receive what they need, I think there are some situations where, rather than aiding the situation and helping it to change, that we actually retard the growth and development of individuals. Or the fact that there are individuals who, when convicted of drug offenses, can be denied food stamps. While, again, that does not diminish in any way the work that this subcommittee has done or the work that the full committee has done, those are realities of our society and realities of our times and issues that I think must be addressed.

Notwithstanding that, I commend the gentleman from Virginia (Chairman DAVIS), the gentleman from California (Ranking Member WAXMAN) and, again, the gentleman from Indiana (Mr. SOUDER) and the gentleman from Maryland (Mr. CUMMINGS) for the work that they have done.

Mr. SOUDER. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Virginia (Mr. TOM DAVIS), the chairman of the full committee.

Mr. TOM DAVIS of Virginia. Mr. Speaker, first of all, let me thank the gentleman from Indiana (Chairman SOUDER) for his leadership on this issue, as he has made a career of this since he came to Congress, and to his ranking member, (Mr. CUMMINGS) of Maryland. I appreciate them working together. To my ranking member on the full committee, the gentleman from California (Mr. WAXMAN), we appreciate his input here to reach this compromise we have here today.

Since its inception in 1988, the Office of National Drug Control Policy has been the cornerstone of drug policy in America, improving the lives of all Americans by reducing the presence of drugs in our society. This office has been producing the results our Nation

needs: Teen drug use is on the decline, and that is just one of many positive advancements which have been made by ONDCP in the last couple of years.

The many positive signs and trends that Director Walters reported in this year's National Drug Control Strategy clearly demonstrate the difference the office can make when strong and effective leadership is merged with sound policy.

Drug use and abuse is a national crisis that affects the health of our citizens and, in turn, our country. To win the war on drugs, we need to address the problem of drugs in our society from every angle. This legislation gives ONDCP the appropriate resources to stop drug use before it starts, to heal drug users, and disrupt drug markets.

We all know that drugs affect people from all walks of life. Rich, poor, whatever race, addiction does not discriminate. A strong national drug policy is in the interests of every American.

Mr. Speaker, the bill we bring to the floor today is bipartisan in the best sense of the word. It is the product of careful negotiation and strong bipartisan agreement. In crafting this important piece of legislation, we aimed to provide the best possible support for the administration and Director Walters in implementing the President's strategy. We sought to make ONDCP more efficient by reducing outdated reporting and structural requirements that are in the current law. We also gave significant attention to reforms of the Media Campaign and the HIDTA program to ensure that they are effective and true to their original aims. Both of these programs have grown in ways that were not originally intended, and the bill reflects the desire to ensure that the programs remain accountable and dedicated to their core purposes.

Again, I want to thank the gentleman from Indiana (Chairman SOUDER) and the subcommittee ranking member, the gentleman from Maryland (Mr. CUMMINGS), and my full committee counterpart, the gentleman from California (Ranking Member WAXMAN) for their leadership, dedication, and hard work on this authorization legislation. I am happy that we could reach a bipartisan agreement on this bill. It is too important to play politics with, and there is no place for partisanship in protecting our children against drugs. This bipartisanship was reflected in the unanimous vote to pass the bill out of our committee.

Mr. Speaker, I am confident that we have put together a cohesive, effective piece of legislation to maintain and provide ONDCP with the necessary tools to reduce illicit drug use, manufacturing, and trafficking, and drug-related crime and violence, and drug-related health consequences.

Mr. CUMMINGS. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from California (Ms. WATERS), a Member who has worked a long time on the drug issue and the problems of drugs in this country and abroad.

Ms. WATERS. Mr. Speaker, I would like to thank the gentleman from Maryland (Mr. CUMMINGS) for yielding me this time. I know how hard he and others have worked on the bill, and I certainly know what they are attempting to do. I just feel as if I would be derelict in my duty if I did not speak to some of the issues that I have spent so many years working on. The gentleman from Maryland (Mr. CUMMINGS) did not have to allow me this time, knowing that I oppose the bill, and I am extremely appreciative for that.

Mr. Speaker, I rise in strong opposition both to the process that has brought this bill to the floor under suspension of the rules and to the substance of the underlying bill, H.R. 2086, the reauthorization bill for the Office of National Drug Control Policy, the so-called Drug Czar's Office.

Mr. Speaker, why is this bill before us today under suspension of the rules with only 20 minutes of debate for each side and no opportunity for Members to offer amendments? Is there anyone who truly believes that this bill could not be improved if we had a full and fair debate on the many issues raised by H.R. 2068 and if Members had the opportunity to offer amendments to the bill?

The Director of the ONDCP manages a Federal drug control budget of almost \$20 billion. The Federal drug control budget for the last 5 fiscal years alone was almost \$100 billion. ONDCP is tasked with managing an enormous Federal drug control budget. What is the return on the investment? Where is the bang for our Federal dollars? Surely, something more than such cursory floor consideration is in order for these major issues.

The war on drugs is a joke. It is ineffective, and it is a waste of taxpayers' money. This money should be spent on prevention, treatment, and rehabilitation. During proceedings in the Committee on the Judiciary, I certainly tried to offer amendments to defund this program altogether. We need to start all over again.

Mr. Speaker, the nationwide prison inmate population today is about 2.1 million people, over 160,000 of them in my State of California alone. Many of the inmates are serving time for drug offenses. Nationwide, more than 40 percent of the prison population consists of African American inmates. About 10 percent of the African American men in their mid to late 20s are behind bars. In some cities, more than 50 percent of young African American men are under the supervision of the criminal justice system. Given the role of mandatory minimum sentencing for drug offenses in producing these statistics, we need to have a serious debate about the efficacy and soundness of the war on drugs and on mandatory minimum sentencing.

Mr. Speaker, Americans need real help in diverting their children from drug use. Families need rehabilitation to save and unite families. This so-called war on drugs is merely a joke, and I believe that we can do better.

Supreme Court Justice Anthony Kennedy observed in a major speech this summer to the annual meeting of the American Bar Association on mandatory minimum sentencing, he said, "Our resources are misspent." This is a Supreme Court Justice. "Our punishments too severe, our sentences too long. The Federal sentencing guidelines should be revised downward. I can accept neither the necessity nor the wisdom of Federal mandatory minimum sentencing. In too many cases, mandatory minimum sentences are unjust and unjust."

These task forces go out into these poor communities and find some misguided kid with one gram of crack cocaine. They spend all this time locking them up, taking them to court, getting mandatory minimum sentencing where they spend 5 years or more under mandatory minimum sentencing. The judge has no discretion. It does not make any difference whether they have ever been in trouble before. It does not make any difference that their families are good, they are professionals. The child makes one mistake. They are not cracking the big drug czars. They are not getting the people who are really responsible for putting the drugs on the streets. They will lock up anybody that they can easy so that they can get some more drug task force money.

I just had all the defendants here at the Congressional Black Caucus Foundation weekend from Tulia, Texas, where they arrested 10 percent of all of the African American men in the town of Tulia, Texas, arrested them on the testimony of one lying guy, one man who was a part of the drug task force, the drug agent, Mr. Thomas Coleman, who is now, by the way, under indictment for his misconduct in Tulia. He just simply lied. And he went to the judge, no jury, they gave people sentences from anywhere from 4 or 5 years to 20 and 30 years. They had to take an army of pro bono lawyers from the big law firms and from the NAACP and from the ACLU to go out and get these sentences overturned. This is a joke, and it needs to be stopped.

□ 1445

Mr. SOUDER. Mr. Speaker, I yield myself 2½ minutes.

Mr. Speaker, I wanted to clarify one of the matters from the gentlewoman from California (Ms. WATERS) because under President Bush, in 2 straight years of requests, he has had larger increases in treatment than in supply reduction. And it is good to see that she at least agrees with the President and House leadership on that matter. While we may have other disagreements, we all agree that we need to focus increasing amounts on treatment.

I also wanted to clarify that the purpose of this particular bill and HIDTAs was to have these high-intensity drug treatment areas where local and State law enforcement could tap into the Federal law enforcement, so rather than just going after the user on the

street, we could actually have local and State law enforcement move up through the system to find the networks, to try to get the major drug dealers. That has not stopped all the street-level arrests, but it has made differences in Los Angeles and in Indiana, where we now see us able to go up the chain and try to get the big people behind those who are abusing the people in our neighborhoods on the street.

I also would like to clarify one other thing that has been sent out to some offices that has some false information from one of the conservative groups that has a false allegation about the amount of money being spent in this bill. This bill is a freeze for the next 2 years. In the third, fourth and fifth year, there is a \$15 million increase in a \$1 billion bill.

We have worked hard to try to manage this financially, and it is incorrect to imply that this bill is anything other than a freeze for the next few years. I think the wording is confusing on the criticism.

Furthermore, it proposes to criticize the one major prevention program we have, the media campaign, because of an OMB study. We have addressed a number of the things in this bill that OMB has asked for which was more restrictions. The letter also confuses authorizing and appropriations bills and also has false data in it on whether the ad campaign has been effective. In fact, it is accurate, but there is a misleading thing. It implies, it says that the media campaign has been ineffective, but then in its wording says "among certain age groups," meaning it has been effective in most categories with most drugs, but among a few it has not.

Therefore, they sent out a memo falsely implying that we increased the spending and falsely attacking the ad campaign, and that did not do this group justice which has been a great crusader for responsible spending.

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

Mr. CUMMINGS. Mr. Speaker, I yield the balance of our time to the gentleman from California (Mr. WAXMAN), the ranking member of the Committee on Government Reform. The gentleman has worked very hard on this legislation, and I would like to thank him.

Mr. SOUDER. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. WAXMAN).

Mr. WAXMAN. Mr. Speaker, I thank the gentleman for yielding me time, the senior member on our subcommittee that handled this legislation.

Mr. Speaker, I want to thank the chairman of our committee and the ranking member of the subcommittee for the constructive way that this bill has been processed by our Committee on Government Reform.

The problem of drug abuse is a serious problem. This legislation reauthorizes the work at the Office of National Drug Control Policy. The introduced version of the bill had a number of

problems which I am pleased that we were able to work through. It provided that the possibility that the media campaign could be used for partisan political purposes and imposed limitations on the funds that could be used by the drug czar for free media campaigns.

On a bipartisan basis, we changed that, and the bill now ensures that the media campaign cannot be used for partisan political activities, and it adds a new provision banning the use of the media campaign to advocate for or against a ballot initiative, draft legislation, or regulatory proposal.

We also struck controversial language allowing the director to take resources away from the States that have medical marijuana laws. We dropped language limiting the ability of the ONDCP to engage in nontraditional forms of outreach and education. We deleted language overturning a unanimous ruling of the FCC requiring ONDCP advertisements to be identified as paid for by the ONDCP. We made progress in requiring that 80 percent of the media campaign dollars must go to media buys. The present requirement is now 77 percent. I would prefer that there be no requirement at all, but I think this is an improvement.

We were able to address many problems during the committee process, and the result is a much better product. I want to point out that this bill is not a perfect bill. And one of the remaining problems concerns the use of HIDTA, the HIDTA funds, for treatment. Further work need to be done to address the need for more drug treatment, and I have talked to the gentleman from Indiana (Mr. SOUDER) about that matter. And based on his promise that we will continue to talk about it and look further at this issue, I am not going to oppose the bill on that basis. But I do hope that when the bill goes through to a conference or comes out of the Senate, that we will do more in the area of treatment.

Mr. Speaker, it is a bill that I urge my colleagues to support. I hope that we can work to make ONDCP even better in the future.

Mr. SOUDER. Mr. Speaker, how much time remains?

The SPEAKER pro tempore (Mr. WHITFIELD). The gentleman from Indiana (Mr. SOUDER) has 3 minutes remaining.

Mr. SOUDER. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I wanted to make sure that Members understood there was one program we have not talked about at all today which is CTAC, the Counter-Drug Technology Assessment Center, which has a technology transfer program that is so important to so many of our local and State programs; 5,356 local and State agencies across the United States have tapped into this technology.

I also wanted to point out for those who are somewhat confused about HIDTAs that, for example, in New

York City, Detroit and Los Angeles, over half of the members of that HIDTA are local law enforcement and two-thirds are State and local law enforcement. This was a program that said rather than just have Federal law enforcement, let us build and leverage the resources of the State and local communities by working together.

If we do not adequately fund this program, every city has pretty much told us that they will pull out because they have to use their State and local dollars to join with these HIDTAs, and it is a very marginal decision to do so, but they believe putting two-thirds of the officers in has been beneficial in reducing crime in their area.

In New York City, the HIDTA there is referred to as the U.N. of law enforcement because after 9/11, they have consolidated not only the narcotics, but the anti-terrorism efforts to make sure that New York remains safe because it has been on orange alert since 9/11. It is on orange alert when the rest of us are on elevated alert. And to cut back the HIDTA, or eliminate the HIDTA, in New York City would be devastating to anti-terrorism protection as well.

Lastly, I want to point out that I have had excellent discussions with the ranking member, the gentleman from Maryland (Mr. CUMMINGS) and with the ranking member of the full committee, the gentleman from California (Mr. WAXMAN). We have continued to disagree, but understand that we need to work out some kind of additional language that gives flexibility on drug treatment, although that should not be the primary function, and HIDTA dollars should not be used for that effect. We continue to talk about the grandfathering in of the two programs that are not grandfathered in under this and if, whether that money could be used like it is in the Washington-Baltimore HIDTA to work on drug treatment, and I pledged that I would continue to work on this as we move through conference.

So I hope that given the many changes, this bill makes a very strong statement to drug dealers across America, that we are not going to back off. It makes a very strong statement on marijuana use and the dangers of marijuana. It talks about how to tighten the Safe and Drug-Free Schools program to make sure it has a clear anti-drug message. It includes efforts to make sure that the HIDTAs focus on national drug trade and not just at the local level where we lock people up but how do we get into the systems. On the supply side, we have also asked for new assessments on the accelerating problem of Columbian heroine.

I believe that in the end this bill represents a bipartisan approach to a balanced, coordinated and effective strategy to address the serious problem of drug abuse and its many effects across our country. I urge all Members to support H.R. 2086.

Mr. PORTMAN. Mr. Speaker, I rise today in support of H.R. 2086, the Office of National

Drug Control Policy Reauthorization Act of 2003. This legislation also reauthorizes the National Youth Anti-Drug Media Campaign—a critical component of our Nation's drug control strategy.

We know that one important way to get the drug prevention message across is through the media: television, radio and newspapers. I am a firm believer that an effective media campaign can help prevent and delay the onset of substance abuse among youth. The Partnership for a Drug-Free America operated a successful media campaign long before the Federal Government became involved. Congress understood the importance of the anti-drug media message and wanted to ensure that it would continue as public service campaigns have the proven ability to change attitudes and behavior.

Since 1998, the Office of National Drug Control Policy has run a National Youth Anti-Drug Campaign. With the help of the Partnership for a Drug-Free America, the Campaign has created more than 200 commercials.

We know that the Media Campaign is working. The Media Campaign helps parents realize that they play a vital role in preventing their kids from using drugs. Results clearly show that the Campaign helps initiate conversations about substance abuse between parents and their children. We also know that the ads have helped parents set rules and clear standards about drug use.

Survey results released this month confirm that youth are getting the right messages about drug use. The ads have contributed to a climate of disapproval of drug use that is imperative to reducing the human, social, and financial costs of this deadly disease. The Campaign reaches 90 percent of the youth audience 4 times a week; and 74 percent of the parent audience 3.5 times a week.

Drug use behaviors are beginning to show positive effects from youth exposure to the Media Campaign. For example, almost half (49 percent) of youth with high exposure to the marijuana ads said the ads made them less likely to try or use drugs versus 38 percent of the youth who had little or no exposure to the ads. A strong correlation was found between high exposure to the ads and increased perceptions of risk associated with marijuana use that have been specifically highlighted by the Campaign. Recent data also indicates that kids who see or hear anti-drugs ads at least once a day are less likely to do drugs than other adolescents who don't see or hear ads frequently.

I have seen first-hand in my own community the positive results that can be gained through an effective media campaign.

The Coalition for a Drug-Free Greater Cincinnati, which I founded, recently conducted a survey that showed a decline in teen drug use in our region for the first time in 12 years. Marijuana use by teens is down 13 percent, alcohol use is down 24 percent, and cigarette use is down 28 percent.

The media component of the community coalition in Cincinnati plays a critical role in the coalition's overall success. The Coalition helps run an extensive local media campaign through television, radio and print. In fact, the local media in southwest Ohio have generously donated over \$1 million in anti-drug ads on an annual basis for the last three years. The survey data tells us that the media campaign is helping bring these numbers down.

Based on our survey, kids who have seen anti-drug ads on a regular basis are 20 percent less likely to use drugs. These results indicate that prevention and education tools like the media campaign work.

The key is that we work together—on a bipartisan basis—to keep these ads on the air as part of a comprehensive drug prevention effort. Passage of this bill, the Reauthorization of the Office of National Drug Control Policy, will help to improve the effectiveness of the media campaign and the reduction of drug abuse among our Nation's adolescents. I encourage all of my colleagues to support this legislation.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in support of this legislation as amended in a markup session before the Judiciary Committee.

The Office of National Drug Control Policy (ONDCP) has been the leader of federal drug policy in the United States since its inception in 1988. The Director of ONDCP serves as the President's primary advisor for drug control policy and has responsibility for implementing the ONDCP's mission of coordinating the Nation's efforts to reduce the use, manufacture, and trafficking of illicit drugs and reducing the associated crime, violence, and health consequences of illicit drugs. The Director is also responsible for advising the President on national and international drug control policies and strategies, formulating the National Drug Control Strategy, reviewing and certifying the budgets of National Drug Control Program Agencies, and for ensuring that federal drug programs are adequately funded. The Director reviews the annual budget request for each federal department and agency charged with implementing a federal drug control program and is empowered to set forth funding requirements and initiatives that he or she believes are sufficient to meet those goals.

Given the ongoing problem of drug trafficking, use, and addiction in our country, the importance of reauthorizing the ONDCP is obvious. However, as we consider funding this important federal office, it is necessary to ensure that federal funds are allocated to the proper programs.

As it is presently drafted, H.R. 2086 directly undermines the use of important tools such as drug prevention and treatment programs that have been proven to considerably reduce the use of unlawful drugs. For example, ONDCP designates certain cities in America particularly burdened by narcotics as High Intensity Drug Trafficking Areas (HIDTA). Under the provisions of the bill, HIDTA program participants are prohibited from using any of the funds they receive on prevention or treatment. The only HIDTA excluded from this prohibition is the Baltimore/Washington HIDTA.

In addition to the HIDTA prohibitions, H.R. 2086 inadequately advances prevention and treatment programs by failing to require the Director to certify, prior to approval of the budget, that federal drug treatment program funding is adequate. For instance the Department of Health and Human Services implements several drug treatment and prevention programs, such as the Substance Abuse Prevention and Treatment and Block Grant Program and the Targeted Capacity Expansion grant program. Under H.R. 2086, the Director is not required, as part of the National Drug Control Program budgeting process, to certify adequate funding of these programs prior to approval of the budget.

Another flaw in H.R. 2086, is the failure to break down statistical data by demographic group. The provisions of the bill include annual reporting requirements but the current provisions fail to include language that would require ONDCP to conduct and assess state and federal prevention and treatment programs to ensure the unique needs of minority groups, women, and youths are met. In addition, the reporting provisions fail to require that the drug-related crime information is required to be reported broken down by racial, ethnic, age, and gender lines. This information is useful to guarantee that the populations most affected by illicit drug use are allocated the greatest resources, to determine which localities to certify as HIDTAs, and to determine disparate treatment by law enforcement officials.

The ONDCP is a vital federal resource for minimizing the impact of drug crime and use in America. It is important to ensure that the ONDCP is authorized past its September 30, 2003 expiration date. However, we must not be hasty in reauthorizing the ONDCP. We must ensure that the reauthorization bill will allocate ONDCP resources to treatment and prevention programs as readily as law enforcement programs. We must ensure that there is data reporting that gives a thorough picture of our drug control efforts.

Mr. Speaker, I support the efforts of the ONDCP and believe it is important that my colleagues pass this legislation to authorize this federal agency to continue its mission. However, the flaws in H.R. 2086 must be corrected. I hope that all amendments that propose to address these flaws offered today will be given full consideration.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Indiana (Mr. SOUDER) that the House suspend the rules and pass the bill, H.R. 2086, as amended.

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

A motion to reconsider was laid on the table.

CONGRATULATING THE NEW YORK YANKEES ON THE OCCASION OF THEIR 100TH ANNIVERSARY

Mr. SOUDER. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 306) congratulating the New York Yankees on the occasion of their 100th anniversary.

The Clerk read as follows:

H. RES. 306

Whereas the New York Yankees were officially acquired in 1903 and are celebrating their 100th anniversary in 2003;

Whereas what would become the most successful team in sports history actually began as the Baltimore Orioles in 1901. When that franchise folded after only two seasons, it was purchased for \$18,000 by two colorful New Yorkers, Frank Farrell and Bill Devery;

Whereas New York's third Major-League team, joining the New York Giants and Brooklyn Dodgers of the National League, would play its home games in a hastily constructed, all-wood park at 168th Street and

Broadway. Because the site was one of the highest spots in Manhattan, the team was named the "Highlanders" and their home field "Hilltop Park." They played their inaugural game on April 22, 1903, losing 3-1 to the Senators at Washington. New York recorded the first win in franchise history the next day, a 7-2 decision at Washington;

Whereas the Highlanders nearly captured the American-League pennant in 1904—only their second season—as they finished only 1.5 games behind the Boston Pilgrims in the first of three second-place finishes from 1904 to 1910;

Whereas after a spectacular fire severely damaged the Polo Grounds in 1911, the Highlanders' owners invited the Giants to share Hilltop Park. Two years later the Giants returned the favor and allowed the Highlanders to move into their rebuilt and vastly superior park. With the move, the Highlanders officially changed their nickname to "Yankees (by which they had actually been known for most of their history)." Two years after the move—on January 11, 1915—Colonel Jacob Ruppert and Colonel Tillinghast L'Hommedieu Huston purchased the franchise from its by-now disgruntled owners;

Whereas from 1911 to 1919, the Yankees won as many as 80 games in a season only twice, but the franchise's fortunes would change forever on January 3, 1920. On what is perhaps the most significant date in club history, the Yankees purchased the contract of George Herman "Babe" Ruth from the Boston Red Sox for \$125,000 and a \$350,000 loan against the mortgage on Fenway Park;

Whereas Ruth's impact was immediate. The Yankees won 95 games in 1920, their highest victory total to date, and captured their first American-League pennant a year later. Their attendance at the Polo grounds doubled to 1,289,422 in 1920 and, in 1921, the Giants notified their tenant to vacate the Polo grounds as soon as possible. Now bitter rivals, the two teams squared off in the World Series in 1921 and 1922 with the Giants winning both times;

Whereas with their departure from the Polo Grounds inevitable, the Yankee owners set out to build a spectacular ballpark of their own. Baseball's first triple-decked structure with an advertised capacity of 70,000, it would also be the first baseball facility to be labeled a "stadium";

Whereas construction began on May 5, 1922 and, in only 284 working days, Yankee Stadium was ready for its inaugural game on April 18, 1923 vs. the Boston Red Sox. An announced crowd of 74,200 fans packed Yankee Stadium for a glimpse of Baseball's grandest facility while thousands milled around outside after the fire department finally ordered the gates closed. Appropriately, Ruth christened his new home with a three-run homer to cap a four-run inning as the Yankees coasted to a 4-1 win;

Whereas because it was widely recognized that Ruth's tremendous drawing power made the new stadium possible, it would immediately become known as "The House that Ruth Built". Later that season, the Stadium hosted the first of 36 World Series and the Yankees won their first World Championship over their former landlord, the Giants. Of course, as the Stadium became the stage for a staggering number of World titles—now totaling 26—it would also become known as "The Home of Champions";

Whereas on June 1, 1925 in a 5-3 loss vs. Washington, Manager Miller Huggins inserted a 21-year-old rookie first baseman as a pinch hitter for light-hitting shortstop Pee Wee Wanninger. No one could have imagined at the time that this appearance would be the first of 2,130 consecutive games played by Lou Gehrig, who, with Babe Ruth and later

Joe DiMaggio, anchored some of the greatest ball clubs of all time;

Whereas after a disheartening loss to the St. Louis Cardinals in the 1926 World Series, the Yankees rolled to World Championships in both 1927 and 1928, sweeping the Series both years. The 1927 club, the first Yankee team to be labeled "Murderers' Row", became the yardstick by which athletic greatness is measured. During that season, Ruth shattered his own single-season home run record with his 60th on the season's final day on September 30, 1927;

Whereas in his 15 seasons in pinstripes, Ruth helped build a tradition of winning with seven American-League pennants and four World Championships. He finished his unparalleled career (with the Boston Braves in 1935) with 714 home runs, 12 American-League home-run titles and six RBI crowns, including five seasons with more than 150. A charter member of Baseball's Hall of Fame, he remains widely regarded as the greatest player of all-time;

Whereas after the 1934 season, Ruth's last in New York, the Yankees purchased the contract of a budding star named Joseph Paul DiMaggio from the San Francisco Seals of the Pacific Coast League. Two years later, DiMaggio made his debut in pinstripes and helped the Yankees to an incredible string of four consecutive World Championships under Manager Joe McCarthy from 1936 through 1939. The decade of the thirties also produced one of the game's greatest lefty-righty pitching combinations in future Hall of Famers Lefty Gomez and Red Ruffing. A four-time 20-game winner—including 24-7 in 1932 and 26-5 in 1934—Gomez was also 6-0 in five World Series. Ruffing posted seasons of 20, 20, 21 and 21 wins on four World-Championship clubs from 1936-1939;

Whereas sadly, in 1939, Gehrig was diagnosed with a crippling disease and his streak of 2,130 games came to an end on May 2 when he did not appear in a 22-2 Yankees' win at Detroit. On July 4, the Yankees honored their captain with an emotional "Lou Gehrig Appreciation Day" at Yankee Stadium and his uniform number (4) became the first in Baseball to be retired. He died on June 2, 1941;

Whereas with the departure of Gehrig, DiMaggio became the pillar of the next generation of Yankee champions. In his 13 seasons in pinstripes, the Yankees played in the World Series in all but two years and won 10 World-Series titles. The legendary "Yankee Clipper" compiled one of the game's most remarkable—and perhaps unbreakable—records in 1941 when he hit safely in a record 56 consecutive games;

Whereas the Yankees also made a seamless transition after DiMaggio's retirement at the age of 37 after the 1951 season. With Whitey Ford and Mickey Mantle joining future Hall of Famers Yogi Berra and Phil Rizzuto, the Yankees won eight American-League pennants and six World Championships under Manager Casey Stengel during the 1950's. Their streak of five consecutive World-Series titles from 1949 through 1953 remains a Major-League record with no other winning as many as four straight;

Whereas Mantle would achieve greatness despite an arrested case of osteomyelitis and numerous injuries. The powerful switch-hitter belted 536 home runs, collected 2,415 hits and batted .300 or more 10 times in an 18-year career. In his first 14 seasons in pinstripes, the Yankees missed the World Series only twice (in 1954 and 1959);

Whereas Ford's lifetime record of 236-106 gives him the best winning percentage (.690) of any 20th century pitcher and he paced the American League in victories three times and in ERA and shutouts twice. He still holds many World Series records, including

10 wins, 33 consecutive scoreless innings and 94 strikeouts;

Whereas the heart of the Yankees for 18 seasons, Berra played on an incredible 14 pennant winners and 10 World Champions. He was a three-time MVP and was selected to the All-Star team in every season from 1948 through 1962;

Whereas Rizzuto was recognized as the glue of 10 pennant winners and eight World-Series Champions from 1941-56 and captured the league's MVP award in 1950, batting .324 with 200 hits and 125 runs scored;

Whereas not every contributor to Yankee—and Baseball history was a future Hall of Famer. In Game Five of the 1956 World Series vs. the Brooklyn Dodgers on October 8th at Yankee Stadium, right-hander Don Larsen authored what is perhaps the game's greatest pitching performance when he retired all 27 Dodger batters for the only perfect game in World Series history;

Whereas the Yankees opened the decade of the sixties in their usual fashion, winning pennants in the first five seasons (1960-64) and World Series titles in 1961 and 1962. Incredibly, in the 29 seasons from 1936 to 1964, the Yankees won a remarkable 22 pennants and 16 World Championships. The 1961 club is still regarded as one of the best teams in Baseball history. With Mantle and Roger Maris embroiled in a season-long race to break Ruth's single-season home-run record, the Yankees rolled to 109 wins en route to the World Championship. Maris smashed Ruth's record when he belted his 61st home run on October 1 at Yankee Stadium in the last game of the season;

Whereas but age finally caught up with the ball club after a seven game Series loss to the St. Louis Cardinals in 1964. The Yankees would finish in the first division only once in the next nine seasons and actually plummeted to last place in 1966 for the first time in 53 years;

Whereas the team's fall from grace ended on January 2, 1973, when the most storied franchise in sports history was sold by CBS to a group headed by George M. Steinbrenner III. With the addition of Catfish Hunter—Baseball's first marquee free agent—shrewd trades which brought Ed Figueroa, Mickey Rivers, Chris Chambliss and Willie Randolph and a strong nucleus which included Thurman Munson, Graig Nettles, Roy White, and Sparky Lyle, the Yankees would make their first post-season appearance in 12 years in 1976 by winning their first American-League-East title. Then on October 14, 1976, in the deciding fifth game of the League Championship Series vs. the Kansas City Royals, Chambliss launched a ninth-inning, pennant-winning home run to put the Yankees back in the World Series;

Whereas after a disheartening four-game sweep vs. the Cincinnati Reds in the 1976 World Series, the Yankees introduced Reggie Jackson—the most prolific slugger of his era—as the club's newest free-agent acquisition. Jackson then capped an exciting 1977 season with one of Baseball's greatest individual performances. In Game Six of the World Series vs. the Los Angeles Dodgers at Yankee Stadium on October 18, "Mr. October" belted three home runs on three swings of the bat;

Whereas in 1978, the Yankees overcame a 14.0-game deficit in the American League East to force a one-game playoff with the Boston Red Sox at Fenway Park to decide the American-League pennant. Shortstop Bucky Dent erased a 2-0 Red Sox lead in the seventh inning with a dramatic three-run homer and the Yankees went on to a 5-4 win en route to a second straight World Championship;

Whereas the '78 season also saw the emergence of Ron Guidry as one of the franchise's

greatest pitchers. A four-time American-League All-Star, Guidry compiled one of the most dominating seasons in baseball history in 1978 and became known as "Louisiana Lightning". He went 25-3 with a 1.74 earned run average in leading the Yankees to their dramatic comeback, compiling a club-record 248 strikeouts and nine shutouts en route to a unanimous selection as the A.L.'s Cy Young Award recipient. On June 17, 1978 vs. the California Angels at Yankee Stadium, Guidry shattered the club record for strikeouts with 18. The Yankees' co-captain—with Willie Randolph—from 1986 through 1988, Guidry also won 20 games in 1983 (21-9) and 1985 (22-6);

Whereas the seventies ended with tragedy as Thurman Munson, the Yankees' first captain since Gehrig, was killed in the crash of his private jet on August 2, 1979. Only 32 at the time of his death, Munson was the undisputed leader of the clubs that won three consecutive pennants and two World Championships. After their Captain's death, the Yankees would make only one more World-Series appearance (1981) in 17 years despite compiling the best record in the Major Leagues during the decade of the eighties;

Whereas the eighties also saw the development of one of the franchise's greatest and most popular players, Don Mattingly, "Donnie Baseball," the team captain from 1991 through 1995, batted .307 in his Yankee career (1982-95) and compiled an incredible six-year stretch from 1983-89. During those years, he batted .327 and topped 100 RBI five times, including a career-high 145 in 1985 when he captured the A.L. MVP award. A year earlier, he outdueled teammate Dave Winfield on the final day of the season for the league's batting crown (.343 to .340);

Whereas Winfield, who came to the Yankees as the game's most-sought-after free agent in 1981, compiled Hall of Fame credentials in his eight-plus seasons in pinstripes (1981-90). He belted 205 home runs for the Yankees with 818 RBI and won five gold gloves;

Whereas after an absence of 13 years, the Yankees returned to post-season play in 1995 as the American League's first-ever "Wild-Card" entry. A devastating five-game loss to the Seattle Mariners in the Division Series was only the start of an incredible run for eight consecutive post-season appearances, a record shared only by the Atlanta Braves;

Whereas in 1996, under new skipper Joe Torre, the Yankees returned to the World Series and would win four of the next five World Championships, including three straight from 1998 through 2000. Their 114 victories in 1998 shattered the 44-year-old American-League mark of 111 wins by the 1954 Cleveland Indians (was broken by Seattle in 2001) and their 125 total victories (with 11 post-season wins) remains Baseball's best single-season total;

Whereas the Yankees' most-recent era of greatness featured a consistent lineup of great homegrown and acquired players to rival any period in franchise history. Since the arrival of Bernie Williams in 1991, the Yankees' farm system has produced All-Stars Derek Jeter, Andy Pettitte, Jorge Posada and Mariano Rivera. In addition, shrewd trades and free-agent acquisitions have brought such All-Stars as Wade Boggs, Scott Brosius, Roger Clemens, David Cone, Jason Giambi, Tino Martinez, Mike Mussina, Paul O'Neil, Mike Stanton and David Wells;

Whereas in 2001, the Yankees failed to become only the second team in history to win four consecutive World-Series titles, but captured the hearts of the nation in the aftermath of the September 11th attacks. The Yankees dropped the first two games of the Series vs. the Arizona Diamondbacks at Bank One Ballpark, but rallied to win the

next three at Yankee Stadium behind dramatic ninth-inning comebacks in both games Three and Four. On consecutive nights, Tino Martinez and Scott Brosius erased two-run, ninth-inning Diamondback leads with the Yankees winning both games in extra innings. It marked the first time in World Series history that a team won two games in the same series when trailing by at least two runs in the ninth inning;

Whereas as the Yankees begin their second century in 2003, they seek to extend their franchise record of consecutive post-season appearances to nine (a record matched only by the Atlanta Braves, 1995-02). They will do so by expanding upon the kind of innovation that set their first century—and its 26 World Championships—in motion. One hundred years ago, the original 1903 team was built with stars from no fewer than eight different Major-League teams. The 2003 Yankees—with the additions of Cuban All-Star pitcher Jose Contreras and three-time Japan Central League MVP Hideki Matsui—will be comprised of stars from no fewer than six nations;

Whereas the Yankees recorded their 41st first-place finish in team history in 2002, the most of any professional sports franchise . . . they are followed by the Montreal Canadians (32), Minneapolis/Los Angeles Lakers (27), Boston Celtics (24), Brooklyn/Los Angeles Dodgers (24), Boston/Milwaukee/Atlanta Braves (23), New York/San Francisco Giants (21), Philadelphia/Kansas City/Oakland A's (20) and New York (football) Giants (20) . . . the Yankees' first-place total includes the strike-shortened 1981 season when they won the first half title; and

Whereas the Yankees have won 26 of the 97 World Series' played (27 percent) . . . they have won 38 of the 101 American League Pennants (38 percent). Since 1921, the Yankees have been a participant in 38 of the 81 World Series' played (47 percent). The Yankees have won a total of 127 games in the World Series . . . no other team has even played in that many World Series games: Now, therefore, be it

Resolved, That the House of Representatives and the American people extend heartfelt congratulations to the New York Yankees on the occasion of its 100th anniversary, and express the sincerest gratitude to the entire organization.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Indiana (Mr. SOUDER) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from Indiana (Mr. SOUDER).

GENERAL LEAVE

Mr. SOUDER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H. Res. 306.

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

There was no objection.

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

Mr. Speaker, this resolution congratulates Major League Baseball's New York Yankees for their 100th anniversary. Let me make it clear at the outset, as my colleague from Illinois may as well, I am not a Yankees fan. My favorite year for the Yankees was 1959 when the White Sox won the American League Pennant, not all these Yankee championships. But I,

like most Americans, give begrudging respect to the Boston Celtics and the University of Notre Dame football, for over the years, like the New York Yankees, they have been able to retain a remarkable tradition of winning. And the Yankees have the most extraordinary history of any professional sports team.

It is one thing to win a few, but it is another thing to do it decade after decade as the New York Yankees have done. The Yankees franchise has won 38 American League pennants and 26 World Series championships in its history, both are the most of any major league baseball team.

In January of 1903, two New York businessmen named Frank Farrell and Bill Devery purchased the failing Baltimore Orioles franchise for a mere \$18,000. At the same time, the American League operated the Orioles, similar to Major League Baseball's management of today's Montreal Expos.

The team's new stadium in New York was located on a hill overlooking the Bronx. Consequently, the team was renamed the Highlanders. The team became the Yankees and moved to the Polo Grounds in 1913. Also, the team added its famous navy blue pinstripes in 1912. The team's ascension to greatness perhaps commenced on January 3, 1920 when the Yankees acquired from the Boston Red Sox, something which Boston has forever regretted, a rising star by the name of Babe Ruth.

During his first year with the Yankees, Ruth hit 54 home runs and the Yankees won 95 games. In 1923, the Yankees began playing at the newly-constructed Yankee Stadium, and they won their first World Series against the cross-town Giants.

The Yankees won 19 more World Series through the 1964 season. The franchise only won two more titles in 1977 and 1978 prior to 1996. But since 1996, the Yankees have been to five World Series and won four, in 1996, 1998, 1999 and 2000. The Yankees have now won six straight American League Eastern Division titles and seven in manager Joe Torre's 8-year tenure in the Bronx.

On Sunday, the Yankees finished the season tied with the Atlanta Braves for having the best record in baseball, 101 wins and 61 losses.

Mr. Speaker, I congratulate the gentleman from New York (Mr. SERRANO) for his work on this bill.

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

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I have never really been a Yankee fan. As a matter of fact, I grew up as a Dodger fan; and, of course, the Yankees generally got the best of that competition. But over the past 100 years, the New York Yankees have spun memorable personalities and indelible moments.

The Yankees franchise is defined by team success and excellence. New York has won an American League pennant

and appeared in a World Series in every decade since the 1920s, however, that was not always the case.

The Yankee franchise formed in 1901 in Baltimore, Maryland as the Baltimore Orioles. They played their first game on April 26, 1902 in Oriole Park.

In 1903, the franchise moved to New York and was renamed the New York Highlanders. From 1905 to 1919, the club was a regular inhabitant of the second division, seldom posted a winning record and lost 100-plus games twice. In 1913, they were renamed the New York Yankees. In 1923, they moved in to Yankee Stadium in the Bronx, New York.

After spending their first 18 seasons, a cumulative 41 games, under the .55 percent, the Yankees swaggered into the Nation's consciousness with their first American League pennant in 1921. The legendary Yankee dynasty of the 1920s and 1930s won 11 pennants and eight World Series championships with players such as outfielders Babe Ruth, Earle Combs, and Joe DiMaggio; first baseman Lou Gehrig; infielder Tony Lazzeri; pitcher Waite Hoyt.

□ 1500

From 1941 to 1947, New York continued its success, winning four pennants and three World Series titles.

Manager Casey Stengel guided the Yankees from 1948 through the 1960s, the team's most overpowering era. During this period, the club won 10 American League pennants and seven World Series championships, including five straight championships from 1949 to 1953, a major league record. The teams Stengel managed featured Joe DiMaggio, catcher Yogi Berra, pitcher Whitey Ford, and outfielders Mickey Mantle and Roger Maris. The Yankee dynasty continued through the early 1960s as the team won the American League pennant from 1961 to 1964 and World Series crowns in 1961 and 1962.

The next period of greatness came in the 1970s, after businessman George Steinbrenner bought the franchise and hired former Yankee Billy Martin as manager. Led by outfielder Reggie Jackson, the Yankees won three straight pennants from 1976 through 1978, going on to win the World Series in 1977 and 1978. The Yankees won another American League pennant in 1981. After a relative dry spell, the franchise returned to dominance in the late 1990s, winning the World Series in 1996, 1998, 1999, and 2000.

Yes, the Yankees are indeed the pride of millions of New Yorkers and millions of Americans who love the game of baseball, the great American pastime. I commend and congratulate them.

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

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

As I earlier mentioned, the famous Yankees dynasty compares like to the Boston Celtics who had Larry Bird from Indiana as one of their anchors

and the University of Notre Dame which, of course, is based in Indiana, although most people do not realize that.

I do want to pay tribute to two Yankee ties who clearly show that even the Yankees have Hoosier ties, which partly makes them successful. Don Mattingly will not be remembered in the same light as Ruth, Mantle, and DiMaggio given his lack of World Series rings; but this Evansville-native-turned-New York Yankees legend has made a claim to be one of the best pure baseball players the Yankees ever had. During his prime in the 1980s, he had an on-base slugging of over .900, bettered only by Wade Boggs. On top of his outstanding hitting, he also tied for having the best fielding percentage of any first baseman ever to play the game. Between 1985 and 1989, he won a Yankee record for five consecutive Gold Glove awards at first base. Indiana is proud to be the home of this Yankee legend.

The second Yankee I want to highlight with Hoosier ties is a man who never played a game for this proud organization. George Steinbrenner, better known as The Boss, has been called many things by his critics. Unsuccessful will never be one of them. During his tenure as the principal owner of the Yankees, he has guided this franchise to six World Series titles and put them back on top as the most recognized sports franchise in the world. I highlight this because Steinbrenner was a 1948 graduate of the Culver Military Academy in Culver, Indiana. The Steinbrenners are a three-generation Culver family. George Steinbrenner's father, Henry, was a 1919 Culver Summer Schools graduate, and each of his children graduated from the academy as well.

So I not only pay tribute to the New York Yankees but some of their Hoosier roots with the New York Yankees.

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

Mr. DAVIS of Illinois. Mr. Speaker, it is my pleasure to yield 5 minutes to the gentleman from New York (Mr. SERRANO), a tremendous Yankee fan and the author of this resolution.

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

Mr. SERRANO. Mr. Speaker, I thank both gentlemen for the time and for bringing this resolution to the House floor. I cautiously stand to celebrate and with great joy 100 years of Yankee baseball. I do that because the gentlemen were very clear that they are not Yankee fans, that they are just carrying on their legislative duties today.

I am a very happy man. As a lover of music and of baseball, today's a great day for me. We will celebrate Johnny Cash later on and Bob Hope, and now we celebrate 100 years of Yankee baseball.

I grew up in the Bronx, coming from Puerto Rico; and if you grow up in the Bronx, you, of course, are aware of the fact that the Bronx Bombers reside

within your neighborhood. I am a fortunate man still. I reside a few city streets, or as we call them city blocks, from Yankee Stadium; and my office is a few city blocks from Yankee Stadium.

In that stadium for 100 years now, some of the best and most successful baseball has been played. If you are a Yankee fan, you deal with the fact that you have people who are very passionate about the Yankees and others who would want nothing more than to see them lose, starting today, they are playing right now, and never win again; and I understand that.

What we do here today, and I know the gentlemen have said that, is to celebrate America's pastime, baseball, and in so doing, celebrate the most successful franchise within that sport.

The Yankees have had, as has been stated here, many eras; and when you get into overlapping eras, you run the risk of leaving people out, but there was a Ruth-Gehrig era. There was the overlapping DiMaggio era. There was the area of Mantle and Berra and Rizzuto, Ford and Maris. There was later the exciting era for my children, where they became aware of baseball, with Jackson and Mattingly and Winfield and Guidry; and lately, we have the Williams-Posada-Jeter-Pettite era, joined very recently by, and I am sorry to say this for our Yankee and Orioles fans, by Clemens, Mussina, Wells, Giambi, Soriano and, of course, Joe Torre.

Just think of it, when the Yankees first started out they were made up of players from different baseball teams. This year, the winning Yankee team is made up of players from no fewer than six nations, including our latest additions of Cuban All Star pitcher Jose Contreras and Japanese Central League MVP Hideki Matsui.

Yankee baseball is, therefore, the American Dream personified. It is success on the field. It is a behavior for most of the time outside the field, off the field, which typifies how we are as a people and how we care for each other; but to celebrate the Yankees without speaking to some of their stats would be totally improper. So at the expense of being driven out by the chairman and the ranking member, let me just remind my colleagues of a few.

This was the Yankees' 42nd first-place finish. Of the 97 World Series played, the Yankees have won 26 of them or 27 percent. They have won 38 of 101 American League pennants. Since 1921, they participated in 38 of the 81 World Series seasons, played 47 percent, and they have won 127 World Series games. That is more victories than any other team has played in the World Series, and this will not end. Trust me, I just spoke to The Boss this morning; and there are a lot of Yankee players available, either through free agency or in the minor leagues.

This is, again, the beginning of another play-off season; and we celebrate this team's success, and we celebrate

what the Yankees mean to America, to the world now, to New York and to the Bronx.

At different times in the history of my congressional district, at different times in the history of the Bronx, some negative things have been said about our neighborhoods; but never has anyone questioned the success of the Yankees, and these new Yankees, the Yankees who take players from all over the world, personify truly what the Bronx is. It is a place where people come together to work, to live, to be patriotic, and to enjoy baseball.

So let this Yankee fan in the most diplomatic way, not to anger any Boston or Oriole fan, say that we are happy to celebrate 100 years of the Bronx Bombers, 100 years of New York Yankees baseball, and as the great Ernie Banks used to say, let us play two today, let us play three, and that is how many we can watch on TV today.

Mr. DAVIS of Illinois. Mr. Speaker, I ask unanimous consent that the gentlewoman from California (Ms. WATSON) control the rest of the time for this side.

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

There was no objection.

Ms. WATSON. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts (Mr. TIERNEY).

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

Mr. TIERNEY. Mr. Speaker, I thank the gentlewoman for yielding the time.

Mr. Speaker, I understand the levity in which we all rise here today; and I think in the best of spiritedness, the question for us that this would be a time for the House of Representatives to pass a resolution congratulating just a single baseball team. Major league baseball is currently in the midst of a play-off series including the Yankees as well as seven other teams that are worthy of our praise and our congratulations. In the middle of the baseball play-offs, I think we will all be rooting for our own respective teams and promoting team unity and sportsmanship.

There are many other baseball teams that deserve our praise and congratulations, in particular the Boston Red Sox. In fact, this year the Red Sox are celebrating the 100th anniversary of their victory in the first-ever World Series. Red Sox history is peppered with record-setting victories, triumph over adversity, and the dedication of Red Sox players, coaches, and fans.

Now, it is true, Mr. Speaker, it is very true that in the long tradition of buying their way to the top, the Yankees were bought 100 years ago; but if we are to recognize any team for its 100th anniversary, we ought to congratulate the Red Sox for their World Series, not just congratulate a team simply for being acquired.

I have prepared an amendment to offer to this resolution to include congratulations to the Red Sox on the 100th anniversary of their victory in the first World Series; but I understand that since the bill was brought to the floor on the suspension calendar, that cannot be done. So I instead, Mr. Speaker, I will enter the amendment text in the RECORD at this point.

Amendment to H. Res. 306, Offered by Mr. Tierney of Massachusetts:

After "Congratulating the New York Yankees on the occasion of their 100th anniversary" insert "and the Boston Red Sox on the 100th anniversary of their victory in the first ever World Series;

Whereas the Boston Pilgrims (who would become the Boston Red Sox in 1907), in 1903 met the Pittsburgh Pirates in the first ever World Series in 1903 after winning the American league pennant by an unprecedented 14½ games;

Whereas Denton True "Cy" Young pitched a dramatic 11-2 win in Game 5 of the best-of-nine series, yielding only six hits and himself driving in three runs;

Whereas Bill Dinneen struck out Honus Wagner, widely considered the best player in the game at the time, to win the 1903 World Series;

Whereas Denton True "Cy" Young played for Boston from 1901 until 1908, beginning at age 34, and finished his eight years in Boston with a 192-112 record. In his first year with the Pilgrims, Young posted a 33-10 record, a 1.62 ERA, 5 shutouts and 158 K's, walking a mere 37 batters in 371 innings. In addition, Young was the only pitcher in baseball's first 100 years to win 500 games, including three no-hit shutouts and a perfect game on May 5, 1904;

Whereas in 1908 the Red Sox acquired from Kansas City "Smokey" Joe Wood, who was known as the successor to the great Cy Young. By the 1911 season, Wood was smoking and he showed his golden arm for the baseball world to see. His 23-17 record that year included a no-hitter against the St. Louis Browns on July 29. He also recorded 15 strikeouts in one game—a record that wouldn't be broken until Boston's Bill Monbouquette fanned 17 in 1961. In 1912, Wood's 34-5 record was the best in the league;

Whereas "Smokey" Joe's most memorable game came on September 6, 1912. Carrying a 13-game winning streak, the Washington Senators came to town and challenged the Red Sox to throw their bright, young talent a day ahead of his scheduled start against their staff's ace: Walter "Big Train" Johnson. Johnson's record-setting 16-game consecutive win streak had just been snapped. Wood accepted the challenge and the newspapers went wild. They compared the two hurlers to prize fighters. In the sixth inning, Tris Speaker and Duffy Lewis traded doubles off of Johnson and scored a run. It would be the only time either team crossed the plate that afternoon as Wood won his 14th straight. Wood went on to notch two more wins, tying Johnson's 16-game record, before losing;

Whereas in 1912 the Boston Red Sox moved from the Huntington Avenue Grounds to Fenway Park, the new stadium built specifically for the Red Sox. The season opener against the New York Highlanders (later known as the Yankees) was delayed two days by rain, but 27,000 "Fenway Faithful" showed up on April 20 to watch what turned into a three hour and 20 minute game that went into the 11th inning, when Red Sox player Tris Speaker knocked in second baseman Steve Yerkes to win the game 7-6. The

spectacular win was kept off the front page due to the sinking of the Titanic;

Whereas the 1912 Red Sox went on to post their best record ever: 105-47, (a mark which stands today). They also beat the New York Giants that year in the first "true" World Series match of the National and American League champions;

Whereas the Red Sox acquired Lefty Grove from the Philadelphia Athletics in 1934. He led the American League in strikeouts for seven consecutive years (1925-1931). Nine times he led AL pitchers with his stingy ERA in his 17-year career. Only two other pitchers led the league in ERA as many as five times. After a year plagued by arm problems that led him to pitch an 8-8 record, the first time he failed to win 20 wins since 1926, Grove was back to form in 1935, posting a 20-12 mark and a league-leading 2.70 ERA. Grove went 17-12 in 1936 for Boston 17-9 in 1937, 14-4 in 1938 and 15-4 in 1939. In four of his eight years with the Red Sox he led the league in ERA. On July 25, 1941, at 41 years old, Lefty Grove put the finishing touches on his spectacular career. Pitching through nine innings and 90-degree heat, Grove notched his 300th win in a 10-6 win over Cleveland and became the fifth all-time winningest pitcher in baseball history;

Whereas in just his third year, at only 23 years of age, Ted Williams went into the last day of the 1941 season hitting .3996, an average that officially rounds up to .400. The last major leaguer to hit over .400 was Bill Terry in 1930 and the last American League player was Harry Heilmann in 1923;

Whereas on June 18, 1953, the Red Sox scored 17 runs in one inning against the Detroit Tigers with 14 hits and six walks in the record-setting inning. The Red Sox broke or tied 17 major league records that day, including the most runs in one inning (17) and the most hits in a game (27);

Whereas on September 28, 1960 Ted Williams ended his Hall of Fame career when he sent 10,454 fans into a frenzy by launching a 1-1 pitch from Baltimore Orioles' pitcher Jack Fisher high into the damp gray sky and into the Red Sox bullpen for his 521st home run;

Whereas in 1961 Carl Michael Yastrzemski, later known simply as "Yaz," joined the Red Sox, replacing Ted Williams in left field. Yastrzemski tops the Red Sox charts for runs batted in, hits, games, at-bats, runs scored, extra base hits and total bases. He holds a top-ten rank in eight of baseball's offensive categories and became the first American Leaguer to reach the 3,000-hit and 400-home run milestone;

Whereas in 1967 Yastrzemski led "The Impossible Dream," He took a Red Sox team that led the majors in losses the previous season and guided it on one of sport's most engaging turnarounds. A .326 average, 44 home runs and 121 RBI gave "Yaz" the American League Triple Crown;

Whereas Carl Yastrzemski, at age 40, notched his 3,000th hit on September 12, 1979;

Whereas in 1964 Tony Conigliaro, known as "Tony C" to his fans, burst onto the baseball scene in Fenway Park, taking 24 homers over the "Green Monster" in 111 games while batting .290. In his second year with the Sox, Conigliaro belted 32 home runs, leading the American League. At 20 years old, Conigliaro became the youngest home-run leader in baseball history. He followed that effort in 1966 with 28 home runs;

Whereas on August 18, 1967, Conigliaro was gravely injured by a rising, inside fastball from California's Jack Hamilton. After missing the remainder of the 1967 season and all of 1968, Conigliaro surpassed remarkable odds and returned in 1969. He batted .255, hit 20 homers and won the "Comeback Player of the Year" award. He improved in 1970 when he belted 36 home runs and 116 RBI;

Whereas the Fenway Park fans showed great passion and sensitivity by avoiding wearing light-colored clothing in the center field bleachers to help Conigliaro see pitches;

Whereas Carlton Fisk, known as "Fudge," joined the Red Sox in 1972. In his rookie year he batted .293, hit 22 home runs and finished tied for the league lead with nine triples, marks which earned him the season's "Rookie of the Year" award. His most memorable moment turned into a scene that encompasses the tradition and faith of all Red Sox fans. The dominating catcher stepped to the plate in the bottom of the 12th inning of World Series Game Six in 1975. After Bernie Carbo's three-run pinch hit homer tied the game in the eighth and Dwight Evans' stunning catch gave the team life in the eleventh, Fisk was ready to close the door on a night of heroes. The catcher jumped on the second offering from Pat Darcy and lifted a high blast down the left field line that seemed to turn one of baseball's greatest games into a slow motion dream. Fisk stood at home plate, waving the ball fair like a man controlling the winds and leaped in elation as the game winning home run bounced off the foul pole, opening the gates for a wild celebration guided by a home run dance around the bases. It was a moment that typified a great career;

Whereas through 10-plus seasons in Boston, Fisk accumulated 162 home runs while compiling a .481 slugging percentage—tenth in club history. Fisk is among the leaders in three other offensive categories and is remembered for his uncanny stature in the field. For his career, Fisk caught more games (2,226) and hit more home runs (351 of his career 376) than any player at his position ever;

Whereas in 1975, a rookie named Fred Lynn made baseball history by earning both the 1975 Rookie of the Year and Most Valuable Player Awards, an accomplishment that had never been done before. Lynn also earned a batting championship and four gold gloves, played in six All-Star games and led the league in slugging percentage twice and doubles once;

Whereas outfielder Dwight "Dewey" Evans entered the big leagues in 1972 with the Red Sox and at the end of his career placed in the top five of ten offensive categories in the club's records, the most notable being the 379 home runs and 1,346 RBI that put him fourth, behind Ted Williams, Carl Yastrzemski, and Jim Rice. Evans also finished his career with the second most games played and at-bats in Boston history;

Whereas Jim Rice joined the Red Sox in 1974 after securing the International League's triple crown and in his first full year with the team batted .309 with 22 home runs and 102 RBI, leading the Sox to the American League pennant and the 1975 World Series. In 1978 he was named the A.L.'s MVP after setting staggering marks including major league leading totals of 46 homers, 139 RBI, 15 triples, 406 total bases, 213 hits and a .600 slugging percentage;

Whereas Roger Clemens warmed up a cannon before a Tuesday night game in April of 1986 and shot down 20 Seattle Mariners by night's end to break the Major League record for strikeouts in a nine inning game. It was an exhibition of sheer power and by the time the smoke cleared, the "Rocket" had fanned the side three times and during one stretch sat down eight Mariners in a row. He looked unhitatable. Seventy percent of his pitches were strikes, many of which topped the radar gun at 95 mph and higher;

Whereas in 1997 the Red Sox were treated to the arrival of a rookie named Nomar Garciaparra, who immediately turned into a superstar. The dynamic shortstop won "Rookie of the Year" honors by hitting .306

with 122 runs, 209 hits, 44 doubles, 11 triples, 30 homers, 98 RBIs and 22 stolen bases;

Whereas in 1998, after acquiring star right-hander Pedro Martinez, the Red Sox produced their first 90-win season since 1996. The 92-70 finish was good enough to vault them into the playoffs as the AL Wild Card. Nomar Garciaparra finished second in AL MVP balloting. The Red Sox snapped their postseason losing streak of 13 games by beating the Indians 11-3 in Game 1;

Whereas in 2000 Nomar Garciaparra earned his second consecutive batting title and Pedro Martinez earned his third Cy Young award in four years. Garciaparra's .372 batting average was the best batting average for a right-handed hitter in the past 50 years;

Whereas in 2001 the Red Sox signed superstar slugger Manny Ramirez off the free agent market, who clubbed a three-run homer in the first pitch he saw in a home uniform at Fenway Park;

Whereas on April 4, 2001, Hideo Nomo pitched Boston's first no-hitter since 1965. The start against the Orioles at Camden Yards was Nomo's first in a Boston uniform;

Whereas in 2002 the Red Sox began a new era, as the ownership group led by John Henry, Tom Werner and Larry Lucchino officially took over on Feb. 27. The Red Sox went 93-69 under new manager Grady Little, but missed the playoffs for the third straight year. Pedro Martinez and Derek Lowe gave the Sox their first 20-win tandem since 1949. The highlight of the season was Lowe's no-hitter at Fenway on April 27 against the Devil Rays. Manny Ramirez, despite missing six weeks with a fractured left index finger, won his first batting title;

Whereas Red Sox have appeared in the post-season seven times (1986, 1988, 1990, 1995, 1998, 1999 and 2003) since 1986;"

After "Resolved, That the House of Representatives and the American people extend heartfelt congratulations to the New York Yankees on the occasion of its 100th anniversary, and express the sincerest gratitude to the entire organization." Insert "Resolved, That the House of Representatives and the American people extend heartfelt congratulations to the Boston Red Sox on the occasion of the 100th anniversary of its victory in the first World Series and express the sincerest gratitude to the entire organization."

So I join, Mr. Speaker, the Red Sox nation in congratulating the Red Sox on the 100th anniversary of their victory in the first World Series and for their recent wild-card victory in the 2003 play-offs. On behalf of the Red Sox fans across the country and the world, I hope that the 85th time is a charm and it is this year. Good luck for all the teams in the play-offs and the Red Sox in particular, as well as the Yankees.

Mr. YOUNG of Florida. Mr. speaker, I rise in strong support of House Resolution 306, which congratulates the New York Yankees on their 100th anniversary.

Others who have spoken before me, and will speak after me, will have talked about the Yankees' prowess on the baseball field. Certainly their 26 World championships and 38 American League Pennants are unsurpassed in all of professional sports.

With my time today, however, I want to speak about one of the legendary New York Yankees, a man who has left his mark on this organization without ever taking to the field. That is George Steinbrenner, who bought the Yankees in January 1973 and has since then made it the most valuable sports franchise in the world.

Sports fans and non-sports fans alike know of George Steinbrenner's pride in the Yankees and his drive and desire to win the World Championship. Few people, however, know of his compassion and willingness to come to the aid of those most in need.

George Steinbrenner and his son Hal Steinbrenner devote much of their personal time in support of the Warrior Foundation, a nonprofit organization that assists the families of U.S. Special Operations Forces who make the ultimate sacrifice in defense of freedom. The Foundation provides scholarships for the children of these brave warriors who serve our Nation in anonymity.

George Steinbrenner and the New York Yankees also show their support of our troops throughout the season, by regularly honoring them at Yankee Stadium. During New York's Fleet Week, the Yankees honor thousands of sailors, soldiers, marines, airmen, and Coast Guardsmen while hosting them at baseball games. The Yankees regularly pay personal visits to our troops when they are hospitalized with injuries, and they honor those who are able to travel to Yankee Stadium.

Few people will ever forget the special bond that developed between the Yankees and the fire and police departments of New York City following the tragic events of 9/11. Our Nation will never forget the spiritual and emotional lift that those same Yankees gave our Nation with their never say die effort during the 2001 World Series.

Back home in the Tampa Bay area that I have the honor to represent, George Steinbrenner annually sponsors of series of holiday shows with the Florida Orchestra for underprivileged youth. Having participated in many of these shows, I can tell you that he brings greater happiness to thousands of children at these events each year.

He also reaches out to lend a helping hand to individuals and families with special needs throughout our community. He does not seek publicity for his efforts, he just does it because it's the right thing to do.

Mr. Speaker, George Steinbrenner is an American icon for his success as the owner of a professional sports team. For me, however, he is a true hero for his selfless acts to support our service members and our neighbors most in need. This is the side of George Steinbrenner few will ever see or read about but for which thousands are thankful and eternally grateful.

As we celebrate the 100th anniversary of this storied sports franchise, let us also say thank you to a great American with the heart of a champion. He has given our Nation much to cheer both on and off the playing field.

Mrs. MALONEY. Mr. Speaker, to the city of New York, the New York Yankees are truly more than just a baseball team.

For 100 years, they have captured the imagination, brought New Yorkers together and given our city of champions a championship spirit.

The numbers speak for themselves: 26 World Series won. 38 Hall-of-Famers. 6 consecutive division titles—and counting.

From Manhattan to Moscow, The Bronx to Beijing, you're likely to see someone wearing the distinctive Yankees ball cap wherever you go.

The world over, everyone knows the Yankees. But my most cherished Yankees memory, and the one that confirmed the uplift-

ing, inspirational power the Yankees have was in the aftermath of the tragic attacks of 9/11.

It was the City's darkest hour and New Yorkers' most harrowing experience. Collectively, New Yorkers rallied around their neighbors, their leaders—and their championship teams.

That year, the Yankees put on an exhilarating, magical performance in the World Series, constantly fighting back from the brink of defeat to push the series to the limit.

That year, the Yankees' post-season performance was the first bit of good news many New Yorkers had received in weeks.

For that, and so many other memories, I am thrilled to join with my colleagues here and millions of New Yorkers back home in congratulating the New York Yankees for 100 years of thrills, excitement and excellence.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Indiana (Mr. SOUDER) that the House suspend the rules and agree to the resolution, H. Res. 306.

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

A motion to reconsider was laid on the table.

BOB HOPE POST OFFICE BUILDING

Mrs. MILLER of Michigan. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3011) to designate the facility of the United States Postal Service located at 135 East Olive Avenue in Burbank, California, as the "Bob Hope Post Office Building".

The Clerk read as follows:

H.R. 3011

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

SECTION 1. BOB HOPE POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 135 East Olive Avenue in Burbank, California, shall be known and designated as the "Bob Hope Post Office Building".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the Bob Hope Post Office Building.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Michigan (Mrs. MILLER) and the gentlewoman from California (Ms. WATSON) each will control 20 minutes.

The Chair recognizes the gentlewoman from Michigan (Mrs. MILLER).

GENERAL LEAVE

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

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

There was no objection.

Mrs. MILLER of Michigan. Mr. Speaker, this House justifiably honors numerous Americans each Congress, many of whom we know well and others who are less famous; but we may never pay tribute to anyone who selflessly devoted more time and energy toward promoting the general welfare in this country than the incomparable Bob Hope.

This legislation, H.R. 3011, introduced by the gentleman from California (Mr. SCHIFF), designates the postal facility in Burbank, California, as the Bob Hope Post Office Building, and all 53 members of the California State delegation have signed on as cosponsors of this legislation.

Bob Hope lived a wonderful life that spanned one full century. Towards the end of his life he was perhaps the biggest giant in the American entertainment industry; and whether it was vaudeville or Broadway, TV, movies or radio, America grew up with Bob Hope during the 20th century, and we laughed all the way.

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The legendary star of radio, television and film was born in Eltham, England, on May 29, 1903. The Hope family moved to Cleveland, Ohio, when Bob was 4, and he became a United States citizen in 1920. With his passing on July 27, 2003, the country that he loved and gave so much to mourned.

This Nation can never repay Bob Hope or his family for his commitment or his love of country. But with the passage of H.R. 3011, this House can speak for the citizens of this land in saying, "You were a great American, Bob Hope. Thank you."

The son of a stonemason and an aspiring singer and entertainer, Bob Hope exemplifies the American Dream. To supplement his income when he began working in his teenage years, Bob began to follow in his mother's footsteps by doing some singing in nearby restaurants. Finally, he learned the art of vaudeville, and by 1928 he had adopted his stage name Bob Hope.

Bob eventually secured a variety show on NBC radio that lasted 18 years. By 1940, it was the most widely listened-to show in America. In 1950, he signed an exclusive TV deal which spawned a partnership that lasted more than 40 years and produced hundreds of programs and specials. On the big screen, he costarred with Hollywood legends like Bing Crosby, Shirley Ross, Paulette Goddard, and Dorothy Lamour during his movie career that lasted from the late 1930s through the Forties and Fifties. Before it was all over, he had starred in 75 motion pictures, nearly 500 television shows, and literally thousands of radio programs.

However, most Americans remember Bob best for his performances for the U.S. troops through the United Service Organization. During the early years of World War II, in 1941, he visited troops stationed in California to tape his

radio show. After doing both radio and television shows over nearly five decades for U.S. troops located all over the globe, Bob Hope performed in front of troops for the last time in 1990 for servicemen and women readying to fight in the Persian Gulf War. Over the years, he traveled to bring a little bit of home to American soldiers abroad in Europe, North Africa, the Middle East, and Asia.

The gift that Bob Hope gave to the soldiers defending our freedom is priceless. In a time of great danger, the soldiers were entertained and were able to escape the trying times of their lives just for a moment. Mr. Speaker, Bob Hope expressed the love of a Nation for the men and women risking their lives for all of us back at home. He touched the lives of these brave men and women because he knew that they were fighting for us, for our freedoms.

Bob Hope passed away at 100 years of age, and we all greatly miss him. But he passed away serenely one evening. In fact, to quote his daughter, Linda, she said, "I don't think you could have asked for a more peaceful, beautiful death. And I think all the good vibes my father put out during his lifetime came back to take him up."

There is little that can be said that has not been said about what a wonderful person Bob was. He was given 54 honorary doctorates, the Congressional Medal of Honor, the Presidential Medal of Freedom, was inducted into the Television Hall of Fame, and was even knighted by his native Great Britain. But today, I am sincerely proud that we have a chance to say just a few more words about Bob and his legacy.

Every American owes Bob a little something for his contributions to the fabric of this Nation. It is certainly appropriate that this House give at least a little bit back to Bob Hope by naming after him this post office in Burbank, California, where the NBC Studios are located, a place we all know he spent much of his career.

Mr. Speaker, I urge all Members to vote for the passage of H.R. 3011 that commemorates the matchless life of Bob Hope, and I congratulate the gentleman from California for his work on this bill.

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

Ms. WATSON. Mr. Speaker, I yield myself such time as I may consume, and I rise to support H.R. 3011, that will designate the facility of the United States Post Office located at 135 East Olive Avenue in Burbank, California, as the Bob Hope post office building.

Mr. Speaker, I am pleased to join my colleagues in the consideration of H.R. 3011, legislation naming this post office after Bob Hope. The bill was sponsored by the gentleman from California (Mr. SCHIFF) on September 4, 2003, and it has met the policy of the Committee on Government Reform and has been cosponsored by the entire California delegation.

Bob Hope was born Leslie Townes Hope in 1903 in Eltham, England. He emigrated to America 4 years later. For more than 60 years, Bob Hope traveled around the world entertaining and supporting our military personnel. From World War II, to the Korean War, to the Vietnam War, and the Persian Gulf War Bob sang, danced, joked, comforted, and took picture after picture with our men and women who were fighting for our country. But Bob Hope did not just give of his time and his talent, he also gave from his heart and his pocket. Throughout his career he raised more than \$1 billion for war relief and various other charities.

Sadly, Bob Hope, the friend of presidents and a living legend in radio, TV, film, and on Broadway died at his home on July 27, 2003. However sad it was, he met the century figure, 100 years.

Mr. Speaker, I commend my colleagues for seeking to honor the late Bob Hope in this manner; and, as a representative of Hollywood, we will all cherish his memory and his works and hope that we can give back to humankind what he did. I urge the swift adoption of this bill.

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

Mrs. MILLER of Michigan. Mr. Speaker, I yield myself such time as I may consume to simply say that this is truly a worthwhile measure, and I want to again commend the gentleman from California for his work on it. I certainly urge all my colleagues to support the passage of this measure.

Ms. MILLENDER-MCDONALD. Mr. Speaker, I am pleased to rise today in support of the Bob Hope Post Office Building Designation Act (H.R. 3011). First I would like to thank my colleagues ADAM SCHIFF and HOWARD BERMAN for introducing this bill.

On Sunday, July 27, 2003, the world lost one of its most beloved comic talents when Bob Hope died of pneumonia in Taluca Lake, CA. He was 100.

Though he was born in England and he grew up in Cleveland, OH, Bob Hope will always be a Californian. He expressed the California spirit that has captivated not only this country, but also the rest of the world in the century in which he lived.

Witty, self reliant, innovative and an entrepreneur wrapped together with impeccable timing, Bob Hope spoke to Americans on many levels. He made us laugh, he made us think and most importantly—he made us proud to be Americans.

Bob Hope's accomplishments in entertainment are well documented.

We will miss Bob Hope the entertainer, but during times like these, when every morning we are abruptly reminded of the conflict in Iraq and the sacrifices of American men and women in the Middle East, we desperately miss Bob Hope the American ambassador of good will, humanity and humor.

His contribution to our military will be irreplaceable. It was his gestures that have made the greatest impact to our troops, to our Nation and to all our citizens that applauded him as he entertained our troops overseas.

His decades of support to our troops, his presence overseas, made us all feel better

back home. We couldn't be there, but Bob Hope was. He knew the sacrifices our men and women made and he let our brave men and women know that we supported them back home.

Bob Hope is already missed.

Mr. SCHIFF. Mr. Speaker, I rise today to honor one of the most beloved and recognizable talents in the world. Bob Hope is regarded as a gifted entertainer, with an unmistakable ability to bring laughter and joy to persons of all ages; however, he was also an ambassador of hope to our men and women overseas.

It is with great honor that I stand before you today, and bring to the Floor, House Resolution 3011, a resolution cosponsored by all of my colleagues from California. This legislation will honor Bob Hope's many contributions to veterans, active duty troops, the field of entertainment and the greater Los Angeles community, by naming the Burbank, CA, Main Post Office for him.

Born in Eltham, England, on May 29, 1903, Bob Hope seemed to be destined to entertain. From impersonating Charlie Chaplin in front of the neighborhoods firehouse in Cleveland as a young boy, to celebrating an unprecedented 60 years with NBC in 1996, Hope's entertainment persona has been evident in every decade of the 20th century.

An avid golfer, Bob Hope had been quoted as saying, "Golf is my profession. I tell jokes to pay my green fees." Most notably, he developed and hosted the Bob Hope/Chrysler Classic, a pro am tournament held annually in Palm Springs, CA. Over four decades later, the Classic draws the most famous pros and celebrity amateurs, and it has gone on to raise over \$35 million for the Eisenhower Medical Center and 70 other various charities.

What separated Bob Hope from other beloved celebrities was his unwavering commitment to bringing smiles and hope to American servicemen and servicewomen overseas. For nearly six decades, during times of war and peace, Hope traveled to countless countries to entertain the troops. Affectionately referred to as "G.I. Bob," Bob Hope became a fixture on the U.S.O. stage.

In May of 1941, Bob Hope performed for U.S. Troops at March Field, CA, beginning a legendary tradition of military performances. During World War II, he performed almost all of his weekly radio shows from American military bases around the U.S. and in the theaters of war. In his support of our troops, he traveled to England, Ireland, Africa, Sicily, and the South Pacific. After the war, he continued his commitment to freedom and humor with a Christmas show for troops supporting the Berlin airlift. During the 1970s, he brought joy to weary soldiers with Christmas shows at bases or veterans' hospitals throughout Vietnam. 1983 took him to Beirut, and in 1987 he traveled around the world to entertain troops in the Pacific, Atlantic, and Indian Oceans.

His globetrotting commitment to entertainment is unsurpassed, in peacetime or in war. The Navy has honored him with a class of ships in his name. Not to be outdone, the Air Force named a C-17 *The Spirit of Bob Hope*. When I was in Iraq in August, I visited a commissary named after Bob Hope and saw first hand how much his visits to the troops meant to them. Our Nation's only honorary veteran, Bob Hope's legacy will be that of a wartime and peacetime soldier, always fighting to bring

a smile and a piece of home to U.S. troops around the world.

John Steinbeck once said of Bob Hope, "It is impossible to see how he can do so much, can cover so much ground, can work so hard and be so effective."

Former Burbank mayor Michael Hastings said to Hope, "He was as large in this community as he was in the world, and I think Burbank has been a great beneficiary." It seems only fitting that a city that served such an instrumental role in Bob Hope's life, return that honor by naming its historic post office after the entertainer.

Hope's ties to the city of Burbank, CA were numerous. In 1973, he was named the city's honorary mayor, and in 1989, the city renamed a portion of Catalina Street near NBC studios to Bob Hope Drive. In April of 1993, those studios were dedicated in honor of Hope's 90th birthday and his more than 50-year association with the network. Donating more than \$1 million to the Providence St. Joseph Medical Center Foundation in Burbank, Hope also helped raise money to build a veteran's monument in the city, by performing at the Starlight Bowl in 1987.

By naming the Burbank, CA Main Post Office for Bob Hope, we will remember him for his talent and honor him for his extraordinary impact on the lives of our troops. With the release of his very first feature film, "The Big Broadcast of 1938," "Thanks for the Memory," became Hope's signature song. Earning an Academy Award, the song will forever remind us of the legendary Bob Hope. The classic Hope song ends with the words, "Aw' fly glad I met you, cheerio, and toodle-oo and thank you so much."

We thank you Mr. Bob Hope, for all the memories.

Mr. BERMAN. Mr. Speaker, I rise today in support of naming a post office for Bob Hope near his hometown of Toluca Lake. This is a small tribute for a man who has given so much to our country.

Bob Hope was a man who knew no boundaries. He certainly did not heed geographic borders, performing for soldiers in all corners of the world. Starting in 1941, he headlined USO shows in the South Pacific, Africa, Europe and the Middle East, entertaining millions of soldiers and bringing laughter to the most desolate places on Earth.

Bob Hope did not recognize boundaries of time, charming audiences of civilians and soldiers for over sixty years. His first "last Christmas tour" was in 1972, yet into the 1990's he could be found performing for troops in Saudi Arabia during "Operation Desert Storm." No other entertainer has given so much for so long.

Bob Hope's life also eclipsed the boundaries of entertainment. His career covered every field of entertainment, from vaudeville to Broadway, radio to television and film to stand-up. His signature song "Thanks for the Memories" won an Academy Award. Although he never won an Oscar himself, Bob Hope hosted the Oscars a record 18 times and was awarded two honorary Oscars.

On May 29, 2003, America mourned Bob Hope's death at the age of 100. Although he starred in more than fifty films, he may be most remembered for his role as an honorary veteran. This honor, the only one ever awarded, was bestowed on him for his commitment to our armed services. While America could

never repay Bob Hope for his service to our country, H.R. 3011 will continue a fine tradition of honoring an exemplary citizen. I strongly encourage my colleagues to support this bill.

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

The SPEAKER pro tempore (Mr. WHITFIELD). The question is on the motion offered by the gentlewoman from Michigan (Mrs. MILLER) that the House suspend the rules and pass the bill, H.R. 3011.

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

A motion to reconsider was laid on the table.

HONORING THE LIFE AND LEGACY OF BOB HOPE

Mrs. MILLER of Michigan. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 357) honoring the life and legacy of Bob Hope.

The Clerk read as follows:

H. RES. 357

Whereas Bob Hope was born Leslie Townes Hope on May 29, 1903, in Eltham, England, and immigrated to the United States in 1907 at the age of 4;

Whereas Bob Hope entertained America on the vaudeville circuit, the Broadway stage, and in over 1,100 radio shows, 75 movies, and 475 television programs;

Whereas for more than 5 decades Bob Hope entertained the Nation's troops overseas with the United Service Organizations (USO), putting on shows during World War II, the Korea War, the Vietnam War, and the first Persian Gulf War;

Whereas during his lifetime Bob Hope donated more than 1 billion dollars to hospitals, charities, and civic organizations;

Whereas Bob Hope received the Congressional Gold Medal in 1962, in recognition of his service to his country and the cause of peace, and the Presidential Medal of Freedom in 1969, in honor of his gifts of joy to all the American people;

Whereas Bob Hope's commitment to the Nation's troops was so great that he was the first person ever to be recognized by the United States Congress as an honorary veteran;

Whereas Bob Hope received the Distinguished Service Medal from each branch of the Armed Forces;

Whereas Bob Hope was awarded 5 special Oscars, the George Peabody Award, and more than 50 honorary degrees; and

Whereas, on July 27, 2003, America was greatly saddened by the death of Bob Hope: Now, therefore, be it

Resolved, That the House of Representatives—

(1) honors Bob Hope for his legendary career as an entertainer, decades of dedicated service to the men and women of the Armed Forces, and his many philanthropic and humanitarian acts; and

(2) expresses condolences on his passing to his wife Dolores, their children, and grandchildren.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Michigan (Mrs. MILLER) and the gentlewoman from California (Ms. WATSON) each will control 20 minutes.

The Chair recognizes the gentlewoman from Michigan (Mrs. MILLER).

Mrs. MILLER of Michigan. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this resolution, of which I am a very proud cosponsor, honors the life and legacy of Bob Hope. He dedicated his life to the Nation he loved, and with House Resolution 357 we in Congress can honor his life.

Bob Hope not only entertained America, he contributed to the welfare of our society through his generosity. He donated more than \$1 billion to hospitals and charities and civic organizations. He donated his time, and he risked his life for the benefit of his fellow citizens serving in the Armed Forces.

Throughout his life, he gave of himself to others. He represented the United States and its citizens selflessly. This Nation is blessed to have had the pleasure of knowing him. "Bob, thanks for the memories."

Mr. Speaker, I yield such time as he may consume to the gentleman from Florida (Mr. MILLER), the sponsor of this well-deserved resolution, and I commend him for his work on the resolution.

Mr. MILLER of Florida. Mr. Speaker, I thank the gentlewoman for yielding, and I rise today as the co-chair of the Congressional USO Caucus to mourn the loss of the legendary entertainer Mr. Bob Hope, who recently passed away July 27 at the age of 100.

The gentleman from Texas (Mr. REYES), who is the co-chair of the Congressional USO Caucus, and I drafted this resolution soon after Mr. Hope's death in July. Incidentally, Mr. Speaker, the gentleman from Texas (Mr. REYES) regrets he is not able to be present today for this resolution. However, he has submitted remarks for the CONGRESSIONAL RECORD.

Bob Hope had an illustrious career which included more than 1,100 radio shows, 75 movies, and 475 television programs. He has received numerous accolades, as we have already heard this afternoon, including five special Oscars, the George Peabody Award, and more than 50 honorary degrees. For his distinguished service, he has received the Presidential Medal of Freedom awarded in 1969 in honor of his gifts of joy to all the American people. Most notably, Mr. Hope will be remembered as a selfless entertainer who was beloved by our Nation's Armed Forces.

Mr. Hope told jokes and entertained our Armed Forces overseas and at home for more than five decades. He headlined the USO shows during World War II and the Persian Gulf Wars, as well as in Korea and Vietnam. For his unmatched commitment to our Nation's Armed Forces, Mr. Hope received the Distinguished Service Medal from each branch of the Armed Forces and is the only person, the only person to ever be recognized by the United States Congress as an honorary veteran.

Mr. Hope's legacy continues today as our troops overseas are treated to a variety of entertainment headlined by

this country's star performers. As a matter of fact, Drew Carey, Bruce Willis, Wayne Newton, and others have completed USO tours in Iraq. The tour recently visited 13 camps, more than 7,300 troops, with four performances, and signed over 3,000 autographs. From visits by NFL Cheerleaders to comedians, to singers, Bob Hope was the catalyst for their participation. These celebrities are truly committed to continue USO tours, even in places such as Iraq. Our troops truly appreciate the participation, and it makes their difficult service to our Nation more comfortable.

Mr. Speaker, Bob Hope loved the USO and, more importantly, loved the American soldier. Bob Hope and the USO's commitment to be America's link with her men and women in uniform have withstood the test of time. With the continued dedication of the USO legion of volunteers and charitable support from individuals and corporations, the USO will provide its touch of home for as long as we have those in service to our country.

So to Bob Hope and the USO, I say, "Thanks for the memories."

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

Mr. Speaker, the son of a stonemason and an aspiring concert singer, Bob Hope had a career that stretched across the decades. His casual careers included a butcher's delivery boy, a soda clerk, shoe salesman, pool hustler and boxer, but it was the stage where he was most at home.

Bob Hope began performing in vaudeville in the 1920s, performing what he called songs, patter, and eccentric dancing. He made his Broadway debut in 1933 with the musical *Roberta*. He appeared in the 1935 production of the *Ziegfeld Follies* and starred with the legendary Ethel Merman in a production of Cole Porter's *Red Hot and Blue*.

In addition to his work on the stage, Hope landed a profitable stint hosting the popular Pepsodent show on NBC Radio. His program would air in some form or another from 1938 until the 1950s. Bob Hope's radio fame led him to Hollywood, where he appeared in his first film, *The Big Broadcast of 1938*. He starred in more than 50 films, but he is best known for the road movies with Bing Crosby and Dorothy Lamour.

Though Bob Hope never won a Best Actor Oscar, he has been awarded two honorary Academy Awards and a humanitarian award. He made his first appearance on television in 1947 when he headlined the inaugural broadcast of KTLA, the first TV station on the West Coast.

□ 1530

In the early 1950s, he appeared frequently on "The Tonight Show" with Johnny Carson and alongside Lucille Ball on her sitcom "I Love Lucy."

Beginning in 1953, Hope hosted an annual Christmas television special, many of which were broadcast internationally for the sake of the United

States troops stationed around the world. During World War II and the Korean and Vietnam wars and even during peacetime, Bob Hope toured with a number of USO shows, entertaining U.S. troops and earning the title of USO's Ambassador of Goodwill.

Over his lifetime, Bob Hope has been awarded more honors than any other entertainer, an achievement that earned him a place in the "Guinness Book of Records."

Since 1934, Bob Hope has been married to Delores Reade, whom he met when they appeared together on Broadway in "Roberta." The couple has four children.

Our condolences go out to the Hope family and his legion of fans.

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

GENERAL LEAVE

Mrs. MILLER of Michigan. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H. Res. 357.

The SPEAKER pro tempore (Mr. SCHROCK). Is there objection to the request of the gentlewoman from Michigan?

There was no objection.

Mr. REYES. Mr. Speaker, on July 27th, America mourned the loss of one of its greatest citizens when Bob Hope passed away at the age of 100. Our Nation came to know Bob Hope for his great career that spanned stage, screen, and radio. But it was his unrivaled commitment to our troops that made him an American hero. Hope headlined USO shows during World War II and the Persian Gulf War, as well as in Korea and Vietnam. Bob Hope is recognized by the Guinness Book of Records as the most honored entertainer in the world. He has been honored by the entertainment industry, the educational community, every branch of our armed services, and the United States Congress. He has had more than 2,000 awards and citations for humanitarian and professional efforts including 54 honorary doctorate degrees, and the Presidential Medal of Freedom.

In 1997, by an act of Congress, Bob Hope was made an "honorary veteran." Upon receiving the award, Hope said, "I've been given many awards in my lifetime—but to be numbered among the men and women I admire most—is the greatest honor I have ever received."

As a combat veteran myself, I was proud to welcome Bob Hope among our ranks. Bob Hope was a great American. He will be missed.

Mr. Speaker, I am proud to have been able to work with my friend and colleague, Mr. MILLER, as a co-author and lead cosponsor of this resolution. He and I are the founding Members and co-chairs of the Congressional USO Caucus. I also have the benefit of serving on both the House Armed Services Committee and the House Veterans Affairs Committee with Mr. MILLER. As the 137 Members and Senators of the Congressional USO Caucus, it is my hope that we will be able to support the mission and goals of the USO in Congress in the spirit of Bob Hope.

I encourage my colleagues to support this resolution.

Mr. DREIER. Mr. Speaker, I join with my colleagues today to honor and remember the legacy of one of the greatest entertainers, humanitarians, and patriots this country has ever known, Bob Hope.

Whether it was his early vaudeville routines, his many movies, or his numerous television specials, Americans always knew they could count on Bob Hope for a good laugh. But perhaps more impressively, Bob Hope selflessly dedicated himself to nearly 50 years of entertaining our men and women in uniform. It is estimated that 'G.I. Bob' performed for over 10 million American soldiers between World War II and Operation Desert Storm, an astonishing number that speaks to the depth of his dedication to our troops. In 1997, in recognition of his unflinching commitment, Congress unanimously voted to name Bob Hope an Honorary Veteran—the first individual so honored in the history of the United States.

I was privileged to have known Bob Hope, and have many memories of time spent with him and his wonderful wife, Dolores, and their family. When you were in his presence, you could not help but be in awe of an individual who was virtually unparalleled in his commitment to the United States of America.

During one of his many commencement addresses, Bob Hope reminded graduating seniors that they would soon take up the torch of freedom and knowledge and that, someday, they would pass that torch, burning stronger and brighter, on to others. Bob Hope carried that torch for over 100 years and has passed on to all of us a flame that continues to burn as a shining example of the virtues of humor, love, and patriotism.

Mr. Speaker, I urge my colleagues to join in honoring the life and legacy of Bob Hope.

Mrs. MILLER of Michigan. Mr. Speaker, I urge all Members to support adoption of H. Res. 357. I congratulate the gentleman from Florida (Mr. MILLER) for shepherding this through the committee process, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Michigan (Mrs. MILLER) that the House suspend the rules and agree to the resolution, H. Res. 357.

The question was taken.

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

Mrs. MILLER of Michigan. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

JUDGE EDWARD RODGERS POST OFFICE BUILDING

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2075) to designate the facility of the United States Postal Service located at 1905 West Blue Heron Boulevard in West Palm Beach, Florida, as the "Judge Edward Rodgers Post Office Building".

The Clerk read as follows:

H.R. 2075

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

SECTION 1. JUDGE EDWARD RODGERS POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 1905 West Blue Heron Boulevard in West Palm Beach, Florida, shall be known and designated as the "Judge Edward Rodgers Post Office Building".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the Judge Edward Rodgers Post Office Building.

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

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

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

Mr. Speaker, I will defer to my friends on the other side of the aisle to speak on this worthwhile legislation.

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

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

Mr. Speaker, I am representing the gentleman from Illinois (Mr. DAVIS) as a member of the Committee on Government Reform, and I am pleased to join the gentleman in consideration of H.R. 2075, legislation naming a postal facility in West Palm Beach, Florida, after Judge Edward Rodgers.

H.R. 2075 was sponsored by the gentleman from Florida (Mr. HASTINGS) on May 13, 2003. The bill has met the Committee on Government Reform policy, and has been cosponsored by the entire Florida delegation.

Edward Rodgers has lived in West Palm Beach since 1950 when he married West Palm Beach native Gwendolyn Baker. Mr. Rodgers began his career as a teacher, later becoming an assistant principal. In reaction to the injustices of teaching in a segregated society, Mr. Rodgers became an attorney, graduating from Florida A&M University Law School in 1963.

He went on to become the first black county prosecutor and the first black judge in Palm Beach County. Judge Rodgers served on the bench for 22 years before retiring in 1995. On his first run for office in 1999, Judge Rodgers won a seat on the Riviera Beach City Council, where he presently serves as council chairman.

Mr. Speaker, Judge Rodgers has spent a lifetime working hard to assist those in need, championing the rights of those with drug addictions and those who are suffering from mental illness. Judge Rodgers has used his legal and judicial talent to improve his town, establishing a Saturday drug court, working as a mediator and court-ap-

pointed special master in arbitration and investigating back-room judicial appointments. Passage of H.R. 2075 maintains our tradition of recognizing those very special and deserving individuals.

I applaud our colleague for seeking to honor Judge Edward Rodgers in this manner, and I urge the swift passage of H.R. 2075.

Mr. Speaker, I yield 5 minutes to the gentleman from Florida (Mr. HASTINGS).

Mr. HASTINGS of Florida. Mr. Speaker, I thank the gentlewoman for yielding me this time, and I also thank the gentleman from Florida (Ms. ROS-LEHTINEN) for participating and allowing this to come to the floor.

Mr. Speaker, I rise today in support of H.R. 2075, a bill to name the Riviera Beach U.S. Post Office in honor of Judge Edward Rodgers. Eddie was born in Pittsburgh, Pennsylvania, and moved to West Palm Beach, Florida, in 1950, where he met his bride and now-deceased wife, who was also a friend of mine.

Although he studied political science as an undergraduate student, he became a teacher schooling soldiers at segregated Roosevelt High School in West Palm Beach. Before being promoted to assistant principal, Eddie found himself in the position of arguing before the school board for equal pay for black teachers, but support was not there. The tyranny of segregation at that time caused him to go to law school at Florida A&M University where I had the good fortune of meeting him and his wife and his children. They all came to law school together.

The reason I know that story very well is I was in Judge Rodgers' class, one of six of us that graduated in that class from Florida A&M University. He went on to become Palm Beach County's first black prosecutor and then Palm Beach County's first black Court of Competent Jurisdiction judge. He would serve in the civil, criminal, and probate courts before retiring in 1995, after 22 remarkable years on the bench.

His accomplishments are numerous, and I have outlined some of them which I will include for the RECORD. He retired in 1995 and then really did not retire because he went on to seek elected office in Riviera Beach and went to work to restore his hometown, which he loves so much, as president of the Riviera Beach City Council.

Eddie Rodgers is a man that is known for his compassion, for his fairness, and his strength. He is a man that is respected and loved by his peers. In the entire community of Palm Beach, throughout the State of Florida, and this Nation, he finds himself a loved individual. I am honored to recognize a humanitarian activist, a former colleague, but most importantly, a great friend by naming the Riviera Beach Post Office in his honor. I obviously would urge the adoption of this bill. I

thank Members of the House of Representatives for participating and allowing this fine gentleman to be recognized. I wish him so many more honors because he is certainly deserving.

Mr. HASTINGS. Mr. Speaker, I rise today in support of H.R. 2075, a bill to name the Riviera Beach U.S. Post Office in honor of Judge Edward Rodgers.

Born in Pittsburgh, Pennsylvania, Edward Rodgers moved to West Palm Beach, Florida in 1950 after he met and married Palm Beach County native Gwendolyn Baker.

Although he studied political science as an undergraduate student, he became a teacher, schooling soldiers at segregated Roosevelt High School before being promoted to assistant principal. Disturbed by the bureaucratic tyranny of teaching in the segregated South, Rodgers set his sight on becoming an attorney.

He attended Florida A&M University Law School and along with myself, was one in a six-person class to graduate in 1963. Within 2 short years, Rodgers was appointed the first black county prosecutor in Palm Beach county, then the first black judge, and he would serve in civil, criminal, and probate courts before retiring in 1995 after 22 remarkable years on the bench.

His accomplishments are many. However, some of his career highlights include helping former Governor of Florida Lawton Chiles investigate allegations that the Palm Beach County's Judicial Nominating Commission made back-room judicial appointments. Establishing a Saturday drug court in Riviera Beach, West Palm Beach, and Delray Beach to champion the rights of the mentally ill and drug addicted. Establishing the Gwen Baker Rodgers Memorial Fund to honor his late wife. Serving as Assistant State Attorney. And working as a mediator and a court-appointed special master in arbitration cases.

When he retired in 1995, Judge Edward Rodgers pledged to continue to work to restore his town. In fact on his first run for office in 1999, Rodgers won a seat on the Riviera Beach city council, where he presently serves as council chairman.

Mr. Speaker Judge Rodgers is a man that is known for his compassion, fairness, and strength. He is a man that is respected and loved by his peers and within his community. I am honored to recognize a humanitarian, activist, former colleague, but most importantly a great friend through naming the Riviera Beach post office in his honor. I urge the adoption of the bill.

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

GENERAL LEAVE

Ms. ROS-LEHTINEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 2075.

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

There was no objection.

Ms. ROS-LEHTINEN. Mr. Speaker, I congratulate the gentleman from Florida (Mr. HASTINGS) for having the House consider his bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by

the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and pass the bill, H.R. 2075.

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

A motion to reconsider was laid on the table.

ARTHUR "PAPPY" KENNEDY POST OFFICE

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1882) to designate the facility of the United States Postal Service located at 440 South Orange Blossom Trail in Orlando, Florida, as the "Arthur 'Pappy' Kennedy Post Office".

The Clerk read as follows:

H.R. 1882

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

SECTION 1. DESIGNATION.

The facility of the United States Postal Service located at 440 South Orange Blossom Trail in Orlando, Florida, shall be known and designated as the "Arthur 'Pappy' Kennedy Post Office".

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in section 1 shall be deemed to be a reference to the Arthur "Pappy" Kennedy Post Office.

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

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

GENERAL LEAVE

Ms. ROS-LEHTINEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 1882.

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

There was no objection.

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

Mr. Speaker, H.R. 1882, introduced by the gentlewoman from Florida (Ms. CORRINE BROWN), designates this postal facility in Orlando, Florida, as the Arthur "Pappy" Kennedy Post Office Building. All of the Members of the Florida delegation have signed on as cosponsors of this measure.

Mr. Speaker, I am pleased that the House is taking up this legislation that honors Pappy Kennedy. He became the first black city commissioner in the city of Orlando's history when he was first elected in 1972. He was truly a devoted public servant, just the kind of person who ought to be honored by this House. Pappy Kennedy sadly passed away earlier this year on March 28. With passage of this legislation, this Congress can appropriately name a

post office in Pappy's hometown that will forever celebrate his loyal service.

Mr. Speaker, I want to again recognize the thoughtful work on this legislation by the gentlewoman from Florida (Ms. CORRINE BROWN), and I am proud to be a cosponsor of H.R. 1882, which honors Arthur "Pappy" Kennedy, and I urge all Members to support its passage.

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

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

Mr. Speaker, H.R. 1882 designates the facility of the United States Post Office located at 440 South Orange Blossom Trail in Orlando, Florida, as the Arthur "Pappy" Kennedy Post Office.

I am pleased to join with our colleagues in the consideration of this bill that will name the post office after Pappy Kennedy. The bill was sponsored by the gentlewoman from Florida (Ms. CORRINE BROWN) on April 30, 2003. The bill has met the Committee on Government Reform policies, and has been cosponsored by the entire Florida delegation.

Arthur "Pappy" Kennedy was born in River Junction, Florida, in 1913. Ten years later, Mr. Kennedy moved to Orlando. He attended high school and college in the Florida area, and returned to Orlando to work at the Orange Court Hotel.

□ 1545

A lifetime member of the NAACP, Mr. Kennedy volunteered with many organizations: Meals on Wheels, United Negro College Fund, among others. He served as a deacon in his church, Shiloh Baptist, and spent time working with young people.

In 1972, Mr. Kennedy was elected Orlando's first African-American City Commissioner and had the distinction of being elected by the largest percentage between contestants in the 101-year history of the city.

A tireless public servant and advocate, Arthur "Pappy" Kennedy passed away on March 28, 2001.

Mr. Speaker, I commend my colleague for seeking to honor the late Arthur "Pappy" Kennedy in this manner, and I urge the adoption of the bill.

Mr. Speaker, I yield 5 minutes to the gentleman from Florida (Mr. HASTINGS.)

Mr. HASTINGS of Florida. Mr. Speaker, in light of the fact that the original sponsor of the bill has arrived, I would like to yield this time to her if she is ready, and then I will speak, time permitting, after her.

With that in mind, I yield to the gentlewoman from Florida (Ms. BROWN), my good friend, and the good friend of the gentlewoman from Florida (Ms. ROS-LEHTINEN.)

Ms. CORRINE BROWN of Florida. Mr. Speaker, first of all, let me thank the gentleman from Florida (Mr. HASTINGS) for his support in helping to get this bill to the floor and the gentleman from Florida (Mr. CRENSHAW), in fact, the entire Florida delegation.

I am delighted to introduce this bill which designates the facility of the United States Postal Service located 440 South Orange Blossom Trail in Orlando as the Arthur "Pappy" Kennedy Post Office.

Arthur "Pappy" Kennedy was Orlando's first African-American City Commissioner. He was elected to the Orlando City Council in 1972, reelected in 1976, and served until 1980. Born in River Junction, Florida, in 1913, his family moved to Orlando where he attended the Johnson Academy and Jones High School. Upon graduation, he attended Bethune-Cookman College, a Historically Black College in my district in Daytona Beach.

There was no stronger advocate of higher education than Pappy Kennedy. A man always involved in the community, he was the organizer of the Orlando Negro Chamber of Commerce, president of the Jones High School Parent-Teacher Association, and instrumental in organizing of the Orange County Parent-Teacher Council. He also worked with many, many organizations including the Meals on Wheels, the United Negro College Fund, and the NAACP.

Yet, for all of his accomplishments, Arthur "Pappy" Kennedy is best known for being Orlando's first African-American City Commissioner.

And when elected, he had the distinction, according to the Orlando City Clerk's Office, of being elected by the largest percentage among contestants in the 101-year history of the city.

I am honored to recognize one of Florida's stellar native Floridians with this Post Office designation.

In closing, it is my understanding that the Kennedy family is in the Washington area, and I would like to welcome them and thank all of them for their inspiration and support in the life of this heroic civil rights leader, Arthur "Pappy" Kennedy.

I urge all of the Members to support the naming of this post office.

Ms. ROS-LEHTINEN. Mr. Speaker, I have no other speakers. I want to again congratulate my colleague, the gentlewoman from Florida (Ms. CORRINE BROWN), for her work on this meaningful legislation.

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

Ms. WATSON. Mr. Speaker, I yield 5 minutes to the gentleman from Florida (Mr. HASTINGS).

Mr. HASTINGS of Florida. Mr. Speaker, I rise today in tremendous support of H.R. 1882, a bill to name an Orlando, Florida, Post Office after Arthur "Pappy" Kennedy.

I am especially pleased because the bill recognizes the accomplishments of a political trailblazer for all of us in Florida, and, especially for African Americans. I am further pleased by virtue of the fact that among the great things that Arthur "Pappy" Kennedy produced, children of his that are friends of mine, including one of them, his son, who is named Arthur as well, is

my chief of staff in my office here, where I am privileged to serve in the United States Congress.

While Pappy may not be with us today to see this honor bestowed upon him, I know that his son and daughter and six grandchildren and 11 great grandchildren, and I note that some of them are with us today, share in the joy and excitement of this historic day.

As previously mentioned, Pappy was born in River Junction, Florida. I know where River Junction is; most Floridians do not. The reason I know about little towns is I am from Altamont Springs, Florida, which is 10 miles north of where Pappy made most of his career. At the young age of 10, he moved to Orlando where he would attend high school and become a pioneer in breaking down racial barriers. Throughout his life, Pappy Kennedy spoke up for those who could not speak for themselves, motivated others to improve their lives and was a tireless advocate for the poor and oppressed.

In 1976, as previously mentioned, he became the first African American to be elected to the Orlando city council. His popularity amongst the voters was obvious by virtue of the strength of the vote that he pulled in his election and then in his reelection, the largest victory to date of any Orlando commissioner. His election to the city council ended a string of unsuccessful attempts by African Americans to gain representation in Orlando's political arena. His election also paved the way for many women to successfully run for political office in Orange County. While serving on the council, he led the fight for single-member districts in Orlando. That change in election procedure resulted in the number of African Americans serving on the city council to double and others to go on to serve on the county commission and school board and the State legislature.

Interestingly, the change in election procedure that he so tirelessly fought for actually placed his political future in jeopardy. Yet despite the risk, Pappy's popularity prevailed, and he served on the city council for a total of 7 years. In addition to politics, he was a civic activist in the truest sense. He helped organize the former Orlando Negro Chamber of Commerce and was an active volunteer for the United Negro College Fund, the NAACP, Meals on Wheels and the Chamber of Commerce. Mr. Kennedy also served as president or chairman of the Jones High School Parent-Teacher Association, the Orange County United Appeal, the Orange County Heart Fund and the Orange County Easter Seal campaign.

It has been said that the true success of a leader must not only be measured by what he or she accomplishes while they are in a position to lead, but also in the size of the footprint that they leave behind. The footprint Pappy Kennedy left remains visible today in Orlando and throughout the State of Florida. The walls broken down by

Pappy Kennedy in 1976 helped open the doors of public service for African Americans throughout Florida. As someone who worked to break down the walls of racial injustice with Pappy Kennedy, the gentlewoman from Florida (Ms. CORRINE BROWN), Carrie Meek and others, it is an honor and privilege to speak on the floor of the House of Representatives today in support of this bill.

His life was one filled with political, religious and civic activism of the highest level. He inspired many, including myself, and the bill that this body is considering today is an appropriate tribute to a true American hero. I urge my colleagues to support H.R. 1882.

Ms. WATSON. Mr. Speaker, I yield 2 minutes to the gentlewoman from Florida (Ms. CORRINE BROWN).

Ms. CORRINE BROWN of Florida. Mr. Speaker, I would like to ask the gentleman from Florida (Mr. HASTINGS) a question. While we are all in the Third Congressional District very excited about the naming of the post office, I have gotten many comments about the status of this particular post office. I have contacted U.S. Postal personnel. I would like for the gentleman and other Members to work to get it upgraded so it can be the quality that we all want representing Pappy Kennedy.

Mr. HASTINGS of Florida. If the gentlewoman will yield, I can assure her that I will work tirelessly in that effort and the previous naming of a post office is of a post office in a very similar condition in Riviera. I rather suspect that they should be brought to the quality of all of the postal services, and the gentlewoman, myself and other members of the Florida delegation I am sure will do everything we can, especially for the one for Arthur "Pappy" Kennedy.

Ms. CORRINE BROWN of Florida. I thank the gentleman.

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

I will work with my colleagues to see that the upgrading of this post office happens.

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

The SPEAKER pro tempore (Mr. SCHROCK). The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and pass the bill, H.R. 1882.

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

A motion to reconsider was laid on the table.

AMENDING HIGHER EDUCATION ACT OF 1965 WITH RESPECT TO QUALIFICATIONS OF FOREIGN SCHOOLS

Mr. BOEHNER. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 570) to amend the Higher

Education Act of 1965 with respect to the qualifications of foreign schools.

The Clerk read as follows:

S. 570

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

SECTION 1. FOREIGN SCHOOL ELIGIBILITY.

(a) IN GENERAL.—Section 102(a)(2)(A) of the Higher Education Act of 1965 (20 U.S.C. 1002(a)(2)(A)) is amended to read as follows:

“(A) IN GENERAL.—For the purpose of qualifying as an institution under paragraph (1)(C), the Secretary shall establish criteria by regulation for the approval of institutions outside the United States and for the determination that such institutions are comparable to an institution of higher education as defined in section 101 (except that a graduate medical school, or a veterinary school, located outside the United States shall not be required to meet the requirements of section 101(a)(4)). Such criteria shall include a requirement that a student attending such school outside the United States is ineligible for loans made, insured, or guaranteed under part B of title IV unless—

“(i) in the case of a graduate medical school located outside the United States—

“(I)(aa) at least 60 percent of those enrolled in, and at least 60 percent of the graduates of, the graduate medical school outside the United States were not persons described in section 484(a)(5) in the year preceding the year for which a student is seeking a loan under part B of title IV; and

“(bb) at least 60 percent of the individuals who were students or graduates of the graduate medical school outside the United States or Canada (both nationals of the United States and others) taking the examinations administered by the Educational Commission for Foreign Medical Graduates received a passing score in the year preceding the year for which a student is seeking a loan under part B of title IV; or

“(II) the institution has a clinical training program that was approved by a State as of January 1, 1992; or

“(ii) in the case of a veterinary school located outside the United States that does not meet the requirements of section 101(a)(4), the institution’s students complete their clinical training at an approved veterinary school located in the United States.”.

(b) EFFECTIVE DATE.—This Act and the amendments made by this Act shall be effective as if enacted on October 1, 1998.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. BOEHNER) and the gentleman from Maryland (Mr. VAN HOLLEN) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio (Mr. BOEHNER).

GENERAL LEAVE

Mr. BOEHNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on S. 570.

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

There was no objection.

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

Today I rise in support of the bill, S. 570. The legislation is very simple in its purpose. It will correct a drafting error made years ago during the 1998 reauthorization of the Higher Education Act.

When drafting the legislation in 1998, an amendment intended to extend eligibility to a for-profit veterinary school inadvertently removed the eligibility of not-for-profit and public foreign veterinary schools from participation in the Title IV Federal Family Education Loan Program. S. 570 corrects the problem by clarifying that the in-State clinical training requirement, intended only for for-profit institutions, does not apply to not-for-profit or public foreign institutions. These institutions still must meet all other statutory and regulatory requirements to be eligible for participation. S. 570 simply makes clear that not-for-profit and public foreign veterinary institutions need not have their approved clinical training take place in the United States.

□ 1600

The legislation is noncontroversial. It is bipartisan, and this error should be corrected immediately. Students are now feeling the effects of this glitch, and it is unfairly hindering students seeking to complete their education. As they return to school, they should not have studies thwarted by a legislative drafting error. The effects of this problem are being felt by several of my constituents, one specifically being Ms. Beverly Breeden, a resident of Celina, Ohio, and a veterinary student at the Royal Veterinary College in London. She is extremely concerned that she may not be able to complete her studies should this legislation not pass. She has worked hard, and I want to ensure that she is able to return to school in October and finish her studies.

So I urge my colleagues to vote “yes” today on S. 570 and allow students to complete their education and training without unintended interruptions.

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

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

I thank the chairman of the committee for bringing this bipartisan legislation to the floor of the House, and I am pleased to support this amendment to the Higher Education Act which corrects the mistake that, as the chairman said, was made as part of the 1998 Higher Education Act reauthorization. We heard the story about the chairman’s constituent. Many others studying abroad now find themselves in a similar predicament and unable to pay for college. Many more find themselves cut off after years of investment, both financial and personal, and face the prospect of having to abandon their dream of becoming a veterinarian.

Currently, there are only 27 schools of veterinary medicine in the United States offering approximately 2,300 slots to first-year students. In the year 2000, more than 6,700 students applied for one of these limited slots. Many highly qualified applicants were denied admission to school in the United

States and had to look elsewhere to complete their training. At the same time, the demand for veterinarians across our Nation is very high. In 2001, the typical recent graduate averaged almost three job offers upon graduation.

Clearly, reputable foreign veterinarian medical colleges are key to supplying the growing demand for highly qualified veterinarians. S. 570 would correct the error we made in 1998 and restore the ability of students studying at foreign veterinary medical colleges to apply for and, if eligible, receive Pell grants, student loans, and other Federal aid.

Today, more than 150,000 U.S. citizens studying at foreign institutions of higher learning receive \$250 million in Federal student aid. American students attending foreign veterinary schools should also have access to Federal grants and student loans.

This legislation will correct the misstep we made in 1998 and allow hundreds of students to complete their degrees and realize their dreams. It has bipartisan support; and like the chairman of the committee, I urge my colleagues to support this legislation and ensure the fair treatment of all students.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in support of S. 570, an Act to amend the Higher Education Act of 1965 with respect to qualifications of foreign schools. This amendment revises the requirements of the Higher Education Act of 1965 to allow students studying in nonprofit public veterinary schools abroad to participate in the Family Education Loan Program.

The higher education act of 1965 was signed into law on November 8, 1965 “to strengthen the educational resources of our colleges and universities and to provide financial assistance for student in post secondary and higher education.” We must maintain the integrity of this important program. This amendment ensures that those students who choose to attend veterinary schools located outside the United States can still benefit from the all-important financial assistance provided by the Higher Education Act.

A substantial number of students studying abroad have been medical, dental, or veterinary students. These students are able to broaden their understanding of the medical practice and return home with an enlightened perspective that benefits those of us who will be treated here in the United States by these practitioners.

Traditionally, many medical students have hesitated to study abroad fearing that they would endanger their professional prospects. We now know that the experience gained by medical students who successfully study abroad considerably enhances their ability to move into their professional careers.

The Higher Education Act was and still is a response to the concern President Johnson expressed in 1965 about the need for more higher education opportunities for lower and middle-income families, program assistance for small and less developed colleges, additional improved library resources at higher education institution, and utilization of college

and university resources to help deal with national problems like poverty and community development.

S. 570 allows veterinary students studying abroad in nonprofit public veterinary schools to participate in the Higher Education Act's Federal Family Education Loan Program. We must maintain the purpose of the Higher Education Act of 1965 and provide financial resources to those students who qualify whether they are at home or abroad.

Mr. VAN HOLLEN. Mr. Speaker, I yield back balance of my time.

Mr. BOEHNER. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. SCHROCK). The question is on the motion offered by the gentleman from Ohio (Mr. BOEHNER) that the House suspend the rules and pass the Senate bill, S. 570.

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

A motion to reconsider was laid on the table.

HONORING THE LIFE OF JOHNNY CASH

Mrs. BLACKBURN. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 282) honoring the life of Johnny Cash, as amended.

The Clerk read as follows:

H. CON. RES. 282

Whereas Johnny Cash was one of the most influential and recognized voices of American music throughout the world, whose influence spanned generations and musical genres;

Whereas Johnny Cash was born on February 26, 1932, in Kingsland, Arkansas, and moved with his family at the age of 3 to Dyess, Arkansas, where the family farmed 20 acres of cotton and other seasonal crops;

Whereas those early years in the life of Johnny Cash inspired songs such as "Look at Them Beans" and "Five Feet High and Rising";

Whereas Johnny Cash eventually released more than 70 albums of original material in his lifetime, beginning with his first recording in 1955 with the Tennessee Two;

Whereas Johnny Cash was a devoted husband to June Carter Cash, a father of 5 children, and a grandfather;

Whereas Johnny Cash received extensive recognition for his contributions to the musical heritage of the Nation, including membership in the Grand Ole Opry; induction into the Nashville Songwriters Hall of Fame, the Country Music Hall of Fame, and the Rock and Roll Hall of Fame; and his receipt of numerous awards, including Kennedy Center Honors, 11 Grammy Awards, and the 2001 National Medal of Arts;

Whereas Johnny Cash embodied the creativity, innovation, and social conscience that define American music;

Whereas Johnny Cash was a vocal champion of the downtrodden, the working man, and Native Americans; and

Whereas the Nation has lost one of its most prolific and influential musicians with the death of Johnny Cash on September 12, 2003, in Nashville, Tennessee: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress—

(1) honors the life and accomplishments of Johnny Cash;

(2) recognizes and honors Johnny Cash for his invaluable contributions to the Nation, Tennessee, and our musical heritage; and

(3) extends condolences to the Cash family on the death of a remarkable man.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Tennessee (Mrs. BLACKBURN) and the gentleman from Maryland (Mr. VAN HOLLEN) each will control 20 minutes.

The Chair recognizes the gentlewoman from Tennessee (Mrs. BLACKBURN).

GENERAL LEAVE

Mrs. BLACKBURN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on House Concurrent Resolution 282.

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

There was no objection.

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

Mr. Speaker, I rise today in support of House Concurrent Resolution 282, offered by the gentleman from Tennessee (Mr. COOPER). House Concurrent Resolution 282 honors the life and musical legacy of Johnny Cash, a man who was a poet, a scholar, and a world famous music icon, as well as a loving husband and father.

I would like to take this opportunity to commend the gentleman from Tennessee (Mr. COOPER) for introducing this important legislation. I would also like to thank Senator LAMAR ALEXANDER for introducing the Senate version, which was passed by that body on September 18, 2003.

It was no wonder that September 12 was a dark and dreary day in Nashville. It was the day we lost the Man in Black. Johnny Cash died early that morning at Baptist Hospital in Nashville from diabetes complications. He was an outlaw, he was a songwriter, he was a born-again Christian; and for 5 decades Johnny Cash entertained millions, millions of people around the world with songs of love and death and good times and bad. All of his career, Johnny Cash wrote songs for the common man. From his upbringing in rural northeastern Arkansas to the height of his stardom in the 1960s, Johnny Cash always connected with the common man.

Johnny's career began in Memphis alongside Elvis Presley. There, with legendary recording great Sam Phillips of Sun Records, he recorded "Cry! Cry! Cry!" and that put him on the map. By 1956 he was recognized as one of country music's rising stars when he joined the Louisiana Hayride and the Grand Ole Opry. Although he struggled through drug abuse, Johnny Cash found a soul mate in June Carter Cash. It was with her loving support that he was able to make it through those tough times. In 1968 he married this daughter

of acoustic guitar great Mother Maybelle Carter, a member of "the first family of country music."

Johnny Cash's deep sense of reality pours out in that gravelly voice that we all loved with songs like "Folsom Prison Blues" and the legendary "Ring of Fire" co-written with June Carter Cash. He garnered 11 Grammys and at age 71 was in no way slowing down creatively. Just a few weeks ago, he was posthumously named the top honoree at the Americana Music Awards in Nashville.

His legacy is his music, and it will surely go on with hits like "I Walk the Line"; "Big River"; and the hit he co-wrote with fellow outlaw Kris Kristofferson, "Sunday Morning Coming Down." Kris Kristofferson was right when he said Johnny Cash represented what was great about America. His profound faith, resiliency, and unwillingness to be labeled by the music industry will certainly shape the legacy of one of the greatest American artists. This American icon will be missed, but he will be remembered through his music.

I commend the gentleman from Tennessee for his leadership in offering this concurrent resolution to honor the life of Johnny Cash, and encourage my colleagues to adopt the measure.

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

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

I rise in support of this concurrent resolution to honor the life and contributions of Johnny Cash. Johnny Cash, as we all know, had a long and distinguished music career, becoming one of the most imposing and influential figures in post-World War II country music. He is one of the only artists to be enshrined in the Rock and Roll and Country Music Hall of Fame.

Cash did not sound like Nashville, nor did he sound like honky-tonk or rock and roll. He created his own unique sound, his own type and blend of music, revolutionizing the world of country music. In creating that sound, he released over 70 albums. In addition, he was one of the most successful country artists of the 1950s and 1960s, scoring well over 100 hit singles. These are amazing feats that few musicians have accomplished and even fewer are likely to repeat.

Cash's career coincided with the birth of rock and roll. Johnny Cash was not just another musician, however. Rather, his later albums would show his deep sense of history. He illustrated his understanding with a series of historical albums. These albums were focused on the downtrodden, the common man, and also the plight of Native Americans in our country.

Johnny Cash has made an indelible mark on American society. While we have lost one of our great musical artists of the last 50 years, his songs will continue to impact generations to come.

Mr. Speaker, I yield the balance of my time to the gentleman from Tennessee (Mr. COOPER), who has the great privilege of representing Nashville and who introduced this concurrent resolution; and I ask unanimous consent that he be allowed to control the balance of my time.

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

There was no objection.

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

I thank the gentleman from Maryland (Mr. VAN HOLLEN) for yielding me this time. We have a number of speakers on this side, and I would like to yield to them. I am particularly appreciative of the gentlewoman from Tennessee (Mrs. BLACKBURN) and the gentleman from Tennessee (Mr. GORDON).

Mr. Speaker, I yield such time as he may consume to the gentleman from Tennessee (Mr. GORDON).

Mr. GORDON. Mr. Speaker, I thank the gentleman from Tennessee (Mr. COOPER) for bringing this very worthwhile concurrent resolution before us.

I was standing by my window
On a cold and cloudy day
When I saw the hearse come rollin'
For to take Johnny away.
Will the circle be unbroken?
By and by, Lord, by and by,
There's a better home a-waitin'
In the sky, Lord, in the sky.
I told the undertaker,
"Undertaker, please drive slow,
For this body you are haulin'
Lord, I hate to see him go."

Johnny Cash was a constituent of mine who lived in Hendersonville, Tennessee. I have listened to his music most of my life. He was a true legend who inspired countless musicians from all walks of life for nearly 5 decades. His music transcended traditional boundaries. He was as much an influence in rock and roll, pop, and alternative music, as he was in country music.

Johnny Cash is one of only a handful of artists to be inducted into the Country Music, Rock and Roll, and Nashville Songwriters Hall of Fame. The Man in Black's life began as the humble son of a sharecropper who toiled in the cotton fields of Arkansas, but he never forgot his simple beginnings even as he became one of the world's best-selling solo musicians.

Johnny Cash was just as comfortable performing in a maximum security prison as he was in receiving the 2001 National Medal of Arts award. He recorded more than 1,500 songs in his life and won 11 Grammys. Johnny Cash left this world on September 12, but his legacy lives on through his music and through those whom he has mentored in his 71 years of life. So, yes, the circle will be unbroken.

Mrs. BLACKBURN. Mr. Speaker, I yield such time as he may consume to the gentleman from North Carolina (Mr. COBLE), a gentleman who has

joined us on the Committee on the Judiciary in fighting for our songwriters and also a gentleman who several years ago I had the opportunity to have as my guest at the Grand Ole Opry and to celebrate some of this wonderful country music that we are speaking of today.

Mr. COBLE. Mr. Speaker, I thank the gentlewoman from Tennessee for yielding me this time.

Mr. Speaker, some years ago when I sat as a member of the House Committee on the Judiciary's Courts, the Internet, and Intellectual Property Subcommittee, we had an occasion to resolve a copyright matter, which of course brought many entertainers and performers to Capitol Hill that day. Johnny Cash and June Carter Cash, and I believe his agent was with him, came into my office prior to the meeting just to say hello. I left him in my office and went down to the meeting, and when he appeared as a witness, he proudly announced that he had just left my office where he had sat in my chair.

□ 1615

Well, I thought it was I who would be proud that he sat in my chair in my office, and I told him that. He was a very good witness; I remember it very vividly. And we resolved the copyright matter favorably for all concerned. It is one of those issues where neither side was ecstatic about it, but both sides could live with it.

Subsequently, I saw a replay of a Larry King interview, and perhaps many of my colleagues saw it when he interviewed Cash. Johnny Cash told King that night on the interview that he recalled one time when he had been arrested, I believe in Georgia, and spent the night in jail. And the jailer came the next day, and Johnny Cash said that the jailer threw the money and his clothes on the counter and said, I do not want to see you here any more. He said, my wife is a Johnny Cash fan; and she cried all night when I told her that you were in my jail. Now, you get out of here.

Tough love I think is what it amounted to. I think that jailer was saying to him, now, listen, pal, you caused me a tough night last night; my wife is upset at me for having you here. Get yourself squared away. I think he did. He obviously did get himself squared away.

Many years ago, perhaps many of my colleagues were with me here in Washington when the four outlaws, as the gentlewoman from Tennessee mentioned, Johnny Cash, Kris Kristofferson, Willie Nelson and Waylon Jennings, each of whom I am sure were regarded as outlaws by the profession, but they made one tremendous quartet here that night; and it was a sold-out crowd here in Washington. I vividly remember it.

As has already been said, the gentleman from Tennessee, the gentleman from Maryland and the gentlewoman

from Tennessee have already said it, he was indeed an icon and will indeed be missed. The man in black, always standing up; always, almost without exception, standing up for the underdog, standing up for the other guy. He will indeed be missed.

Mr. COOPER. Mr. Speaker, many of our colleagues wish they could be here today, particularly our friend, the gentleman from Arkansas (Mr. ROSS). I yield such time as he may consume to our friend, the gentleman from Illinois (Mr. DAVIS), who is here today.

Mr. DAVIS of Illinois. Mr. Speaker, I want to commend the gentleman from Tennessee for his introduction of this legislation. Though the gentleman from Arkansas (Mr. ROSS) could not be here, I, too, grew up in Arkansas; and I grew up listening to the Grand Ole Opry. I grew up as a tremendous fan of country music, but I grew up more of a fan of the gentleman that we revere and discuss today. Because of his "Folsom Prison Blues," as a matter of fact, the fact that here was a gentleman who did, in fact, represent the downtrodden but who took his music into the prisons; and as a result of the "Folsom Prison Blues," it caused people to begin to look at prisons and life in prison in a different way. As a matter of fact, right now, there are more than 2 million people who are incarcerated in this country, almost 1 million of them coming home each year.

Johnny Cash means more than just the music. He means part of a tradition in our country. I think I may not have 70 of those albums, but I must have at least 15 or 20, and whenever I want to really connect, I just sit back and listen. So Johnny has made a tremendous impact on the history and development of culture in our country.

Again, I commend the gentleman from Tennessee for the introduction of this legislation, I urge its swift passage, celebrating the life and legacy of Johnny Cash.

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

I appreciate the gentleman's kind remarks about the legacy of a truly great man.

It is not everyone who not only makes the front page of the hometown newspaper, the only front page I have ever seen entirely in black, but who also makes the front page of Time Magazine, People Magazine and, yes, no less than Rolling Stone itself.

There were some comments in here from some truly remarkable artists who have this to say about the passing of Johnny Cash.

Bob Dylan said, "Johnny was and is the North Star. You could guide your ship by him, and he is the greatest of the greats, then and now."

Merle Haggard said, "He was like Abraham or Moses, one of the great men who will ever grace the Earth. There will never be another man in black."

Kris Kristofferson pointed out he thought, "The power of his performance came from the tension between

this man who was deeply spiritual and also a real wild man."

The fact of Johnny Cash's passing has been noted by people around the world with great sadness, but I thought one of the best obituaries in his honor was written by a noted music author, Peter Guralnick; and it appeared in *The New York Times*. He said as follows: "Only those who were there at the beginning can remember how different he really was. The records, when they first started coming out on the Sun label in 1955, in the wake of Elvis Presley's success, sounded 'so unusual,' said the Sun session guitarist Roland Janes, 'that I never would have dreamed he could have even gotten a record played on the radio. But he set country music on its ear.'

"It was the voice that compelled attention from the start. It was a voice that the founder of Sun Records, Sam Phillips, compared to the blues singer Howlin' Wolf's in its uniqueness, the unimpeachable integrity and originality of its sound. But it was the conviction behind the voice that really allowed Johnny Cash to create a body of work as ambitious in its scope as it was homespun in its sound.

"He carried that conviction with him from the time he first entered the tiny Sun studio in Memphis in the fall of 1954. He was just out of the Army, selling home appliances door-to-door and playing with a trio of musicians barely conversant with the instruments that they were playing; a guitarist who played one note at a time because he did not know any other way to do it, a base player who had just switched over from the guitar and had not yet learned how to tune his instrument, and a steel guitar player who would drop out of the picture altogether before they even made a record. They worked and worked until, after nearly 6 months, they finally came up with something that reflected the honesty, originality, and, above all, the spontaneity and emotional truth that both Sam Phillips and Johnny Cash particularly prized. This low-tech approach was the perfect vehicle certainly for the plain-spoken quality of Johnny Cash's message, but the method of delivery does not come close to explaining the majesty or the ambition of his art.

"To understand that, one has to factor in the power of imagination. John Cash, he was named 'Johnny' by Sam Phillips, grew up in the Federal 'colony' of Dyess, Arkansas, a social experiment with a socialist setup really, as Johnny Cash himself described it, that was done by President Franklin Roosevelt for farmers who had lost out during the Depression. One of the most vivid memories of Dyess was the day Eleanor Roosevelt came to town to decorate the library, a momentous occasion not simply for the glimpse it afforded of Mrs. Roosevelt but for the opportunity it subsequently afforded Johnny Cash to indulge in what would become a lifelong passion for reading.

He read James Fenimore Cooper and Sir Walter Scott in particular at that time and everything he could find on the American Indian, not so much to escape as to enjoy the sense of discovery. He carried this exploratory spirit with him into the world, a world in which he achieved a degree of celebrity and fame far beyond anything he might ever have imagined and long past the point that most people would gladly have settled for the simple definition of success.

"He used his success, in fact, to provide a voice for the downtrodden, the lost souls and lost causes that might otherwise have found no place in the American dream. He used his knowledge and passion for every sort of music, for the blues of Robert Johnson, the gospel music of his fellow Arkansan, Sister Rosetta Tharpe, the Texas folk songs collected by J. Frank Dobie, to set out in new and inventive directions of his own. When he got a network television show in the late 1960s, he not only presented such unlikely countercultural figures such as Bob Dylan and Pete Seeger to a predominantly country audience, he also regularly incorporated a vivid lesson in musical and social history in a filmed sequence called 'Ride This Train.'

"Johnny Cash's imagination took him along widely divergent paths. There was, as he often remarked, no safe harbor for the creative soul. He was tormented by demons that he could not always control, but he never sought excuses. He simply sought the truth.

"This was what continued to give Johnny Cash's music relevance over the years. Through imagination he possessed a gift for empathetic transference; unlike many artists, he was able to take on other voices and make them his own. His music celebrated the power of the individual, but his emphasis on directness and simplicity made a complex, and sometimes contradictory, message accessible to all. His, as Sam Phillips once said, was the truest voice because it was so irremediably his own, but it was a universal voice, too, for the very way in which it incorporated a constant sense of striving and struggle, an irreducible awareness, and embrace, of the human stain."

Mr. Speaker, Johnny Cash was like no other. As I mentioned earlier, his loss was mourned around this globe. From young people who like "Nine Inch Nails" and the song "Hurt" and who thrilled to the video, perhaps one of the best ever made, to the oldest of country music fans who remember tuning in to the Grand Ole Opry in their youth. So we appreciate this moment, and I appreciate the chance to join with my Tennessee colleagues and my colleagues from Arkansas and people around this great country who are in this Congress and who have come up to me in the last couple of weeks to honor the memory of the great Johnny Cash.

Mr. Speaker, I have no more speakers at this time, and I yield back the balance of my time.

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

Again, I commend the gentleman from Tennessee (Mr. COOPER) for his efforts, and the gentleman from Tennessee (Mr. GORDON) for his efforts in recognizing his constituent.

The gentleman from Tennessee (Mr. COOPER) spoke a little bit about Johnny Cash's ambitions for his music, and I think that we can see that, because we have people all across the spectrum, those who are young and old, who appreciate his music, and who learned from what he does.

I think it is important to note, too, that it was very important to Johnny Cash that he mentor others; and that was not lost on his children and his grandchildren and the talents that they possess and the talents that they are bringing forward in the music industry today.

We appreciate so much this body joining together to honor not only Johnny Cash's life and the impact that he had on the music industry but the legacy.

Mr. ROSS. Mr. Speaker, I rise today to pay tribute to the late Johnny Cash, one of our most well known singer/songwriters who was born in a little-known town in my district named Kingsland.

Kingsland, Arkansas is a little town of 449 residents that lies just west of the Mississippi Delta, the fertile ground out of which grows our nation's finest food and fiber. Out of this land also grows much hardship—it is sparsely populated by farmers whose fortune is subject to the whims of nature. It gave birth to the blues, and to Johnny Cash.

Cash was born in the wake of the Great Depression, the fourth of five children in a cotton farming family. He picked cotton with his hands, sang hymns at the Central Baptist Church, and sought higher ground at Pine Bluff when the great flood of 1937 sent the Mississippi's waters spilling into his family's cotton fields in Dyess, covering them with the black Mississippi mud that the next year produced the best cotton crop they'd ever seen—hardship and glory wrapped up in a busted levee that soaked his livelihood and sealed his fate as the champion of the downtrodden.

Johnny Cash's music transcended genres and generations to touch us all with stories of struggle—sometimes ending in triumph, but usually ending in trouble. His adventurous ballads and lamenting dirges could bring us down to the darkest depths of life at the same time his spirituals lifted us up to heaven.

He was bold. He was bad. He was brave. He made his peace with man and with God through his songs. He sang of outlaws and heroes, cowboys and killers, soldiers and lovers, and even a boy named Sue. He was country, folk, and rock and roll. Johnny Cash didn't sing to simply earn a living, he sang because he had much to tell.

From his life we learn to face adversity with wit and integrity, to fight back when pushed down, to hold duty and honor sacred, and to love and forgive. We lost one of our national treasures this month, but the legacy and the legend of the Man in Black will live on in the gift he gave us all.

Mrs. BLACKBURN. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. SCHROCK). The question is on the motion offered by the gentleman from Tennessee (Mrs. BLACKBURN) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 282, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

DECLARING EMPORIA, KANSAS, AS THE FOUNDING CITY OF VETERANS DAY HOLIDAY

Mr. MORAN of Kansas. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 159) declaring Emporia, Kansas, to be the founding city of the Veterans Day holiday and recognizing the contributions of Alvin J. King and Representative Ed Rees to the enactment into law of the observance of Veterans Day.

The Clerk read as follows:

H. CON. RES. 159

Whereas in 1953, Alvin J. King of Emporia, Kansas, proposed that Armistice Day be changed to Veterans Day to recognize and honor all veterans from all wars and conflicts;

Whereas in 1953, Veterans Day was first organized and celebrated in Emporia, Kansas;

Whereas although Alvin King was only 15 years old when the United States went to war in 1917 and never served in the Armed Forces, he had a deep respect for veterans;

Whereas Alvin King's stepson, John Cooper, whom he had raised, was killed in action in Belgium during World War II while serving with Rifle Company B, 137th Infantry Regiment;

Whereas after World War II, Alvin King developed friendships with the surviving members of Rifle Company B, 137th Infantry Regiment;

Whereas in the early 1950s, Alvin King suggested either creating a special day to honor all veterans or adapting Armistice Day so that it was dedicated to all veterans since, at that time, Armistice Day honored the veterans of World War I;

Whereas by 1953, the community of Emporia, Kansas, had raised enough money to send Alvin King and his wife, Gertrude, to Washington, D.C. to garner support for an official veterans day;

Whereas Alvin King had a friend and supporter in Representative Ed Rees of Emporia, Kansas, who was strongly in favor of King's idea and said "it would give the holiday a new meaning and more widespread patriotic observance";

Whereas on June 1, 1954, President Dwight D. Eisenhower, who was raised in Kansas, signed into law the Act proclaiming November 11 as Veterans Day (Public Law 380 of the 83rd Congress);

Whereas on October 8, 1954, President Eisenhower issued a presidential proclamation concerning Veterans Day in 1954 in which he stated, "On that day let us solemnly remember the sacrifices of all those who fought so valiantly, on the seas, in the air, and on foreign shores, to preserve our heritage of freedom, and let us reconsecrate ourselves to the task of promoting an enduring peace so that their efforts shall not have been in vain"; and

Whereas the first nationwide observance of Veterans Day was on November 11, 1954: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress hereby—

(1) encourages Americans to demonstrate their support for veterans on Veterans Day by treating that day as a special day of remembrance;

(2) declares Emporia, Kansas, to be the founding city of Veterans Day;

(3) recognizes Alvin J. King, of Emporia, Kansas, as the founder of Veterans Day; and

(4) recognizes that Representative Ed Rees, of Emporia, Kansas, was instrumental in the efforts to enact into law the observance of Veterans Day.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Kansas (Mr. MORAN) and the gentleman from New Mexico (Mr. UDALL) each will control 20 minutes.

The Chair recognizes the gentleman from Kansas (Mr. MORAN).

□ 1630

Mr. MORAN of Kansas. Mr. Speaker, I yield myself such time as I may consume.

(Mr. MORAN of Kansas asked and was given permission to revise and extend his remarks.)

Mr. MORAN of Kansas. Mr. Speaker, I rise this afternoon in support of House Concurrent Resolution 159, a bill that I introduced to encourage Americans to honor the duty and sacrifices of the members of our Armed Services by proclaiming Veterans Day as a special day of national remembrance.

In addition, this resolution recognizes the community of Emporia, Kansas for its efforts to pay tribute to our Nation's veterans and to declare Emporia, Kansas as the originating city of Veterans Day.

The resolution also recognizes the contributions of two native Kansans, Mr. Alvin J. King and the Honorable Edward J. Rees for the role each played in creating the legislation that established the national observance of Veterans Day on November 11 of each year.

Our country has had many wars in its history and generations of American service-men and -women have defended America's freedom and liberty. We are a free people today because of our Founders' principles and the willingness of our service-men and -women to defend those principles with their lives. We should be ever thankful that individuals of each generation have been willing to serve America, that they have been willing risk everything, to allow their children and grandchildren the opportunity to live in freedom.

Mr. Alvin J. King's abiding respect for veterans is attributed to the loss of his nephew, John Cooper, who was killed in action in Belgium during World War II. John Cooper was a member of Rifle Company B, 137th Infantry Regiment of the U.S. Army. After his nephew's death, Mr. KING remain devoted to the war effort at home and served as the Veterans Security Chairman for the American War Dads.

In 1953, Mr. King proposed that Armistice Day, a national observance since

1938, be changed to Veterans Day in order to recognize and honor all veterans from all wars and all conflicts. At that time, Armistice Day existed only to honor veterans of World War I. The community of Emporia, Kansas, under the leadership of Mr. King celebrated its first "All Veterans Day" on November 11, 1953.

Through the financial support of the Emporia community, Mr. King and his wife, Gertrude, took the idea of an official Veterans Day to Washington, D.C. to Representative Edward H. Rees, another Emporia resident, who served Kansas in the U.S. House of Representatives for 24 years. The Congressman was strongly in favor of King's idea and said, "It would give the holiday a new meaning and provide widespread patriotic observance."

Following the inaugural "All Veterans Day" celebration in Emporia, Representative Rees introduced H.R. 7786, to change Armistice Day to Veterans Day and to establish its observance on November 11 of each year. The House and Senate both approved this legislation, and with the signature of another Kansan, President Dwight D. Eisenhower, the bill became law on June 1, 1954.

Before the Nation's first celebration of Veterans Day on November 11, 1954, President Eisenhower issued the following proclamation: "On that day let us solemnly remember the sacrifices of all those who fought so valiantly, on the seas, in the air, and on foreign shores, to preserve our heritage of freedom, and let us reconsecrate ourselves to the task of promoting an enduring peace so that all their efforts shall not have been in vain."

With the enactment and President Eisenhower's signature on H.R. 7786, Mr. King's dream to honor veterans of all conflicts was fulfilled. Every year since 1953, Emporia has honored our country's veterans, most recently with a week-long series of events that involves the entire community. Veterans Day is not just another holiday, not just a day off from work in Emporia, Kansas. The citizens of Emporia take very seriously their responsibility to honor our Nation's veterans.

Mr. Speaker, I am proud to sponsor House Concurrent Resolution 159, and I want to thank my colleagues on the Committee on Veterans' Affairs for their support. I ask my colleagues and my fellow Americans to join me on Veterans Day this year and every other day in recognizing the contributions and sacrifices that our Nation's veterans have made to protect this Nation and to defend our way of life.

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

Mr. UDALL of New Mexico. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of House Concurrent Resolution 159 and thank the gentleman from Kansas (Mr. MORAN) for bringing this matter for consideration. All of us on the Committee on Veterans' Affairs appreciate

the gentleman's hard work on this important committee.

Every November at Arlington National Cemetery and across the Nation we commemorate Veterans Day at the 11th hour of the 11th day, originally Armistice Day.

While it is appropriate for the Nation to honor the contributions of our World War I veterans, it became increasingly important to include veterans from all eras of service who have preserved our freedom.

I am pleased to support this important tribute to Mr. Alvin King and to Emporia, Kansas. This is an important recognition of their work, to make certain the immeasurable contributions and sacrifices of the Nation's veterans are annually remembered.

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

GENERAL LEAVE

Mr. MORAN of Kansas. 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. Con. Res. 159.

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

There was no objection.

Mr. MORAN of Kansas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank the gentleman from New Mexico (Mr. UDALL) for his very thoughtful and kind generous remarks.

Mr. Speaker, I want to thank the gentleman from New Jersey (Mr. SMITH) and the ranking member, the gentleman from Illinois (Mr. EVANS) for their leadership on this resolution and for their steadfast and committed efforts on behalf of all veterans.

Mr. Speaker, I urge my colleagues to support House Concurrent Resolution 159.

Mr. MICHAUD. I thank the gentleman from New Mexico for yielding time.

Mr. Speaker, I too rise in strong support of H. Con. Res. 159. I agree that recognition is due to the city of Emporia, Kansas and the Kansans who helped make Veterans' Day a national holiday honoring those who have served our Nation.

I believe as Members of Congress, we have a special obligation to honor those who have served by demonstrating our support for veterans every day we serve in these halls.

We do that not only by Concurrent Resolutions such as H. Con. Res. 159, but by also passing legislation, which provides the benefits and services our Nation's veterans have earned.

I would hope that before the next Veterans Day is celebrated, we would pass legislation removing the Disabled Veterans Tax from the burden born by our service-disabled military retirees.

I would hope that before the next Veterans Day is celebrated, we would pass legislation assuring veterans adequate funding to provide them with health care in a timely manner.

Today, we honor those who contributed to making Veterans Day a national holiday with our words.

Let us also honor them by our actions.

I urge all Members to support passage of H. Con. Res. 159. I urge all Members to support legislation which honors our Nation's disabled veterans by their deeds.

Mr. MORAN of Kansas. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kansas (Mr. MORAN) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 159.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

RECESS

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

Accordingly (at 4 o'clock and 38 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1834

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. GILCHREST) at 6 o'clock and 34 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on the motions to instruct postponed last Thursday and the motion to suspend the rules postponed earlier today.

Votes will be taken in the following order:

Motion to instruct on H.R. 1, by the yeas and nays;

Motion to instruct on H.R. 1308, by the yeas and nays;

House Resolution 357, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. The others in this series will be 5-minute votes.

MOTION TO INSTRUCT CONFEREES ON H.R. 1, MEDICARE PRESCRIPTION DRUG AND MODERNIZATION ACT OF 2003

The SPEAKER pro tempore. The unfinished business is the question on the motion to instruct conferees on H.R. 1.

The Clerk will designate the motion. The Clerk designated the motion.

The SPEAKER pro tempore. The question is on the motion to instruct conferees offered by the gentleman from Texas (Mr. SANDLIN) on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 202, nays 205, not voting 27, as follows:

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

[Roll No. 524]

YEAS—202

NAYS—205

Harris	McInnis	Ryan (WI)
Hart	McKeon	Ryun (KS)
Hastings (WA)	Mica	Saxton
Hayes	Miller (FL)	Schrock
Hayworth	Miller (MI)	Sensenbrenner
Hefley	Miller, Gary	Sessions
Hensarling	Moran (KS)	Shadegg
Herger	Murphy	Shaw
Hobson	Musgrave	Shays
Hoekstra	Myrick	Sherwood
Hostettler	Nethercutt	Shimkus
Houghton	Neugebauer	Shuster
Hulshof	Ney	Simmons
Hunter	Northup	Simpson
Hyde	Norwood	Smith (MI)
Isakson	Nunes	Smith (NJ)
Issa	Nussle	Smith (TX)
Istook	Osborne	Stearns
Jenkins	Ose	Sullivan
Johnson (CT)	Otter	Tancredo
Johnson (IL)	Oxley	Tauzin
Johnson, Sam	Paul	Taylor (NC)
Jones (NC)	Pearce	Terry
Keller	Pence	Thomas
Kelly	Peterson (PA)	Thornberry
Kennedy (MN)	Petri	Tiahrt
King (IA)	Pickering	Tiberi
King (NY)	Pitts	Toomey
Kingston	Platts	Upton
Kirk	Pombo	Vitter
Kline	Porter	Walden (OR)
Knollenberg	Pryce (OH)	Walsh
Kolbe	Putnam	Wamp
LaHood	Quinn	Weldon (FL)
LaTourette	Radanovich	Weldon (PA)
Lewis (CA)	Ramstad	Weller
Lewis (KY)	Regula	Whitfield
Linder	Rehberg	Wicker
LoBiondo	Reynolds	Wilson (SC)
Lucas (OK)	Rogers (AL)	Wolf
Manzullo	Rogers (KY)	Young (AK)
McCotter	Rogers (MI)	Young (FL)
McCrery	Rohrabacher	
McHugh	Royce	

NOT VOTING—27

Boehlert	Fattah	Portman
Brady (TX)	Fletcher	Reyes
Capito	Fossella	Ros-Lehtinen
Crane	Gephardt	Souder
Culberson	Greenwood	Stark
DeMint	Hinchee	Sweeney
Dreier	Janklow	Thompson (MS)
English	Lipinski	Towns
Eshoo	Murtha	Turner (OH)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. GILCHREST) (during the vote). There are 2 minutes remaining in this vote.

□ 1857

So the motion to instruct was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

MOTION TO INSTRUCT CONFEREES ON H.R. 1308, TAX RELIEF, SIMPLIFICATION, AND EQUITY ACT OF 2003

The SPEAKER pro tempore. The unfinished business is the question on the motion to instruct conferees on the bill, H.R. 1308.

The Clerk will designate the motion.

The Clerk designated the motion.

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

offered by the gentleman from New Jersey (Mr. PALLONE) on which the yeas and nays are ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 202, nays 207, not voting 25, as follows:

[Roll No. 525]

YEAS—202

Abercrombie	Gutierrez	Nadler
Ackerman	Hall	Napolitano
Alexander	Harman	Neal (MA)
Allen	Hastings (FL)	Oberstar
Andrews	Hill	Obey
Baca	Hinchee	Olver
Baird	Hinojosa	Ortiz
Baldwin	Hoeffel	Owens
Ballance	Holden	Pallone
Becerra	Holt	Pascrell
Bell	Honda	Pastor
Berkley	Hooley (OR)	Payne
Berman	Hoyer	Pelosi
Berry	Inslee	Peterson (MN)
Bishop (GA)	Israel	Pomeroy
Bishop (NY)	Jackson (IL)	Price (NC)
Blumenauer	Jackson-Lee	Rahall
Boswell	(TX)	Rangel
Jefferson		Rodriguez
Boyd		Ross
Johnson, E. B.		Rothman
Jones (NC)		Roybal-Allard
Jones (OH)		Ruppersberger
Kanjorski		Rush
Kaptur		Ryan (OH)
Kennedy (RI)		Sabo
Kildee		Sanchez, Linda
Kilpatrick		T.
Kind		Sanchez, Loretta
Kleczka		Sanders
Kucinich		Sandlin
Lampson		Schakowsky
Langevin		Schiff
Lantos		Scott (GA)
Larsen (WA)		Scott (VA)
Larson (CT)		Serrano
Leach		Sherman
Lee		Skelton
Levin		Slaughter
Lewis (GA)		Smith (WA)
Lofgren		Snyder
Davis (FL)		Solis
Davis (IL)		Lynch
Davis (TN)		Spratt
DeFazio		Stenholm
DeGette		Strickland
Delahunt		Stupak
DeLauro		Tanner
Deutsch		Tauscher
Dicks		Taylor (MS)
Dingell		Thompson (CA)
Doggett		Tierney
Dooley (CA)		Turner (TX)
Doyle		Udall (CO)
Edwards		Udall (NM)
Ehlers		Upton
Emanuel		Van Hollen
Engel		Velazquez
Etheridge		Visclosky
Evans		Waters
Farr		Watson
Filner		Watt
Ford		Waxman
Frank (MA)		Weiner
Frost		Wexler
Gonzalez		Woolsey
Gordon		Wu
Green (TX)		Wynn
Grijalva		

NAYS—207

Aderholt	Boehner	Cannon
Akin	Bonilla	Carter
Bachus	Bonner	Chabot
Baker	Bono	Choccola
Ballenger	Boozman	Coble
Barrett (SC)	Bradley (NH)	Cole
Bartlett (MD)	Brown (SC)	Collins
Barton (TX)	Brown-Waite,	Cox
Bass	Ginny	Crenshaw
Beauprez	Burgess	Cubin
Bereuter	Burns	Cunningham
Biggett	Burns	Davis, Jo Ann
Bilirakis	Burton (IN)	Davis, Tom
Bishop (UT)	Buyer	Deal (GA)
Blackburn	Calvert	DeLay
Blunt	Camp	Diaz-Balart, L.

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

NOT VOTING—25

Boehlert	Fattah	Reyes
Brady (TX)	Fletcher	Ros-Lehtinen
Cantor	Fossella	Stark
Capito	Gephardt	Sweeney
Crane	Greenwood	Thompson (MS)
Culberson	Lipinski	Towns
DeMint	Murtha	Turner (OH)
Dreier	Pickering	
Eshoo	Portman	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. GILCHREST) (during the vote). Members are advised 2 minutes remain in this vote.

□ 1906

So the motion to instruct was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

HONORING THE LIFE AND LEGACY OF BOB HOPE

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 357.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Michigan (Mrs. MILLER) that the House suspend the

rules and agree to the resolution, H. Res. 357, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 408, nays 0, not voting 26, as follows:

[Roll No. 526]

YEAS—408

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

Miller, George
Mollohan
Moore
Moran (KS)
Moran (VA)
Murphy
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Nethercutt
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Renzi
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Sanchez, Linda
T.
Sanchez, Loretta
Sanders
Sandlin
Saxton
Schakowsky
Schiff
Schrock
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder

NOT VOTING—26
Boehlert
Brady (TX)
Cantor
Capito
Crane
Culberson
DeMint
Dreier
Eshoo
Fattah
Fletcher
Fossella
Gephardt
Greenwood
Lipinski
Murtha
Portman
Reyes
Ros-Lehtinen
Simpson
Stark
Sweeney
Thompson (MS)
Towns
Turner (OH)
Waters

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
The SPEAKER pro tempore (during the vote). Members are advised 2 minutes remain in this vote.

□ 1913

So (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CONFERENCE REPORT ON S. 3, PARTIAL-BIRTH ABORTION BAN ACT OF 2003

Mr. SENSENBRENNER submitted the following conference report and statement on the bill (S. 3) to prohibit the procedure commonly known as partial-birth abortion:

CONFERENCE REPORT (H. REPT. 108-288)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3), to prohibit the procedure commonly known as partial-birth abortion, having met, after full

and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the House amendment, insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Partial-Birth Abortion Ban Act of 2003".

SEC. 2. FINDINGS.

The Congress finds and declares the following:

(1) A moral, medical, and ethical consensus exists that the practice of performing a partial-birth abortion—an abortion in which a physician deliberately and intentionally vaginally delivers a living, unborn child's body until either the entire baby's head is outside the body of the mother, or any part of the baby's trunk past the navel is outside the body of the mother and only the head remains inside the womb, for the purpose of performing an overt act (usually the puncturing of the back of the child's skull and removing the baby's brains) that the person knows will kill the partially delivered infant, performs this act, and then completes delivery of the dead infant—is a gruesome and inhumane procedure that is never medically necessary and should be prohibited.

(2) Rather than being an abortion procedure that is embraced by the medical community, particularly among physicians who routinely perform other abortion procedures, partial-birth abortion remains a disfavored procedure that is not only unnecessary to preserve the health of the mother, but in fact poses serious risks to the long-term health of women and in some circumstances, their lives. As a result, at least 27 States banned the procedure as did the United States Congress which voted to ban the procedure during the 104th, 105th, and 106th Congresses.

(3) In *Stenberg v. Carhart*, 530 U.S. 914, 932 (2000), the United States Supreme Court opined "that significant medical authority supports the proposition that in some circumstances, [partial birth abortion] would be the safest procedure" for pregnant women who wish to undergo an abortion. Thus, the Court struck down the State of Nebraska's ban on partial-birth abortion procedures, concluding that it placed an "undue burden" on women seeking abortions because it failed to include an exception for partial-birth abortions deemed necessary to preserve the "health" of the mother.

(4) In reaching this conclusion, the Court deferred to the Federal district court's factual findings that the partial-birth abortion procedure was statistically and medically as safe as, and in many circumstances safer than, alternative abortion procedures.

(5) However, substantial evidence presented at the Stenberg trial and overwhelming evidence presented and compiled at extensive Congressional hearings, much of which was compiled after the district court hearing in Stenberg, and thus not included in the Stenberg trial record, demonstrates that a partial-birth abortion is never necessary to preserve the health of a woman, poses significant health risks to a woman upon whom the procedure is performed and is outside the standard of medical care.

(6) Despite the dearth of evidence in the Stenberg trial court record supporting the district court's findings, the United States Court of Appeals for the Eighth Circuit and the Supreme Court refused to set aside the district court's factual findings because, under the applicable standard of appellate review, they were not "clearly erroneous". A finding of fact is clearly erroneous "when although there is evidence to

support it, the reviewing court on the entire evidence is left with the definite and firm conviction that a mistake has been committed". *Anderson v. City of Bessemer City, North Carolina*, 470 U.S. 564, 573 (1985). Under this standard, "if the district court's account of the evidence is plausible in light of the record viewed in its entirety, the court of appeals may not reverse it even though convinced that had it been sitting as the trier of fact, it would have weighed the evidence differently". *Id.* at 574.

(7) Thus, in *Stenberg*, the United States Supreme Court was required to accept the very questionable findings issued by the district court judge—the effect of which was to render null and void the reasoned factual findings and policy determinations of the United States Congress and at least 27 State legislatures.

(8) However, under well-settled Supreme Court jurisprudence, the United States Congress is not bound to accept the same factual findings that the Supreme Court was bound to accept in *Stenberg* under the "clearly erroneous" standard. Rather, the United States Congress is entitled to reach its own factual findings—findings that the Supreme Court accords great deference—and to enact legislation based upon these findings so long as it seeks to pursue a legitimate interest that is within the scope of the Constitution, and draws reasonable inferences based upon substantial evidence.

(9) In *Katzenbach v. Morgan*, 384 U.S. 641 (1966), the Supreme Court articulated its highly deferential review of Congressional factual findings when it addressed the constitutionality of section 4(e) of the Voting Rights Act of 1965. Regarding Congress' factual determination that section 4(e) would assist the Puerto Rican community in "gaining nondiscriminatory treatment in public services," the Court stated that "[i]t was for Congress, as the branch that made this judgment, to assess and weigh the various conflicting considerations * * *. It is not for us to review the congressional resolution of these factors. It is enough that we be able to perceive a basis upon which the Congress might resolve the conflict as it did. There plainly was such a basis to support section 4(e) in the application in question in this case." *Id.* at 653.

(10) *Katzenbach's* highly deferential review of Congress' factual conclusions was relied upon by the United States District Court for the District of Columbia when it upheld the "bail-out" provisions of the Voting Rights Act of 1965, (42 U.S.C. 1973c), stating that "congressional fact finding, to which we are inclined to pay great deference, strengthens the inference that, in those jurisdictions covered by the Act, state actions discriminatory in effect are discriminatory in purpose". *City of Rome, Georgia v. U.S.*, 472 F. Supp. 221 (D.D.C. 1979) *aff'd* *City of Rome, Georgia v. U.S.*, 446 U.S. 156 (1980).

(11) The Court continued its practice of deferring to congressional factual findings in reviewing the constitutionality of the must-carry provisions of the Cable Television Consumer Protection and Competition Act of 1992. See *Turner Broadcasting System, Inc. v. Federal Communications Commission*, 512 U.S. 622 (1994) (*Turner I*) and *Turner Broadcasting System, Inc. v. Federal Communications Commission*, 520 U.S. 180 (1997) (*Turner II*). At issue in the *Turner* cases was Congress' legislative finding that, absent mandatory carriage rules, the continued viability of local broadcast television would be "seriously jeopardized". The *Turner I* Court recognized that as an institution, "Congress is far better equipped than the judiciary to 'amass and evaluate the vast amounts of data' bearing upon an issue as complex and dynamic as that presented here". 512 U.S. at 665–66. Although the Court recognized that "the deference afforded to legislative findings does 'not foreclose our independent judgment of the facts bearing on an issue of constitutional law,'" its "obligation to exercise independent judgment when First Amendment rights are implicated is not a license to reweigh the evidence *de novo*, or to re-

place Congress' factual predictions with our own. Rather, it is to assure that, in formulating its judgments, Congress has drawn reasonable inferences based on substantial evidence." *Id.* at 666.

(12) Three years later in *Turner II*, the Court upheld the "must-carry" provisions based upon Congress' findings, stating the Court's "sole obligation is 'to assure that, in formulating its judgments, Congress has drawn reasonable inferences based on substantial evidence.'" 520 U.S. at 195. Citing its ruling in *Turner I*, the Court reiterated that "[w]e owe Congress' findings deference in part because the institution 'is far better equipped than the judiciary to 'amass and evaluate the vast amounts of data' bearing upon legislative questions," *id.* at 195, and added that it "owe[d] Congress' findings an additional measure of deference out of respect for its authority to exercise the legislative power." *Id.* at 196.

(13) There exists substantial record evidence upon which Congress has reached its conclusion that a ban on partial-birth abortion is not required to contain a "health" exception, because the facts indicate that a partial-birth abortion is never necessary to preserve the health of a woman, poses serious risks to a woman's health, and lies outside the standard of medical care. Congress was informed by extensive hearings held during the 104th, 105th, 107th, and 108th Congresses and passed a ban on partial-birth abortion in the 104th, 105th, and 106th Congresses. These findings reflect the very informed judgment of the Congress that a partial-birth abortion is never necessary to preserve the health of a woman, poses serious risks to a woman's health, and lies outside the standard of medical care, and should, therefore, be banned.

(14) Pursuant to the testimony received during extensive legislative hearings during the 104th, 105th, 107th, and 108th Congresses, Congress finds and declares that:

(A) Partial-birth abortion poses serious risks to the health of a woman undergoing the procedure. Those risks include, among other things: an increase in a woman's risk of suffering from cervical incompetence, a result of cervical dilation making it difficult or impossible for a woman to successfully carry a subsequent pregnancy to term; an increased risk of uterine rupture, abruption, amniotic fluid embolus, and trauma to the uterus as a result of converting the child to a footling breech position, a procedure which, according to a leading obstetrics textbook, "there are very few, if any, indications for * * * other than for delivery of a second twin"; and a risk of lacerations and secondary hemorrhaging due to the doctor blindly forcing a sharp instrument into the base of the unborn child's skull while he or she is lodged in the birth canal, an act which could result in severe bleeding, brings with it the threat of shock, and could ultimately result in maternal death.

(B) There is no credible medical evidence that partial-birth abortions are safe or are safer than other abortion procedures. No controlled studies of partial-birth abortions have been conducted nor have any comparative studies been conducted to demonstrate its safety and efficacy compared to other abortion methods. Furthermore, there have been no articles published in peer-reviewed journals that establish that partial-birth abortions are superior in any way to established abortion procedures. Indeed, unlike other more commonly used abortion procedures, there are currently no medical schools that provide instruction on abortions that include the instruction in partial-birth abortions in their curriculum.

(C) A prominent medical association has concluded that partial-birth abortion is "not an accepted medical practice", that it has "never been subject to even a minimal amount of the normal medical practice development," that "the relative advantages and disadvantages of the procedure in specific circumstances remain

unknown," and that "there is no consensus among obstetricians about its use". The association has further noted that partial-birth abortion is broadly disfavored by both medical experts and the public, is "ethically wrong," and "is never the only appropriate procedure".

(D) Neither the plaintiff in *Stenberg v. Carhart*, nor the experts who testified on his behalf, have identified a single circumstance during which a partial-birth abortion was necessary to preserve the health of a woman.

(E) The physician credited with developing the partial-birth abortion procedure has testified that he has never encountered a situation where a partial-birth abortion was medically necessary to achieve the desired outcome and, thus, is never medically necessary to preserve the health of a woman.

(F) A ban on the partial-birth abortion procedure will therefore advance the health interests of pregnant women seeking to terminate a pregnancy.

(G) In light of this overwhelming evidence, Congress and the States have a compelling interest in prohibiting partial-birth abortions. In addition to promoting maternal health, such a prohibition will draw a bright line that clearly distinguishes abortion and infanticide, that preserves the integrity of the medical profession, and promotes respect for human life.

(H) Based upon *Roe v. Wade*, 410 U.S. 113 (1973) and *Planned Parenthood v. Casey*, 505 U.S. 833 (1992), a governmental interest in protecting the life of a child during the delivery process arises by virtue of the fact that during a partial-birth abortion, labor is induced and the birth process has begun. This distinction was recognized in *Roe* when the Court noted, without comment, that the Texas partition statute, which prohibited one from killing a child "in a state of being born and before actual birth," was not under attack. This interest becomes compelling as the child emerges from the maternal body. A child that is completely born is a full, legal person entitled to constitutional protections afforded a "person" under the United States Constitution. Partial-birth abortions involve the killing of a child that is in the process, in fact mere inches away from, becoming a "person". Thus, the government has a heightened interest in protecting the life of the partially-born child.

(I) This, too, has not gone unnoticed in the medical community, where a prominent medical association has recognized that partial-birth abortions are "ethically different from other destructive abortion techniques because the fetus, normally twenty weeks or longer in gestation, is killed outside of the womb". According to this medical association, the "'partial birth' gives the fetus an autonomy which separates it from the right of the woman to choose treatments for her own body".

(J) Partial-birth abortion also confuses the medical, legal, and ethical duties of physicians to preserve and promote life, as the physician acts directly against the physical life of a child, whom he or she had just delivered, all but the head, out of the womb, in order to end that life. Partial-birth abortion thus appropriates the terminology and techniques used by obstetricians in the delivery of living children—obstetricians who preserve and protect the life of the mother and the child—and instead uses those techniques to end the life of the partially-born child.

(K) Thus, by aborting a child in the manner that purposefully seeks to kill the child after he or she has begun the process of birth, partial-birth abortion undermines the public's perception of the appropriate role of a physician during the delivery process, and perverts a process during which life is brought into the world, in order to destroy a partially-born child.

(L) The gruesome and inhumane nature of the partial-birth abortion procedure and its disturbing similarity to the killing of a newborn infant promotes a complete disregard for infant human life that can only be countered by a prohibition of the procedure.

(M) The vast majority of babies killed during partial-birth abortions are alive until the end of the procedure. It is a medical fact, however, that unborn infants at this stage can feel pain when subjected to painful stimuli and that their perception of this pain is even more intense than that of newborn infants and older children when subjected to the same stimuli. Thus, during a partial-birth abortion procedure, the child will fully experience the pain associated with piercing his or her skull and sucking out his or her brain.

(N) Implicitly approving such a brutal and inhumane procedure by choosing not to prohibit it will further coarsen society to the humanity of not only newborns, but all vulnerable and innocent human life, making it increasingly difficult to protect such life. Thus, Congress has a compelling interest in acting—indeed it must act—to prohibit this inhumane procedure.

(O) For these reasons, Congress finds that partial-birth abortion is never medically indicated to preserve the health of the mother; is in fact unrecognized as a valid abortion procedure by the mainstream medical community; poses additional health risks to the mother; blurs the line between abortion and infanticide in the killing of a partially-born child just inches from birth; and confuses the role of the physician in childbirth and should, therefore, be banned.

SEC. 3. PROHIBITION ON PARTIAL-BIRTH ABORTIONS.

(a) IN GENERAL.—Title 18, United States Code, is amended by inserting after chapter 73 the following:

“CHAPTER 74—PARTIAL-BIRTH ABORTIONS

“Sec.

“1531. Partial-birth abortions prohibited.

“§ 1531. Partial-birth abortions prohibited

“(a) Any physician who, in or affecting interstate or foreign commerce, knowingly performs a partial-birth abortion and thereby kills a human fetus shall be fined under this title or imprisoned not more than 2 years, or both. This subsection does not apply to a partial-birth abortion that is necessary to save the life of a mother whose life is endangered by a physical disorder, physical illness, or physical injury, including a life-endangering physical condition caused by or arising from the pregnancy itself. This subsection takes effect 1 day after the enactment.

“(b) As used in this section—

“(1) the term ‘partial-birth abortion’ means an abortion in which the person performing the abortion—

“(A) deliberately and intentionally vaginally delivers a living fetus until, in the case of a head-first presentation, the entire fetal head is outside the body of the mother, or, in the case of breech presentation, any part of the fetal trunk past the navel is outside the body of the mother, for the purpose of performing an overt act that the person knows will kill the partially delivered living fetus; and

“(B) performs the overt act, other than completion of delivery, that kills the partially delivered living fetus; and

“(2) the term ‘physician’ means a doctor of medicine or osteopathy legally authorized to practice medicine and surgery by the State in which the doctor performs such activity, or any other individual legally authorized by the State to perform abortions: Provided, however, That any individual who is not a physician or not otherwise legally authorized by the State to perform abortions, but who nevertheless directly performs a partial-birth abortion, shall be subject to the provisions of this section.

“(c)(1) The father, if married to the mother at the time she receives a partial-birth abortion procedure, and if the mother has not attained the age of 18 years at the time of the abortion, the maternal grandparents of the fetus, may in a civil action obtain appropriate relief, unless the pregnancy resulted from the plaintiff’s

criminal conduct or the plaintiff consented to the abortion.

“(2) Such relief shall include—

“(A) money damages for all injuries, psychological and physical, occasioned by the violation of this section; and

“(B) statutory damages equal to three times the cost of the partial-birth abortion.

“(d)(1) A defendant accused of an offense under this section may seek a hearing before the State Medical Board on whether the physician’s conduct was necessary to save the life of the mother whose life was endangered by a physical disorder, physical illness, or physical injury, including a life-endangering physical condition caused by or arising from the pregnancy itself.

“(2) The findings on that issue are admissible on that issue at the trial of the defendant. Upon a motion of the defendant, the court shall delay the beginning of the trial for not more than 30 days to permit such a hearing to take place.

“(e) A woman upon whom a partial-birth abortion is performed may not be prosecuted under this section, for a conspiracy to violate this section, or for an offense under section 2, 3, or 4 of this title based on a violation of this section.”

(b) CLERICAL AMENDMENT.—The table of chapters for part 1 of title 18, United States Code, is amended by inserting after the item relating to chapter 73 the following new item:

“74. Partial-birth abortions 1531”.

And the House agree to the same.

F. JAMES SENSENBRENNER,
HENRY HYDE,
STEVE CHABOT,

Managers on the Part of the House.

ORRIN HATCH,
RICK SANTORUM,
MIKE DEWINE,

Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3), to prohibit the procedure commonly known as partial-birth abortion, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

The House amendment struck all the Senate bill after the enacting clause and inserted a substitute text.

The Senate recedes from its disagreement to the amendment of the House with an amendment that is a substitute for the Senate bill and the House amendment. The differences between the Senate bill, the House amendment, and the substitute agreed to in conference are noted below, except for clerical corrections, conforming changes made necessary by agreements reached by the conferees, and minor drafting and clarifying changes.

Section 1. Short title

Section 1 of the conference report is identical to Section 1 of the House amendment and Section 1 of the Senate bill. Section 1 states that the short title of this measure is the “Partial-Birth Abortion Ban Act of 2003.”

Section 2. Findings

Paragraph (1) in Section 2 of the conference report is substantially similar, with clarifications, to paragraph (1) in Section 2 of the House passed bill and paragraph (1) in Section 2 of the Senate passed bill. In paragraph (1) Congress finds that a moral, medical, and ethical consensus exists that the practice of performing a partial-birth abortion—an abortion in which a physician delib-

erately and intentionally vaginally delivers a living, unborn child’s body until either the entire baby’s head is outside the body of the mother, or, any part of the baby’s trunk past the navel is outside the body of the mother and only the head remains inside the womb, for the purpose of performing an overt act (usually the puncturing of the back of the child’s skull and removing the child’s brains) that the person knows will kill the partially delivered living infant, performs this act, and then completes delivery of the dead infant—is a gruesome and inhumane procedure that is never medically necessary and should be prohibited.

Paragraph (2) in Section 2 of the conference report is identical to paragraph (2) in Section 2 of the House amendment and paragraph (2) in Section 2 of the Senate bill. In paragraph (2), Congress finds that rather than being an abortion procedure that is embraced by the medical community, particularly among physicians who routinely perform other abortion procedures, partial-birth abortion remains a disfavored procedure that is not only unnecessary to preserve the health of the mother, but in fact poses serious risks to the long-term health of women and in some circumstances, their lives. Congress also finds that as a result, at least 27 States banned the procedure as did the United States Congress which voted to ban the procedure during the 104th, 105th, and 106th Congresses.

Paragraph (3) in Section 2 of the conference report is identical to paragraph (3) in Section 2 of the House amendment and paragraph (3) in Section 2 of the Senate bill. In paragraph (3), Congress finds that in *Stenberg v. Carhart*, 530 U.S. 914, 932 (2000), the United States Supreme Court, which did not have in front of it the extensive factual record compiled by Congress, construed the record in that case to support “the proposition that in some circumstances, [partial-birth abortion] would be the safest procedure” for pregnant women who wish to undergo an abortion. Congress also finds that as a result of having reached this conclusion the Court struck down the State of Nebraska’s ban on partial-birth abortion procedures, concluding that it failed to include an exception for partial-birth abortions deemed necessary to preserve the “health” of the mother, and placed an “undue burden” on women seeking abortions.

Paragraph (4) in Section 2 of the conference report is identical to paragraph (4) in Section 2 of the House amendment and paragraph (4) in Section 2 of the Senate bill. In paragraph (4), Congress finds that the Court’s decision was based on the Federal district court’s factual findings that the partial-birth abortion procedure was statistically and medically as safe as, and in many circumstances safer than, alternative abortion procedures—findings which are contradicted by Congress’s extensive factual record presented and compiled during the 104th, 105th, 107th, and 108th Congresses.

Paragraph (5) in Section 2 of the conference report is substantially similar, with clarifications, to paragraph (5) in Section 2 of the House passed bill and paragraph (5) in Section 2 of the Senate passed bill. In paragraph (5) Congress finds that substantial evidence presented at the *Stenberg* trial, and the overwhelming evidence that was presented and compiled at extensive Congressional hearings, much of which was compiled after the district court hearing in *Stenberg*, and thus not included in the *Stenberg* trial record, demonstrates that a partial-birth abortion is never necessary to preserve the health of a woman, poses significant health risks to a woman upon whom the procedure is performed, and is outside of the standard of medical care.

Paragraph (6) in Section 2 of the conference report is identical to paragraph (6) in Section 2 of the House amendment and paragraph (6) in Section 2 of the Senate bill. In paragraph (6), Congress finds that despite the dearth of evidence in the *Stenberg* trial court record supporting the district court's findings, the United States Court of Appeals for the Eighth Circuit and the Supreme Court refused to set aside the district court's factual findings because, under the applicable standard of appellate review, they were not "clearly erroneous." Congress also finds that a finding of fact is clearly erroneous "when although there is evidence to support it, the reviewing court on the entire evidence is left with the definite and firm conviction that a mistake has been committed" *Anderson v. City of Bessemer, North Carolina*, 470 U.S. 564, 573 (1985). Congress also finds that under this standard, "if the district court's account of the evidence is plausible in light of the record viewed in its entirety, the court of appeals may not reverse it even though convinced that had it been sitting as the trier of fact, it would have weighed the evidence differently." *Id.* at 574.

Paragraph (7) in Section 2 of the conference report is identical to paragraph (7) in Section 2 of the House amendment and paragraph (7) in Section 2 of the Senate bill. In paragraph (7), Congress finds that in *Stenberg*, the United States Supreme Court was required to accept the very questionable findings issued by the district court judge—the effect of which was to render null and void the reasoned factual findings and policy determinations of the United States Congress and at least 27 State legislatures.

Paragraph (8) in Section 2 of the conference report is identical to paragraph (8) in Section 2 of the House amendment and paragraph (8) in Section 2 of the Senate bill. In paragraph (8), Congress finds that under well-settled Supreme Court jurisprudence, it is not bound to accept the same factual findings that the Supreme Court was bound to accept in *Stenberg* under the "clearly erroneous" standard. Congress also finds that it is entitled to reach its own factual findings—findings that the Supreme Court accords great deference—and to enact legislation based upon these findings so long as it seeks to pursue a legitimate interest that is within the scope of the Constitution, and draws reasonable inferences based upon substantial evidence.

Paragraph (9) in Section 2 of the conference report is identical to paragraph (9) in Section 2 of the House amendment and paragraph (9) in Section 2 of the Senate bill. In paragraph (9), Congress finds that in *Katzenbach v. Morgan*, 384 U.S. 641 (1966), the Supreme Court articulated its highly deferential review of Congressional factual findings when it addressed the constitutionality of section 4(e) of the Voting Rights Act of 1965. Regarding Congress' factual determination that section 4(e) would assist the Puerto Rican community in "gaining nondiscriminatory treatment in public services," the Court stated that "[i]t was for Congress, as the branch that made this judgment, to assess and weigh the various conflicting considerations. * * * It is not for us to review the congressional resolution of these factors. It is enough that we be able to perceive a basis upon which the Congress might resolve the conflict as it did. There plainly was such a basis to support section 4(e) in the application in question in this case." *Id.* at 653.

Paragraph (10) in Section 2 of the conference report is substantively identical, with technical clarifications, to paragraph (10) in Section 2 of the House amendment and paragraph (10) in Section 2 of the Senate bill. In paragraph (10), Congress finds that *Katzenbach's* highly deferential review of

Congress's factual conclusions was relied upon by the United States District Court for the District of Columbia when it upheld the "bail-out" provisions of the Voting Rights Act of 1965, (42 U.S.C. 1973c), stating that "congressional fact finding, to which we are inclined to pay great deference, strengthens the inference that, in those jurisdictions covered by the Act, state actions discriminatory in effect are discriminatory in purpose." *City of Rome, Georgia v. U.S.*, 472 F. Supp. 221 (D. C.C. 1979), *affd*, 446 U.S. 156 (1980).

Paragraph (11) in Section 2 of the conference report is identical to paragraph (11) in Section 2 of the House amendment and paragraph (11) in Section 2 of the Senate bill. In paragraph (11), Congress finds that the Court continued its practice of deferring to congressional factual findings in reviewing the constitutionality of the must-carry provisions of the Cable Television Consumer Protection and Competition Act of 1992. See *Turner Broadcasting System, Inc. v. Federal Communications Commission*, 512 U.S. 622 (1994) (*Turner I*) and *Turner Broadcasting System, Inc. v. Federal Communications Commission*, 520 U.S. 180 (1997) (*Turner II*). Congress finds that at issue in the *Turner* cases was Congress' legislative finding that, absent mandatory carriage rules, the continued viability of local broadcast television would be "seriously jeopardized." Congress finds that the *Turner I* Court recognized that as an institution, "Congress is far better equipped than the judiciary to 'amass and evaluate the vast amounts of data' bearing upon an issue as complex and dynamic as that presented here." 512 U.S. at 665-66. Although the Court recognized that "the deference afforded to legislative findings does 'not foreclose our independent judgment of the facts bearing on an issue of constitutional law,'" its "obligation to exercise independent judgment when First Amendment rights are implicated is not a license to reweigh the evidence *de novo*, or to replace Congress' factual predictions with our own. Rather, it is to assure that, in formulating its judgments, Congress has drawn reasonable inferences based on substantial evidence." *Id.* at 666.

Paragraph (12) in Section 2 of the conference report is identical to paragraph (12) in Section 2 of the House amendment and paragraph (12) in Section 2 of the Senate bill. In paragraph (12), Congress finds that three years later in *Turner II*, the Court upheld the "must-carry" provisions based upon Congress' findings, stating the Court's "sole obligation is 'to assure that, in formulating its judgments, Congress has drawn reasonable inferences based on substantial evidence.'" 520 U.S. at 195. Congress finds that, citing its ruling in *Turner I*, the Court reiterated that "[w]e owe Congress' findings deference in part because the institution 'is far better equipped than the judiciary to 'amass and evaluate the vast amounts of data' bearing upon' legislative questions.'" *Id.* at 195, and added that it "owe[d] Congress' findings an additional measure of deference out of respect for its authority to exercise the legislative power." *Id.* at 196.

Paragraph (13) in Section 2 of the conference report is substantively identical, with technical clarifications, to paragraph (13) in Section 2 of the House amendment and paragraph (13) in Section 2 of the Senate bill. In paragraph (13), Congress finds that there exists substantial record evidence upon which Congress has reached its conclusion that a ban on partial-birth abortion is not required to contain a "health" exception, because the facts demonstrate that a partial-birth abortion is never necessary to preserve the health of a woman, poses serious risks to a woman's health, and lies outside the standard of medical care. Congress also finds that it has been informed by extensive hearings

held during the 104th, 105th, 107th, and 108th Congresses and passed a ban on partial-birth abortion in the 104th, 105th, and 106th Congresses. Congress finds that these findings reflect its very informed judgment that a partial-birth abortion is never necessary to preserve the health of a woman, poses serious risks to a woman's health, and lies outside the standard of medical care, and should, therefore, be banned.

Paragraph (14) in Section 2 of the conference report is substantively identical, with technical clarifications, to paragraph (14) in Section 2 of the House amendment and paragraph (14) in Section 2 of the Senate bill. In paragraph (14), Congress, pursuant to the substantial and credible testimony received during extensive legislative hearings during the 104th, 105th, 107th, and 108th Congresses, lists its declarations regarding the partial-birth abortion procedure:

Paragraph (14)(A) in Section 2 of the conference report is identical to paragraph (14)(A) in Section 2 of the House amendment and paragraph (14)(A) in Section 2 of the Senate bill. In paragraph (14)(A), Congress declares that a partial-birth abortion poses serious risks to the health of a woman undergoing the procedure. Those risks include, among other things: an increase in a woman's risk of suffering from cervical incompetence, a result of cervical dilation making it difficult or impossible for a woman to successfully carry a subsequent pregnancy to term; an increased risk of uterine rupture, abortion, amniotic fluid embolus, and trauma to the uterus as a result of converting the child to a footling breech position, a procedure which, according to a leading obstetrics textbook, "there are very few, if any, indications for * * * other than for delivery of a second twin"; and a risk of lacerations and secondary hemorrhaging due to the doctor blindly forcing a sharp instrument into the base of the unborn child's skull while he or she is lodged in the birth canal, an act which could result in severe bleeding, brings with it the threat of shock, and could ultimately result in maternal death. Therefore, Congress concludes that those who express the view that partial-birth abortion may be a safer method of abortion in some circumstances have never examined the severe risks of the procedure to the health of the mother and have not demonstrated that this procedure is a safe, medically accepted, standard of care.

Paragraph (14)(B) in Section 2 of the conference report is identical to paragraph (14)(B) in Section 2 of the House amendment and paragraph (14)(B) in Section 2 of the Senate bill. In paragraph (14)(B), Congress declares that there is no credible medical evidence that partial-birth abortions are safe or are safer than other abortion procedures. Congress also declares that no controlled studies of partial-birth abortions have been conducted nor have any comparative studies been conducted to demonstrate its safety and efficacy compared to other abortion methods. Congress further declares that there have been no articles published in peer-reviewed journals that establish that partial-birth abortions are superior in any way to established abortion procedures. Congress also declares that unlike other more commonly used abortion procedures, there are currently no medical schools that provide instruction on abortions that include the instruction in partial-birth abortions in their curriculum.

Paragraph (14)(C) in Section 2 of the conference report is identical to paragraph (14)(C) in Section 2 of the House amendment and paragraph (14)(C) in Section 2 of the Senate bill. In paragraph (14)(C), Congress declares that a prominent medical association has concluded that partial-birth abortion is "not an accepted medical practice," that it

has “never been subject to even a minimal amount of the normal medical practice development,” that “the relative advantages and disadvantages of the procedure in specific circumstances remain unknown,” and that “there is no consensus among obstetricians about its use.” The association has further noted that partial-birth abortion is broadly disfavored by both medical experts and the public, is “ethically wrong,” and “is never the only appropriate procedure.”

Paragraph (14)(D) in Section 2 of the conference report is identical to paragraph (14)(D) in Section 2 of the House amendment and paragraph (14)(D) in Section 2 of the Senate bill. In paragraph (14)(D), Congress declares that those who espouse the view that partial-birth abortion “may” be the most appropriate abortion procedure for some women in “some” circumstances, such as the plaintiff in *Stenberg v. Carhart* and the experts who testified on his behalf, have failed to identify such circumstances and base their opinion on theoretical speculation, not actual evidence that demonstrates the relative safety of this abortion procedure.

Paragraph (14)(E) in Section 2 of the conference report is identical to paragraph (14)(E) in Section 2 of the House amendment and paragraph (14)(E) in Section 2 of the Senate bill. In paragraph (14)(E), Congress declares that the physician credited with developing the partial-birth abortion procedure has testified that he has never encountered a situation where a partial-birth abortion was medically necessary to achieve the desired outcome and, thus, is never medically necessary to preserve the health of a woman.

Paragraph (14)(F) in Section 2 of the conference report is identical to paragraph (14)(F) in the House amendment and paragraph (14)(F) in the Senate bill. In paragraph (14)(F), Congress declares that a ban on the partial-birth abortion procedure will advance the health interests of pregnant women seeking to terminate a pregnancy.

Paragraph (14)(G) in Section 2 of the conference report is identical to paragraph (14)(G) in the House amendment and paragraph (14)(G) in the Senate bill. In paragraph (14)(G), Congress declares that in light of this overwhelming evidence, Congress and the States have a compelling interest in prohibiting partial-birth abortions. Congress also declares that in addition to promoting maternal health, such a prohibition will draw a bright line that clearly distinguishes abortion and infanticide, that preserves the integrity of the medical profession, and promotes respect for human life.

Paragraph (14)(H) in Section 2 of the conference report is identical to paragraph (14)(H) in the House amendment and (14)(H) in the Senate bill. In paragraph (14)(H), Congress declares that based upon *Roe v. Wade*, 410 U. S. 113 (1973), and *Planned Parenthood v. Casey*, 505 U.S. 833 (1992), a governmental interest in protecting the life of a child during the delivery process arises, in part, by virtue of the fact that during a partial-birth abortion, labor is induced and the birth process has begun. Congress further declares that this distinction was recognized in *Roe* when the Court noted, without comment, that the Texas parturition statute, which prohibited one from killing a child “in a state of being born and before actual birth,” was not under attack. Congress declares that this interest becomes compelling as the child emerges from the maternal body. Congress declares that a child that is completely born is a full, legal person entitled to constitutional protections afforded a “person” under the United States Constitution. Congress declares that partial-birth abortions involve the killing of a child that is in the process, in fact mere inches away from, becoming a “person.” Partial birth gives the fetus an au-

tonomy that is separate and distinct from that of the mother. Thus, the government has a heightened interest in protecting the life of the partially-born child.

Paragraph (14)(I) in Section 2 of the conference report is identical to paragraph (14)(I) in Section 2 of the House amendment and paragraph (14)(I) in Section 2 of the Senate bill. In paragraph (14)(I), Congress declares that the distinction between a partial-birth abortion and other abortion methods has been recognized by the medical community, where a prominent medical association has recognized that partial-birth abortions are “ethically different from other destructive abortion techniques because the fetus, normally twenty weeks or longer in gestation, is killed outside of the womb.” According to this medical association, the “‘partial birth’ gives the fetus an autonomy which separates it from the right of the woman to choose treatments for her own body.”

Paragraph (14)(J) in Section 2 of the conference report is identical to paragraph (14)(J) in Section 2 of the House amendment and paragraph (14)(J) in Section 2 of the Senate bill. In paragraph (14)(J), Congress declares that a partial-birth abortion also confuses the medical, legal, and ethical duties of physicians to preserve and promote life, as the physician acts directly against the physical life of a child, whom he or she had just delivered, all but the head, out of the womb, in order to end that life. Congress further declares that a partial-birth abortion thus appropriates the terminology and techniques used by obstetricians in the delivery of living children—obstetricians who preserve and protect the life of the mother and the child—and instead uses those techniques to end the life of the partially-born child.

Paragraph (14)(K) in Section 2 of the conference report is identical to paragraph (14)(K) in Section 2 of the House amendment and paragraph (14)(K) in Section 2 of the Senate bill. In paragraph (14)(K), Congress declares that by aborting a child in the manner that purposefully seeks to kill the child after he or she has begun the process of birth, partial-birth abortion undermines the public’s perception of the appropriate role of a physician during the delivery process, and perverts a process during which life is brought into the world, in order to destroy a partially-born child.

Paragraph (14)(L) in Section 2 of the conference report is identical to paragraph (14)(L) in Section 2 of the House amendment and paragraph (14)(L) in Section 2 of the Senate bill. In paragraph (14)(L), Congress declares that the gruesome and inhumane nature of the partial-birth abortion procedure and its disturbing similarity to the killing of a newborn infant promotes a complete disregard for infant human life that can only be countered by a prohibition of the procedure.

Paragraph (14)(M) in Section 2 of the conference report is identical to paragraph (14)(M) in Section 2 of the House amendment and paragraph (14)(M) in Section 2 of the Senate bill. In paragraph (14)(M), Congress declares that the vast majority of babies killed during partial-birth abortions are alive until the end of the procedure. Congress further declares that it is a medical fact, however, that unborn infants at this stage can feel pain when subjected to painful stimuli and that their perception of this pain is even more intense than that of newborn infants and older children when subjected to the same stimuli. Evidence compiled by Congress demonstrates that fetuses on whom in utero surgery is performed for medical reasons feel pain from needles and instruments and are provided anesthesia. Pain management is an important part of care provided to infants cared for in neonatal units who are of the same gestational ages as those

subject to partial-birth abortion. Partial-birth abortion is an extremely painful procedure for the fetus and, during a partial-birth abortion procedure, the child will fully experience the pain associated with piercing his or her skull and sucking out his or her brain.

Paragraph (14)(N) in Section 2 of the conference report is identical to paragraph (14)(N) in Section 2 of the House amendment and paragraph (14)(N) in Section 2 of the Senate bill. In paragraph (14)(N), Congress declares that implicitly approving such a brutal and inhumane procedure by choosing not to prohibit it will further coarsen society to the humanity of not only newborns, but all vulnerable and innocent human life, making it increasingly difficult to protect such life. Congress further declares that as a result it has a compelling interest in acting—indeed it must act—to prohibit this inhumane procedure.

Paragraph (14)(O) in Section 2 of the conference report is identical to paragraph (14)(O) in Section 2 of the House amendment and paragraph (14)(O) in Section 2 of the Senate bill. In paragraph (14)(O), Congress declares that for these reasons, it finds that partial-birth abortion is never medically indicated to preserve the health of the mother; is in fact unrecognized as a valid abortion procedure by the mainstream medical community; poses additional health risks to the mother; blurs the line between abortion and infanticide in the killing of a partially-born child just inches from birth; and confuses the role of the physician in childbirth and should, therefore, be banned.

Section 3. Prohibition on partial-birth abortions

Subsection (a) in Section 3 of the conference report is identical to subsection (a) in Section 3 of the House amendment and subsection (a) in Section 3 of the Senate bill. In subsection (a) of Section 3 Congress amends title 18 of the United States Code by inserting a new chapter 74 consisting of a new 18 U.S.C. 1531:

Subsection (a) of the new section 1531 contained in Section 3(a) of the conference report is identical to subsection (a) of the new section 1531 proposed in Section 3(a) of the House amendment and subsection (a) of the new section 1531 proposed in Section 3(a) of the Senate bill. Subsection (a) prohibits any physician from, in or affecting interstate or foreign commerce, knowingly performing a partial-birth abortion and thereby killing a human fetus. A physician who does so shall be fined under this title or imprisoned not more than 2 years, or both. This paragraph does not apply to a partial-birth abortion that is necessary to save the life of a mother whose life is endangered by a physical disorder, physical illness, or physical injury, including a life-endangering physical condition caused by or arising from the pregnancy itself. This paragraph takes effect 1 day after the enactment.

Subsection (b)(1) of the new section 1531 contained in Section 3(a) of the conference report is substantively identical, with technical clarifications, to subsection (b)(1) of the new section 1531 proposed in Section 3(a) of the House amendment and subsection (b)(1) of the new section 1531 proposed in Section 3(a) of the Senate bill. Subsection (b)(1) states that a partial-birth abortion means an abortion in which the person performing the abortion deliberately and intentionally vaginally delivers an intact living fetus until, in the case of a head-first presentation, the entire fetal head is outside the body of the mother, or, in the case of breech presentation, any part of the fetal trunk past the navel is outside the body of the mother, for the purpose of performing an overt act that the person knows will kill the partially delivered living fetus and the person performing the abortion performs the

overt act (such as the removal of the intracranial contents), other than completion of delivery, that kills the partially delivered intact living fetus.

Subsection (b)(2) of the new section 1531 contained in Section 3(a) of the conference report is identical to subsection (b)(2) of the new section 1531 proposed in Section 3(a) of the House amendment and subsection (b)(2) of the new section 1531 proposed in Section 3(a) of the Senate bill. Subsection (b)(2) defines the term "physician" as a doctor of medicine or osteopathy legally authorized to practice medicine and surgery by the State in which the doctor performs such activity, or any other individual legally authorized by the State to perform abortions: Provided, however, that any individual who is not a physician or not otherwise legally authorized by the State to perform abortions, but who nevertheless directly performs a partial-birth abortion, shall be subject to the provisions of this section.

Subsection (c)(1) of the new section 1531 contained in Section 3(a) of the conference report is identical to subsection (c)(1) of the new section 1531 proposed in Section 3(a) of the Senate bill. Subsection (c)(1) provides for a civil cause of action for the father, if married to the mother at the time she receives a partial-birth abortion procedure, and if the mother has not attained the age of 18 years at the time of the abortion, the maternal grandparents of the fetus, unless the pregnancy resulted from the plaintiff's criminal conduct or the plaintiff consented to the abortion.

Subsection (c)(2) of the new section 1531 contained in Section 3(a) of the conference report is identical to subsection (c)(2) of the new section 1531 proposed in Section 3(a) of the House amendment and paragraph (c)(2) of the new section 1531 proposed in Section 3(a) of the Senate bill. Subsection (c)(2), in paragraph (A) provides that such relief shall include money damages for all injuries, psychological and physical, occasioned by the violation of this section; and in paragraph (B) that statutory damages equal to three times the cost of the partial-birth abortion.

Subsection (d)(1) of the new section 1531 contained in Section 3(a) of the conference report is identical to subsection (d)(1) of the new section 1531 proposed in Section 3(a) of the House amendment and subsection (d)(1) of the new section 1531 proposed in Section 3(a) of the Senate bill. Subsection (d)(1) allows a defendant accused of an offense under this section to seek a hearing before the State Medical Board on whether the physician's conduct was necessary to save the life of the mother whose life was endangered by a physical disorder, physical illness, or physical injury, including a life-endangering physical condition caused by or arising from the pregnancy itself.

Subsection (d)(2) of the new section 1531 contained in Section 3(a) of the conference report is identical to subsection (d)(2) of the new section 1531 proposed in Section 3(a) of the House amendment and subsection (d)(2) of the new section 1531 proposed in Section 3(a) of the Senate bill. Subsection (d)(2) provides that the findings on that issue are admissible on that issue at the trial of the defendant. It also provides that upon a motion of the defendant, the court shall delay the beginning of the trial for not more than 30 days to permit such a hearing to take place.

Subsection (e) of the new section 1531 contained in Section 3(a) of the conference report is identical to subsection (e) of the new section 1531 proposed in Section 3(a) of the House amendment and subsection (e) of the new section 1531 proposed in Section 3(a) of the Senate bill. Subsection (e) provides that

a woman upon whom a partial-birth abortion is performed may not be prosecuted under this section, for a conspiracy to violate this section, or for an offense under section 2, 3, or 4 of this title based on a violation of this section.

Subsection (b) in Section 3 of the conference report is identical to subsection (b) in Section 3 of the House amendment and subsection (b) in Section 3 of the Senate bill. Subsection (b) is a clerical amendment to insert the new chapter in the table of chapters for part I of title 18, after the item relating to chapter 73.

Section 4 of the Senate bill had no counterpart in the House amendment, and it is not included in the substitute agreed to by the managers.

F. JAMES SENSENBRENNER,
HENRY HYDE,
STEVE CHABOT,

Managers on the Part of the House.

ORRIN HATCH,
RICK SANTORUM,
MIKE DEWINE,

Managers on the Part of the Senate.

□ 1915

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3193

Mr. PORTER. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 3193. My name was added to the list of cosponsors inadvertently.

The SPEAKER pro tempore (Mr. GILCREST). Is there objection to the request of the gentleman from Nevada? There was no objection.

ANNOUNCEMENT OF INTENTION TO OFFER MOTION TO INSTRUCT CONFEREES ON H.R. 1, MEDI- CARE PRESCRIPTION DRUG AND MODERNIZATION ACT OF 2003

Mr. CASE. Mr. Speaker, subject to rule XXII, clause 7(c), I hereby announce my intention to offer a motion to instruct on H.R. 1, the Medicare prescription drug bill.

The form of the motion is as follows:

Mr. CASE moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 1 be instructed as follows:

(1) The House recede to the Senate on the provisions to guarantee access to prescription drug coverage under section 1860D-13(e) of the Social Security Act, as added by section 101(a) of the Senate amendment.

(2) To reject the provisions of section 501 of the House bill.

(3) The House recede to the Senate on the following provisions of the Senate amendment to improve rural health care:

(A) Section 403 (relating to inpatient hospital adjustment for low volume hospitals).

(B) Section 404 (relating to medicare disproportionate share adjustment for rural areas), but with the effective date applicable under section 401(b) of the House bill.

(C) Section 404A (relating to MedPAC report on medicare disproportionate share hospital adjustment payments).

(D) The following provisions of section 405 (relating to critical access hospital improvements):

(i) Subsection (a), but with the effective date applicable under section 405(f)(4) of the House bill.

(ii) Subsection (b), but with the effective date applicable under section 405(c)(2) of the House bill.

(iii) Subsections (e), (f), and (g).

(E) Section 414 (relating to rural community hospital demonstration program).

(F) Section 415 (relating to critical access hospital improvement demonstration program).

(G) Section 417 (relating to treatment of certain entities for purposes of payment under the medicare program).

(H) Section 420 (relating to conforming changes relating to Federally qualified health centers).

(I) Section 420A (relating to increase for hospitals with disproportionate indigent care revenues).

(J) Section 421 (relating to establishment of floor on geographic adjustments of payments for physicians' services).

(K) Section 425 (relating to temporary increase for ground ambulance services), but with the effective date applicable under the amendment made by section 401(2) of the House bill.

(L) Section 426 (relating to appropriate coverage of air ambulance services under ambulance fee schedule).

(M) Section 427 (relating to treatment of certain clinical diagnostic laboratory tests furnished by a sole community hospital).

(N) Section 428 (relating to improvement in rural health clinic reimbursement).

(O) Section 444 (relating to GAO study of geographic differences in payments for physicians' services).

(A) Section 402 (relating to immediate establishment of uniform standardized amount in rural and small urban areas).

(B) Section 403 (relating to establishment of essential rural hospital classification).

(C) Subsections (a), (b), (d), and (e) of section 405 (relating to improvements to critical access hospital program).

(D) Section 416 (relating to revision of labor-related share of hospital inpatient pps wage index).

(E) Section 417 (relating to medicare incentive payment program improvements).

(F) Section 504 (relating to wage index classification reform).

(G) Section 601 (relating to revision of updates for physician services).

(H) Section 1001 (relating to medical disproportionate share hospital (DSH) payments).

ANNOUNCEMENT OF INTENTION TO OFFER MOTION TO INSTRUCT CONFEREES ON H.R. 1308, TAX RELIEF, SIMPLIFICATION, AND EQUITY ACT OF 2003

Mr. DAVIS of Alabama. Mr. Speaker, subject to rule XXII, clause 7(c), I hereby announce my intention to offer a motion to instruct on H.R. 1308, the child tax credit bill.

The form of the motion is as follows:

Mr. DAVIS of Alabama moves that the managers on the part of the House in the conference on the disagreeing votes of the two Houses on the House amendment to the Senate amendment to H.R. 1308 be instructed as follows:

1. The House conferees shall be instructed to include in the conference report the provision of the Senate amendment (not included in the House amendment) that provides immediate payments to taxpayers receiving an additional credit by reason of the bill in the same manner as other taxpayers were entitled to immediate payments under the Jobs and Growth Tax Relief Reconciliation Act of 2003.

2. The House conferees shall be instructed to include in the conference report the provision of the Senate amendment (not included in the House amendment) that provides families of military personnel serving in Iraq, Afghanistan, and other combat zones a child credit based on the earnings of the individuals serving in the combat zone.

3. The House conferees shall be instructed to include in the conference report all of the other provisions of the Senate amendment and shall not report back a conference report that includes additional tax benefits not offset by other provisions.

4. To the maximum extent possible within the scope of conference, the House conferees shall be instructed to include in the conference report other tax benefits for military personnel and the families of the astronauts who died in the Columbia disaster.

5. The House conferees shall, as soon as practicable after the adoption of this motion, meet in open session with the Senate conferees and the House conferees shall file a conference report consistent with the preceding provisions of this instruction, not later than the second legislative day after adoption of this motion.

ANNOUNCEMENT OF INTENTION TO OFFER MOTION TO INSTRUCT CONFEREES ON H.R. 6, ENERGY POLICY ACT OF 2003

Mr. INSLEE. Mr. Speaker, pursuant to rule XXII, I hereby give notice of my intention to offer a motion to instruct conferees on H.R. 6, the Energy Policy Act of 2003.

The form of the motion is as follows:

Mr. INSLEE moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 6 be instructed to confine themselves to the matters committed to conference in accordance with clause 9 of rule XXII of the Rules of House of Representatives with regard to "high-level radioactive waste" as defined in the Nuclear Waste Policy Act of 1982 and other provisions of Federal law.

IRAQ SUPPLEMENTAL

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today to draw my colleagues to a singular uniting factor, and that is that we all support United States troops that now are facing danger in Operation Iraqi Freedom. With that in mind, I am quite willing to support the expenditures requested by the administration solely to support our troops and the necessities that they require in order to protect their lives. But the American people deserve an answer, Mr. Speaker, and we should not vote in totality for the \$87 billion. It is a sham if we do so without explaining to the American people, one, an exit strategy, two, what is the United Nations resolution that will require us to coalesce around the concept of allies helping us in the democratization and reconstruction of Iraq? How many troops will we get from our allies? How much money will they expend?

And, Mr. Speaker, we need a full accounting by the administration on what they have spent the money for. I will be filing legislation to separate out the vote, voting for the moneys for our troops without question, but demanding an explanation from this administration before we vote any moneys for reconstruction.

What are the oil revenues going for, Mr. Speaker? And I would say this, that we spent only \$7.5 billion in the Gulf War. Why? Because we had a legitimate and solid alliance with our allies across the world. This is a mistake in the way we are doing this. We should not vote for the \$87 billion in totality. We must separate out the vote, and I ask my colleagues to vote for this legislation.

IRAQ SUPPLEMENTAL

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

Mr. KINGSTON. Mr. Speaker, I wanted to speak on the subject of the supplemental budget. Eighty-seven billion dollars is indeed a lot of money. Yet, building democracy in the Middle East, building an ally in the Middle East, another ally, would be very, very helpful to United States interests and to the big picture of world peace.

I hear from a lot of my Democrat friends that, well, I'm going to support the troops and cleverly just support that portion of the budget which goes directly to the troops, which would be about two-thirds of it, some 60-plus billion dollars. How can you support the troops and then not let them complete their task by trying to rebuild the country and the infrastructure? It does not make sense. If you are going to support the troops, you have to support their mission.

I would love any of my colleagues who have such doubts about the importance of what we are doing to come down to the Third Infantry Division in Hinesville-Fort Stewart, Georgia, and talk to some of the troops who have been there, who have spent 6 to 8 months of their lives there in the last year and look them in the eye and say, you know what, I do not like what you are doing. And you know what, I am going to support your expense, your room and board, but I am not going to help you rebuild this nation that you lost your friends over.

I just want to say, that is an open invitation to any Democrat or Republican if you want to come down and talk to people who have been on the ground.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 2003, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

THE CLEAR ACT OF 2003

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. NORWOOD) is recognized for 5 minutes.

Mr. NORWOOD. Mr. Speaker, I rise on the floor of the House today to share, sadly, yet another tragic story of another instance where senseless criminal acts, acts that could have been prevented and should have never happened, were allowed to take place because of our badly broken immigration system.

Mr. Speaker, for the last year, South Florida has been terrorized by a serial rapist. Beginning in September of last year, seven females in the Miami area, ranging between the ages of 11 and 79, have been victimized by a vicious, brutal criminal. Needless to say, the year-long attacks have left most women who live in the Miami area fearing for their safety and on guard for these past 12 months.

Thankfully, the local law enforcement authorities in the area believe they now have their man. Earlier this month, Miami police arrested Reynaldo Rapalo. A citizen of Honduras, he is accused of raping the seven women I mentioned earlier, and trying to attack and rape four others during that same time.

The Miami police indicate that they have Mr. Rapalo's fingerprints, his DNA that links him to these dastardly crimes, and finally his confession. Tragically, Mr. Speaker, they also had Mr. Rapalo himself back in October of last year, before six of the rapes had been allowed to occur. He was arrested on molestation charges, and at the time Mr. Rapalo's C-1 visa had expired. He was living here then illegally.

Mr. Speaker, had the CLEAR Act been on the books last October, Reynaldo Rapalo would have been detained and deportation proceedings would have begun and, more importantly, the women who were subsequently brutally attacked would have never fallen victim.

□ 1930

The sad fact is cases like this one are far too common, and our government has turned a blind eye to the criminal alien crisis in America for far too long.

Today within our borders, there are 400,000 illegal aliens with standing deportation orders that we cannot find. Among these are 80,000 criminal aliens like Mr. Rapalo, murderers, rapists, pedophiles and the like. These individuals were in the hands of law enforcement at one time but turned loose because of an immigration system that is unresponsive, unaccountable, and just plain broken.

Mr. Speaker, while our men and women wearing the badge continue to arrest and rearrest the same criminal aliens that our failed immigration system continues to put back on the streets, our Federal Government sends just 2,000 Bureau of Immigration and Customs Enforcement agents, BICE, in

the field to enforce these immigration laws, telling those officers, the victims of crimes like those witnessed in south Florida over the last year, and the 80,000 criminal aliens this government cannot find, one simple thing: we are simply not serious about this crisis. This Congress is not serious about this crisis.

Earlier this summer, along with the gentleman from Florida (Mr. BOYD) and the gentlewoman from Pennsylvania (Ms. HART) and the gentleman from Georgia (Mr. DEAL), I introduced a bipartisan bill that would get serious about our Nation's growing criminal alien crisis. The bill, entitled the CLEAR Act, is a measure that would make clear that our Nation's 600,000 local and State law enforcement officers have the authority to enforce our Nation's immigration laws, and we would give them the training, access to data, and the resources that they need to get the job done. Finally, it would give some much-needed help to the 2,000 out-manned Federal agents we have enforcing immigration law today.

Mr. Speaker, today's broken and failed immigration system is simply unworkable and for this government and this Congress to stay on the sidelines and let 80,000 criminal aliens create more horror stories like those perpetuated by Mr. Rapalo is simply unacceptable behavior. I urge my colleague to get off the sidelines and support the CLEAR Act, get involved in this game, and let us get serious about America's criminal alien crisis.

THE BUSH ADMINISTRATION'S ECONOMIC POLICIES

The SPEAKER pro tempore (Mrs. MILLER of Michigan). Under a previous order of the House, the gentleman from New York (Mr. HINCHEY) is recognized for 5 minutes.

Mr. HINCHEY. Madam Speaker, last February the President's Council of Economic Advisors forecast that, as a result of the economic policies of the Bush Administration, there would be 510,000 new jobs generated this year. Here we are on the advent of October; and in order for that prediction of last February to succeed, 947,000 jobs would have to be created between now and December 31, in other words, within the next 14 weeks. I wish the President's Council of Economic Advisors luck because this administration, aided and abetted by this Congress, has lost 437,000 jobs so far this year. We have had record job losses under this administration and that includes the 93,000 jobs that were lost in August alone. We do not yet have the figures of course for September, but it is likely that we will be seeing some similar amount of job loss.

This administration and this Congress have given us the worst economic performance in more than 70 years; 2.7 seven million jobs have been lost since the neoconservative Republicans have controlled both the White House and

the Congress. They have also done other things which are huge in their consequences. They have given us the largest budget deficit in history, and they have also provided the Nation with a record national debt.

Just recently we learned from the Census Bureau that America is now poorer than it was last year, just as it was poorer last year than it was the year before. Median income of the average American family has dropped by more than \$1,000 within the last year. America and its families are poorer today than they were this time last year. Poverty is up.

These are the statistics, bare statistics. They only begin to tell the difficult story that has fallen on American families all across this country. We need a reversal in these policies, and we need it quickly.

WASHINGTON WASTE WATCHERS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. MARIO DIAZ-BALART) is recognized for 5 minutes.

Mr. MARIO DIAZ-BALART of Florida. Madam Speaker, the Washington Waste Watchers have been hard at work locating a vast range of government waste, fraud, and abuse. Unfortunately, these examples have not been hard to find, Madam Speaker. For some, however, examples of wasted taxpayers' money does not slow down their efforts to raise taxes. We have got a spending problem here in Washington; and waste, fraud, and abuse is a huge part of why we have that problem. For example, \$366 million, \$366 million in Pell grant awards was improperly disbursed because applicants understated their income on their applications last year. That resulted in over 84,000 Pell grants lost to waste, fraud, and abuse. And the Democrats want to raise taxes to pay for more of this?

The Veterans Affairs Inspector General, Madam Speaker, estimates that roughly 14,000 incarcerated veterans have been paid about \$100 million nationwide because the Department has no method of identifying prisoners, never has, \$100 million in wasted benefits that missed going to the needy, truly needy veterans in order to line the pockets of Washington's bureaucracy. And the Democrats, Madam Speaker, want to raise taxes to pay for more of this?

Over the last 4 years, the Department of Agriculture spent a total of \$5.13 billion in food stamp overpayments. That is \$5.13 billion wasted instead of helping low-income families who are unable to put food on their table. And again Democrats insist on wanting to raise the taxes of the hard-working American people to do more of this?

We do not need to raise taxes to improve government benefit programs; but Madam Speaker, we have to be willing to reach into the pockets of the bureaucracy and stop that system from

spending the checks of our taxpayers' money.

Accounting schemes that send people to jail in the private sector do not even impact a normal promotion schedule for the bureaucracy in the Federal Government. It is not an issue here. See, it is time to hold those people responsible for wasting taxpayers' money; but we have got to be committed to fixing the broken systems, not just pouring more and more tax money from the hard-working people to keep the same programs going exactly the same and wasting the same amount of money as the Democrats would suggest.

The American taxpayers are not fooled, Madam Speaker. They know that their hard-earned tax dollars have paid for \$106 billion in Medicare improper payments since 1996. Their dollars have paid for \$233 million in improper payments within the Veterans Compensation and Benefit program. Their tax dollars have even bought a pet dog for a member of the bureaucracy with a government charge card. Billions of dollars are lost every single year to waste, fraud, and abuse. Taxpayers are sending their money here to Washington only to find that it is being wasted; and the Democrats again still want to raise their taxes, saying there is not enough money up here.

There is a clear path, Madam Speaker, to eliminate waste, fraud, and abuse throughout this Federal Government. We must find savings and not tolerate, I repeat, not tolerate, any level of wasted taxpayer dollars. Democrats have chosen to oppose those efforts time and time again and fight to raise taxes in order to pay for more of this business as usual.

Every week, Madam Speaker, the Washington Waste Watchers will keep reminding every person, every person in this Chamber of the impact of government waste, fraud, and abuse, not only to the taxpayers, Madam Speaker, but also to the beneficiaries who do not receive the benefits that they do deserve. Again, we will also remind our friends on the other side of the aisle that their constant attempts to raise taxes will only result in billions of additional dollars being lost to waste, fraud, and abuse at the expense of the hard-working American taxpayer.

ORDER OF BUSINESS

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, I ask unanimous consent to take my Special Order at this time.

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

There was no objection.

LACK OF A GOOD HEALTH CARE SYSTEM

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. Madam Speaker, as a nurse by basic profession, I have spent much of my public career working to ensure that the Nation's health care system is affordable and provides the best services possible to all Americans. While America still has a world-class health system, there are those whose lives have been threatened by a focus on profits over healing. I believe that a doctor and patient, not an HMO accountant, should make sensitive medical decisions. I also support a plan that would expand Medicare coverage for prescription medication. However, there must be some cost containment agreement with the manufacturers and a streamlining of the Federal administrative structure to reduce costs to beneficiaries.

The Current Population Survey, the CPS, is the primary source for data on Texas's uninsured population. It paints a picture for the state of health care in Texas. My home State currently has the second highest rate of uninsured in the United States behind New Mexico. CPS data shows that there were 4.5 million people without health insurance in Texas, which is about 21.4 percent of the total population.

The rates for the uninsured minority are also quite frightening. Blacks and Latinos are far more likely to be uninsured when compared to their Anglo, or white, counterparts. Nationally, 11.6 percent of the Anglo population, 20.1 percent of the African American population, and 34.8 percent of the Hispanic population are without health insurance; but in Texas, while 12 percent of whites are uninsured, 21.2 percent of the African Americans and 36.7 percent of Hispanics do not have medical coverage.

Finally, one of my most passionate fights has been an effort to expand health care for children. I am a principal supporter of the State Children's Health Insurance Program, CHIP, the program that represents the largest expansion in health care in over 30 years. CHIP covers children not eligible for Medicaid insurance. Unfortunately, the rates for children without health coverage are also reaching alarming numbers. In the United States today, one in five children is without health insurance. In fact, in my home State of Texas 1.6 million children depend solely on health insurance provided by Medicaid. Limited access to health care contributes to growing rates of disease among children.

Studies have shown that good health is a prerequisite for optimal learning, and schools can help children achieve academic success by participating in efforts that promote good health, including access to regular medical and mental health care.

Protecting the health care of children should be the number one priority of any great nation. An investment in the health care of our youth is one of the wisest investments we can make for this country. Now is the time for all Americans to have access to quality

health care and meaningful patient protection. Our citizens deserve and expect nothing less.

REBUILDING IRAQ

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. Madam Speaker, in 1838, John Quincy Adams, as a former President, came to this floor as a Member of the House of Representatives. In those days the conservatives in this Congress passed a rule banning the discussion of slavery on the House floor. Congressman John Quincy Adams, former President Adams, was outraged by that rule; but what he did was come to the House floor and a couple of times every week read letters from his constituents opposing slavery, demanding that slavery be abolished in the United States.

Today, 160-some years later, many of us in this Chamber feel an outrage towards what is happening with Iraq and especially that the leaders in this Chamber are unwilling to debate many of the issues around Iraq, how they propose to spend \$87 billion, asking the President for his plans, wanting the President's contributors and contractors in Iraq who are literally receiving hundreds of millions of dollars a week to account for those dollars.

□ 1945

I thought tonight, in the tradition of John Quincy Adams, I would read letters from constituents of mine around the State who are expressing their views about Iraq.

Kim writes, "Why should we spend \$87 billion when our own servicemen and women who were in Iraq only got one meal MRE, meal ready to eat, per day, went 30 days without showers, not enough heavy artillery or ammunition. They fought hard in Iraq and then come back and don't even get the GI Bill to pay for their educations and medical. Use the \$87 billion to compensate our military personnel first." That is Kim.

A veteran, Jack, writes, "Just a very short few months ago, we were asked, no told, that we had to turn over \$70 billion," that was the first \$70 billion, "for the war in Iraq. That money was dispensed," Jack, a Vietnam vet writes, "on the backs of veterans in decreased benefits; schools, health care, Social Security, Medicare, redistribution of wealth through the Bush tax cuts, even the active duty military was not excluded from cuts. Now the administration is asking for another \$87 billion. Who's going to get thrown out in the cold when the next round of cuts come if Bush is given his \$87 billion," Jack, a Vietnam vet, writes.

Michele writes, "The way this grandmother sees it: for whatever the reasons, Bush wanted the war and misled the public to start it. Bush gave a tax cut to many of the wealthiest Ameri-

cans, many of whom stated it was wrong. Bush has accumulated an unprecedented amount of campaign financing from these wealthy friends."

What these letters all home in on, Madam Speaker, is that we are today spending \$1 billion a week in Iraq. \$300 million of that \$1 billion is going to private contractors, many of them going to Halliburton, one of the largest companies in the United States, a company which still pays Vice President CHENEY who used to work there, still pays him \$13,000 a month, and people want these hundreds of millions of dollars of tax dollars going to these private contractors, people want them accounted for, as we can see in these letters.

Joseph writes, "We are between a rock and a hard place. We are over there because of lies and it looks as if we will be stuck there for many years to come. First, this administration should roll back the tax cuts for the wealthy."

If my colleagues recall, Congress passed, at the President's urging, tax cuts, literally hundreds of billions of dollars of tax cuts where 43 percent of those tax cuts went to the richest 1 percent of people in this country. That is what Joe is writing about.

"In order to increase their now questionable integrity, this administration should agree to turn over total control of Iraq and its oil supplies to the U.N. and cooperate with the U.N. and our other allies 100 percent."

Again, Joe who writes in is troubled by the fact that we are giving hundreds of millions of dollars a week to private contractors who are not accountable, many of them the President's contributors, most of them the President's friends, and one of those companies a company that is still paying Vice President CHENEY \$13,000 a month.

The last letter I would like to read is from Joseph. "It appears we have no choice but to spend the \$87 billion, but Congress should make sure that the money comes from a rollback of Mr. Bush's excessive tax cuts for the wealthy, which primarily benefits the rich in this country. I sincerely hope the Congress does not give the money to Mr. Bush without stipulations. Three million Americans have lost their jobs," actually about 3.5 million now. "Three million Americans have lost their jobs in the country since Mr. Bush moved into the White House. More Americans are suffering and dying because they are unable to pay for proper health care and health care insurance. Exactly how we can afford to spend \$87 billion is something that I don't even understand." That is a letter from Joe.

Madam Speaker, I think it is clear what people in this country think. We need answers, we need accountability, and we really need to know the truth.

The SPEAKER pro tempore (Mrs. MILLER of Michigan). Under a previous order of the House, the gentlewoman

from Florida (Ms. BROWN-WAITE) is recognized for 5 minutes.

(Ms. GINNY BROWN-WAITE of Florida addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

WASHINGTON WASTE WATCHERS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. HENSARLING) is recognized for 5 minutes.

Mr. HENSARLING. Madam Speaker, I rise tonight, along with my colleague, the gentleman from Florida (Mr. MARIO DIAZ-BALART), as cofounder of a new Republican effort dedicated to bringing the disinfectant of sunshine into the shadowy corners of the wasteful Washington bureaucracy. We call ourselves the "Washington Waste Watchers."

Do not be confused, the Washington Waste Watchers are not about counting calories. It is about counting the myriad of ways that the Federal bureaucracy routinely wastes the hard-earned money of the American family. We are here to look after the family budget by checking the growth of the Federal budget.

Madam Speaker, I am sure all of my colleagues are well aware of the size of our Federal deficit. It is large and getting larger every day; and, to compound the challenge, we are presently faced with a supplemental appropriation request of \$87 billion to help fight the war on terror. I believe, after much debate and due diligence, that this body will pass most, if not all, of that request. I, for one, agree that it is far better to fight this war over there, as opposed to over here. And although I have concerns about portions of the request, I fundamentally believe that helping rebuild the infrastructure and the civil society of Iraq is just as important in winning this war as are additional combat troops and munitions.

So, faced with unparalleled homeland security needs and a growing budget deficit, what are we to do?

Democrats say the only way to cut the deficit is to yet again raise the taxes on the American family. Sound familiar? It is the same refrain we have heard from them for years.

We do have a large budget deficit, but it is not because the American people are undertaxed. It is because Washington spends too much.

Since I was born, the Federal budget has grown seven times faster than the family budget; seven times. This is unconscionable. And putting aside the war on terror, the Democrats, who claim to be concerned about budget deficits, have voted to spend almost \$1 trillion more than our budget allows; \$1 trillion more. There is a spending problem in Washington, not a taxing problem. Much of the spending in Washington is pure waste, fraud, and abuse; and by attacking it every day, we can begin to close this deficit.

For a moment, let us talk about the waste of duplication.

There are more than 90 programs across 11 different agencies to support the early development of children. For example, there are 9 Federal agencies and 69 different programs to educate and care for children under the age of 5. There are 29 different programs offering early education for children within the Department of HHS, itself having 4 separate programs to educate those from low-income families. And Democrats want to raise our taxes to pay for more of this?

The Federal Government operates 342 different economic development programs; 342. And, by the way, what does the Federal Government know about economic development anyway?

There are 86 different programs in 9 Federal agencies to assist teachers in improving their teaching skills. This is on top of the thousands that already exist at the State level. Also, if we already have a Department of Education, why do we need teaching programs spread over 9 different agencies? Yet Democrats want to raise our taxes to pay for more of this.

Madam Speaker, 12 different Federal agencies are responsible for food safety. For example, the Department of Agriculture inspects meat pizzas, while vegetarian pizzas are under the purview of the Department of Health and Human Services. Only in Washington, D.C., could this absurd result happen.

The Federal Government operates at least 70 programs dedicated to helping the disabled. About half of these duplicate programs cost taxpayers close to \$110 billion annually. That is a quarter of the cost of the 10-year prescription drug bill for our seniors. And Democrats want to raise our taxes to pay for more of this?

Madam Speaker, these are just a few of the examples of rampant duplication and waste throughout our Federal Government. After we begin to look closely, it is easy to see that many Federal programs routinely lose 10, 20, 30 percent of their taxpayer-funded budgets to waste, fraud, and abuse, and they have for years.

In the real world, when people lose that much money, they are either fired or they go to jail. But in Washington, it is only an excuse to ask for even more money from the American family next year.

There are many ways we can cut the deficit without cutting any needed services, because when it comes to Federal programs, it is not how much money Washington spends, it is how Washington spends the money.

QUESTIONING OUR PATRIOTISM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. GREEN) is recognized for 5 minutes.

Mr. GREEN of Texas. Madam Speaker, over the past week there has been a lot of talk in the chambers of Congress about what it means to be patriotic. The Republican leadership would have

us believe that patriotism is asking no questions and voicing no concerns. According to them, patriotism is simply handing over \$87 billion tied with a bright red bow and a card attached to it that says, here is the money you asked for. Go ahead and spend it how you want.

Madam Speaker, this is not patriotic. This would be neglecting our constitutional duty to oversee how taxpayers' dollars are spent, and it is an obligation that I think we need to take very seriously when considering this supplemental bill. We need to take it seriously not only for the taxpayers but also, more importantly, for our soldiers.

There is not a person in this chamber who would vote against supporting our troops. They are serving bravely and honorably in a faraway land for far longer than anyone expected, and our prayers are with them and their families. Our troops are the true patriots, and the patriotism I see in this debate is demonstrated by those demanding the best for those troops.

Unfortunately, the war plan may have failed to adequately protect our troops. Details may have been overlooked.

Members of Congress returning from Iraq talk about the lack of Kevlar inserts and the need for heavier armor for Humvees. The \$87 billion supplemental includes these items. But why were these items not in the \$79 billion Congress provided the administration last spring? Kevlar inserts cost \$517, \$517 for a life-saving device. I ask my colleagues, why was there not enough money for each soldier to have a Kevlar insert? Did we not foresee our soldiers being shot at? Unfortunately, my question is not one that will be answered, or as the chief of the U.S. Central Command said last week, "I can't answer for the record why we started this war with protective vests that were in short supply."

Madam Speaker, there is no answer, or at least no answer that could satisfy this Member of Congress. Where was the money to armor up our military vehicles? The Department of Defense thinks we only need \$177 million to do it now. Again, why was this not done with the \$79 billion appropriated last April? Why was the money not provided to protect our soldiers in these vehicles from gunshots and shrapnel from these roadside bombs?

So, I say to my Republican friends, you will have to excuse us if we insist on exercising our constitutional duty, one that I happen to believe is our patriotic duty, to ensure that we get our priorities straight and protect our young men and women in Iraq and in Afghanistan.

In examining patriotism and priorities, I cannot help but wonder if singlehandedly rebuilding Iraq while our country remains in economic downturn is the most patriotic use of this \$20 billion in proposed reconstruction funding. I see part of this funding going towards a children's hospital in Iraq

when right now I have 177,000 Texas children who have been dropped from the CHIPS program and they are crowding our emergency rooms because they have no health insurance. I want to help children in Iraq, but should we not be also addressing the problems here at home?

I see this funding going toward building roads and bridges in Iraq when this Congress cannot pass a highway spending bill because we simply do not have enough money to fix our own roads and bridges here at home. This administration has misplaced priorities that come at the expense of the American people.

In the name of free trade, we pushed our manufacturing companies and workers offshore. Our manufacturing sector is struggling to survive, and our economy has lost 3.2 million jobs over the last 3 years. For the second straight year now, more Americans are finding themselves in poverty. Our country has turned into a land of executives and service sector employees, creating an ever-widening gulf between the rich and poor that is extinguishing what is left of our middle class in America.

This administration's fiscal policies have come at the expense of the American people.

Oh, we will hear that we can have it all. They will tell us we can fight a war, rebuild a country, cut taxes, save Social Security, and provide our seniors with a prescription drug benefit which is less than half of what they really need. But what they do not tell us is that we cannot pay for it. We are going to incur the largest deficit in this Nation's history, and our children and grandchildren will be paying off the national debt for generations to come.

Tough decisions must be made to get this country back on track, and it takes courage and leadership to make the right decisions for our soldiers, for the American people, and for this country.

Putting the American people first. Now, that is what patriotism is.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. FEENEY) is recognized for 5 minutes.

(Mr. FEENEY addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 3146. An act to extend the Temporary Assistance for Needy Families block grant program, and certain tax and trade programs, and for other purposes.

□ 2000

CELEBRATING FT. RILEY'S 150TH ANNIVERSARY

The SPEAKER pro tempore (Mrs. MILLER of Michigan). Under a previous order of the House, the gentleman from Kansas (Mr. MORAN) is recognized for 5 minutes.

Mr. MORAN of Kansas. Madam Speaker, I rise today in celebration of the 150th anniversary of Ft. Riley. For decades this military installation has played an important role in protecting our Nation and is now an essential component in the war on terror.

Founded in 1853, Ft. Riley was established as a strategic post for settlers heading west. It was located between the Oregon and Santa Fe trails to provide protection for traveler. Ft. Riley was responsible for protecting the construction of the Union Pacific Railroad through that area, and the post used troops to police the new territory because of fighting between pro- and anti-slavery settlers. During the Civil War, confederate prisoners were housed at Ft. Riley.

From the post's inception until the end of World War II, Ft. Riley was known for its cavalry units and was designated as the "Cavalry Headquarters of the Army." It was also during that time that the famed "Buffalo Soldiers," the all-African-American Cavalry units were stationed at Ft. Riley. The Cavalry School produced some of the finest mounted horsemen in the world.

However, it was also during World War I and II that the Nation began to see military warfare transition from cavalry to mechanized machinery. The invention of the tank, the machine gun, and the use of aviation shifted the focus of the military away from the horse and rider, towards mechanized warfare.

At the end of World War II the Army closed the Cavalry School, replacing it with the Ground General School. This school trained enlisted men in intelligence gathering techniques and newly commissioned officers in basic military subjects.

During the Cold War, the Army recognized Ft. Riley's strategic resources and designated it as the home base for the First Infantry Division, the "Big Red One." The security threat from the Soviet Union, the expansion of communism transformed the mission of Ft. Riley. No longer would Ft. Riley be only a training and education center, but became the home base for a major infantry division. In 1955, the Big Red One began arriving at Ft. Riley. The addition of the Big Red One caused an influx of troops and families to the area, especially in the neighboring community of Junction City, Kansas.

Through the Vietnam and Gulf War, Ft. Riley continued to actively support U.S. military missions abroad and continued to acquire land to train troops stationed at the installation. Today Ft. Riley consists of more than 100,000

acres. This allows troops to train in war-like conditions using live ammunition to prepare for situations such as those in Iraq, Afghanistan, and Bosnia.

The resilient prairie grasses are a perfect terrain for military maneuvers. In addition, the construction of a simulated combat center at the post brings the art of war from Kansas' prairie into the classroom. Soldiers are able to train in simulated Bradley fighting vehicles and Abrahms tanks to hone their combat skills.

Today Ft. Riley continues to play an important role in the war on terror. In the past 6 months more than 14,000 soldiers and 1,750 rail cars, containing over 5,500 pieces of equipment, have been deployed from Ft. Riley, representing 35 trains that have shipped equipment to ports in Charleston, South Carolina, Jacksonville, Florida, Beaumont and Corpus Christi, Texas, and Savannah Georgia.

Strategically located in the center of the country, Ft. Riley's soldiers can load 200 railcars in a 9-hour period, with the equipment arriving at the ports ahead of schedule. Ft. Riley has been able to transport equipment from Kansas to the coast faster than the Navy could get ships to those ports. Not once has Ft. Riley missed a port call. During Operation Desert Storm, it took 28 days to get equipment to the ports in the Gulf of Mexico. Now during the War on Terrorism, equipment was moved to the Gulf from Ft. Riley in 48 hours.

Madam Speaker, this Saturday the community of Junction City and Ft. Riley will celebrate the post's 150th anniversary. As the United States continues to fight the War on Terror, I ask my colleagues and my fellow Americans to join me in recognizing the contributions and sacrifices soldiers from Ft. Riley have made to protect this Nation and defend our way of life. Ft. Riley has evolved during the past 150 years from a post to assist westward expansion to become "America's Warfighting Center."

Ft. Riley is essential to Kansas, it is essential to the Army, and, most importantly, Madam Speaker, Ft. Riley is essential to the safety and security of the United States of America.

Happy 150th anniversary, Ft. Riley, Kansas. Thank you for your service to our Nation.

THE UNINSURED

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. Madam Speaker, according to new numbers released by the Census Bureau today, the number of uninsured Americans in 2002 rose to 43.6 million. This is a 5.7 percent increase in the number of Americans without health insurance, the single largest increase in a decade.

Moreover, these numbers exemplify President Bush and the Republican

party's hard record on health care. The total number of uninsured Americans has increased by 3.8 million since President Bush took office and now totals 15.2 percent of our population. In other words, 15 out of every 100 Americans lack health insurance.

Madam Speaker, there is no doubt that the increase in the number of uninsured is a direct result of our weak economy, but there are other contributing factors such as the rise in health care costs by double-digit percentage points, States dropping Medicaid beneficiaries due to financial constraints, and, most importantly, employers eliminating employer-sponsored health coverage due to ever-rising costs.

Employer-based coverage, which is, in fact, the largest source of coverage in the United States, has declined dramatically in the past few years. The census figures show that last year alone, loss of employer-sponsored coverage led to 1.3 million Americans joining the ranks of the uninsured.

Madam Speaker, this is particularly significant in the context of the Medicare bill that is currently being worked out in conference. As it currently stands, the Republican Medicare bill, which passed the House, encourages employers who are currently providing retiree health benefits to drop coverage. Unfortunately, the Republican bill states that any dollar an employer pays for an employee's prescription drug costs would not count towards the employee's out-of-pocket catastrophic cap. And this disadvantages 12 million out of 40 million seniors with employer-sponsored coverage because it would be almost impossible for them to reach the bill's catastrophic cap over which Medicaid would pay 100 percent of their drug costs. Without a doubt, many employers will stop offering retiree coverage if this Republican bill were to become law.

Now, the Republicans are also suggesting tax credits to the uninsured to purchase health insurance in the private market, but such offers simply do not work. And we need to immediately evaluate a number of proposals to alleviate the situation. For example, if everyone likes tax credits so much, then we should consider tax credits that can be credited by the individual towards employer-based health insurance that guarantees a basic package of benefits, or tax credits for hard-pressed small businesses to offer health insurance to its employees. Any of these type of initiatives that ensure a strong and stable system of employer-based health coverage really should be encouraged.

Madam Speaker, as Americans in private health insurance plans lost coverage, 3.2 million more Americans joined the Medicaid rolls. This is very problematic because, as we know, States continue to experience severe financial restraints and are not capable of maintaining their Medicaid or SCHIP programs for kids without a new infusion of Federal dollars. In fact,

with the weak economy and States cutting back their Medicaid programs, the number of uninsured is going to continue to rise.

Now, I think it is time for Congress to take responsibility and provide meaningful expansion of programs to once and for all reduce the number of uninsured Americans. And I know the Republicans have not bothered to deal with this effectively. The Democrats have had a number of proposals. We have rolled them out, but, of course, we have not been able to get support with the Republicans in the majority. But I think this information that came out today from the census, showing that the number of uninsured continues to rise so dramatically under President Bush's watch, is an indication that the Republican leadership here has to do something about it. We, as Democrats, are more than willing to join; but we cannot continue to have this situation where the number of uninsured continues to rise under President Bush and the Republican party's watch.

SUPPORT OUR TROOPS: \$1,500 BONUS BILL

The SPEAKER pro tempore (Mrs. MILLER of Michigan). Under a previous order of the House, the gentleman from Michigan (Mr. STUPAK) is recognized for 5 minutes.

Mr. STUPAK. Madam Speaker, this week as the other body takes up the President's request for the \$87 billion in supplemental appropriations for Iraq, we must do more for our troops and their families who are under increasing duress.

Specifically, Congress should grant a \$1,500 bonus to all who served in Iraq and Afghanistan.

Not since Vietnam have such a large number of troops had such long deployments. The pressure this puts on our troops and their families is tremendous.

This summer, the Department of Defense increased deployments for troops serving in Iraq and Afghanistan to 1 year, and not until last week, did the Department of Defense offer these troops who are living under highly primitive and stressful conditions a 2-week leave for rest and recuperation.

Tragically, this month our U.S. casualties in Iraq surpassed the number of those killed in the first Gulf War. We have now lost more than 308 servicemen and women.

Recognizing the increasing gravity of U.S. military involvement abroad, I have introduced H.R. 3051, to qualify all active-duty military personnel deployed for any length of time in Iraq and Afghanistan for a \$1,500 bonus. This \$1,500 bonus proposal should be part of the supplemental appropriations bill. Although, as Members of Congress, we may have different ideas about U.S. policy in Iraq, we can all agree our servicemen and women deserve our sincere recognition for their courageous efforts. Fifteen hundred

dollars will not only help boost morale, but will send a strong bipartisan message to our troops that Congress is unified behind them.

The Bush administration is actively lobbying Members of Congress to approve the \$21 billion in direct grants to support the infrastructure development in Iraq in this \$87 billion supplemental appropriations.

First of all, I see no reason why we cannot separate out these two items. The \$66 billion for defense, which we all support, should be made a separate bill. And the \$21 billion they want for reconstruction in Iraq should be placed in a separate bill, so we can have a debate on it. And then we should require Iraqi oil to be used as collateral for international loans to finance Iraqi infrastructure projects. And we should also ensure Iraq reconstruction contracts are competitively bid.

Either way, U.S. citizens should not be expected to support Iraqi development while many Americans face shortfalls in funding for health care, prescription drug coverage, school and road construction, and other critical infrastructure improvements.

Even to come up with this \$87 billion for the supplemental appropriations for Iraq, the U.S. must borrow the money base we are so far in debt thanks to the policies of this administration. We do not have the money. We have to borrow it. Yes, Congress must continue to work to help, but not at the expense of the Americans here at home and our troops abroad.

Some of my colleagues tonight have talked about waste, fraud and abuse; and I think it is shameful when we look at the waste, fraud and abuse being put forth by this administration when we look at reconstruction for Iraq.

Just take a look at some of these numbers they have provided us:

There is \$4 million to develop a set of telephone numbers and \$150 million for a national 911. In my district if you want 911, the local taxpayers have to do it.

How about \$100 million to build seven planned communities? Each community to have 3,258 houses.

Ten million dollars to finance 100 prison-building experts. We have to pay prison-building experts \$10 million to tell them how to do it in Iraq?

How about \$100 million for 2,000 garbage trucks?

And then they want \$20 million for Afghan consultants, whatever those are.

And we have \$850 million for health facility construction and medical equipment replacement. What about health care in this country?

How about \$900 million to import petroleum products such as kerosene and diesel? Remember, Iraq has the world's second largest oil reserves, and we have to import oil products to them?

The health care provisions alone provide a striking comparison between taxpayers' support of Iraqis health care

and Americans' support for health care.

You only need to look at the numbers. In Iraq, currently 13 million people receive basic access to health care, half the country. One hundred percent of the population has maternity care. Every Baghdad hospital and clinic is operating. In Detroit, we just had to close down two hospitals because we did not have any money.

There are 7,500 tons of medicine distributed to hospitals and clinics, and there are 128 generators and power supplies being installed in Iraq.

Let us go to the United States. Not one new dollar has been spent on 42 million uninsured Americans.

There has been no increase for the Maternal and Child Health Block Grant or the National Health Service Corps; no increase for the childhood immunization program; Congress has underfunded HIV prevention and care, and failed to address the Nation's nursing shortage.

We have no control over runaway healthcare costs and can no longer afford prescription drug coverage.

Instead of again dipping into the pockets of working Americans and risking veterans' benefits for our troops when they return home, I support proposals to suspend the tax cuts for the top 1 percent of income earners to pay for the Bush administration's \$87 billion supplemental. And I urge Congress to consider my bill, H.R. 3051, to include support for our troops in this supplemental aid package to Iraq.

Again, my bill provides a \$1,500 bonus to military personnel who serve under the Army, Navy, Air Force, Marine Corps, Coast Guard, National Guard, or Reserves in a combat zone in Iraq and Afghanistan.

In the coming year an estimated 150,000 young men and women will not see their families, a record number of reservists and guardsmen and women will put their private sector opportunities and jobs on hold, and thousands of children from every part of America will pray for their parents' safe return.

These extraordinary times, deserve an exemplary measure. I urge you to support my bill, H.R. 3051, to provide for our troops in Iraq and Afghanistan, and to make it a part of the supplemental appropriations bill.

Give our troops the \$1,500 bonus they deserve.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana 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 Michigan (Mr. CONYERS) is recognized for 5 minutes.

(Mr. CONYERS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

NATIONAL SICKLE CELL AWARENESS MONTH

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. DAVIS) is recognized for 5 minutes.

Mr. DAVIS of Illinois. Madam Speaker, I rise in recognition of National Sickle Cell Awareness Month. This inherited, debilitating blood disorder affects more than 2.5 million Americans, most of them of African heritage. In fact, it is the most common genetic disease in the United States. In my home State of Illinois, there are more than 3,000 African Americans who live with sickle cell disease every day.

Many adults with SCD have severe physical problems, such as acute lung complications, that may result in death. Moreover, there is an estimated 70,000 or more Americans who have SCD.

□ 2015

The average lifespan for an adult with sickle cell disease is the mid-40s. With proper treatment, many people with sickle cell anemia can lead productive lives and enjoy reasonably good health into their 40s and beyond.

Sickle cell anemia can lead to a host of complications, including stroke, acute chest syndrome, organ damage, blindness and ulcers appearing on the lower legs. Sickle cells can also block blood vessels, which nourish the skin, causing cells to die.

There are a number of treatments and prescriptions designed for this disorder, causing a 40 percent reduction in death. While bone marrow transplantation is a curative therapy for SCD, this therapy is used in only a minority of patients, predominantly because of the high risk of the procedure and difficulty in finding suitable donors. This surgery is painful, yet also traumatic.

Unfortunately, this procedure is expensive. Many insurance carriers do not cover this expense; and sadly to say, many African Americans are less likely to donate bone marrow.

Sickle cell patients and their families may need help in handling the economic and psychological stresses of coping with this serious chronic disease. Sickle cell centers and clinics can provide information and counseling on how to handle these problems.

People who are planning to become parents should know whether they are carriers of the sickle cell gene; and if they are, they may want to seek genetic counseling. The counselor can tell prospective parents what the chances are that their child will have the sickle cell trait or sickle cell anemia.

There is no cure for sickle cell disease. However, H.R. 1736, the Sickle Cell Treatment Act of 2003, which I introduced along with the gentleman from North Carolina (Mr. BURR), moves us closer to a cure and improves the quality of life for those living with the disease. H.R. 1736 provides funding for sickle cell disease and related services,

making it easier for doctors to treat SCD patients by increasing the availability of physician and laboratory services that are not currently reimbursed or under-reimbursed by Medicaid.

In addition, the bill creates 40 sickle cell disease treatment centers through a \$10 million grant program for 5 years. Another key component of the bill is that it allows States to receive a fifty-fifty funding match for nonmedical expenses related to sickle cell disease treatment, such as genetic counseling, community outreach, education and other services. In addition, H.R. 1736 creates a national coordinating center, operated by the U.S. Department of Health and Human Services, to oversee the SCD funding and research conducted at hospitals, universities and community-based organizations in a coordinated effort to educate patients and help find a cure for the disease.

This legislation is about improving patient care and putting patients first. I hope that as we celebrate Sickle Cell awareness Month that we will also find a cure for this terrible disease. I urge support for H.R. 1736.

The SPEAKER pro tempore (Mrs. MILLER of Michigan). Under a previous order of the House, the gentleman from California (Mr. ROHRBACHER) is recognized for 5 minutes.

(Mr. ROHRBACHER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

AMERICA SHOULD RECEIVE THE SAME FUNDING AS IRAQ

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. EMANUEL) is recognized for 5 minutes.

Mr. EMANUEL. Madam Speaker, we are on the verge of considering \$87 billion to be spent in Iraq and Afghanistan. This is the second payment on top of the first \$70 billion that was requested by the administration, and Secretary Powell the other day noted this is a down payment for an additional request to come 6 months from now.

Back in April, I introduced a bill called the American Parity Act, which said whatever we invested in Iraq's health care, their education, their infrastructure, their armed forces, we ought to do here at home. Today, I am proud to announce we have 102 sponsors; but in his recent request, there is \$6 billion for the Iraqi electric grid, and what does America get? They get the blackout. Not a single dollar invested in America's electric grid.

Iraq is being pledged, and thought of, \$4 billion for water purification, a wetlands restoration project for Iraq, we finally found an environmental policy the administration can support, and all types of water projects in Iraq. Yet in the Great Lakes, where 40 million Americans get their daily drinking

water, there is not a single dollar dedicated to deal with the drinking water in the recent environmental degradation of the Great Lakes along New York, Pennsylvania, Michigan, Ohio, Wisconsin, Illinois, Minnesota, and Indiana. We have a bipartisan bill to dedicate \$4 billion over 5 years to restore and upgrade the environmental quality of the Great Lakes where drinking water is provided for 40 million Americans, equal to the amount we are pledging for 1 year in Iraq.

Just this week, we are talking about spending \$4 billion for the Iraqi police. Yet the administration's budget cuts \$1 billion for the 100,000 police program here in the United States.

So what I did is produce a T-shirt. It envisions and puts on the front the President's reconstruction budget for all of Iraq and Afghanistan, the two proposals. On the back are the cuts here at home in the respective areas of health care, education, veterans health care and veterans hospital, veterans benefits, but also the cuts in job training and job growth.

In the last 2 years, Americans have lost 3 million jobs, 45 million Americans are without health insurance, 25 million of that 45 work full-time but have no health insurance.

We have taken 4 million Americans out of the middle class and put them in poverty and nearly \$1 trillion worth of corporate assets have been foreclosed on. That is the net result of the economic policies.

We have a vision for Iraq with an additional \$20 billion of reconstruction dollars, of American taxpayer dollars being spent on their roads, their health care, their ports. Um Qsar, a great port in Iraq, is being dredged. Yet we have a 10 percent cut in the Army Corps of Engineers here in the United States, which all of us use to keep our economic vitality and job growth in our districts.

The same values that we hold for Iraq we must pledge for all Americans. The same goals we envision for Iraq's future we must envision for America. Unfortunately, we have had two priorities, two sets of values, two sets of books, one for Iraq, their children for tomorrow and one for America.

I do not think I will ever not support our efforts in Iraq, but I will not support the deconstruction of the United States, and somebody can be cynical enough to now see how the votes for Iraq's reconstruction can be compared to what we are doing here at home, a \$90 billion cut in Medicaid, compared to the 13 million Iraqis who will get universal health care. Somebody could see that as wrong; opening up new universities in Iraq, while we cut \$500 million from Pell grants here in the United States.

So I ask my colleagues on the other side as they consider on the eve, and I understand the pressure of being loyal to our President and loyal to an administration's goal, to think about what this means what we are doing here at

home. Americans over the last 40 to 50 years have been very generous. They have funded the Marshall Plan, brought Europe back to its feet, helped build Japan after World War II. They have continually donated and helped other countries, but America will not be generous if the dream of a tomorrow for America is diminished compared to the dream we hold for the Iraqi people.

So as we are on the eve of debating the \$87 billion, we need to support our troops; but we need to support our people here at home for their education, their jobs, their health care, their economic development of their communities and the safety of their communities. We should treat our veterans who come home with the same respect we are treating the forces in Iraq that we are trying to rebuild.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman 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.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

(Ms. JACKSON-LEE of Texas addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

THE REAL STORY OF IRAQ

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 2003, the gentleman from Indiana (Mr. CHOCOLA) is recognized for 60 minutes as the designee of the majority leader.

This recognition is without prejudice to the resumption of legislative business.

Mr. CHOCOLA. Madam Speaker, I rise tonight to talk about the vote that we as Members of Congress are going to be asked to make in the near future and that is a vote we have already heard about tonight and that is the \$87 billion appropriation to support our men and women in uniform and the citizens of Iraq.

This is a lot of money, there is no question. And there is much commentary and maybe even some people would say much rhetoric revolving around this issue, but as we decide how to vote as Members of Congress and the American people develop an opinion on how they feel about their tax dollars being invested in this manner, I think it is imperative that we understand the real story of Iraq. I think it is imperative that we get beyond the rhetoric and the politics because this issue is way too important and has implications for generations to come, what the answer to the question about supporting the men and women in uniform

and the citizens of Iraq with \$87 billion is going to be.

I think we have to rely on facts, and the only way that we can understand the facts and discover the facts is to go seek them out for ourselves. That is why I went to Iraq not too long ago. I returned about 3 weeks ago, and I commend other Members of Congress that have taken the time and taken the effort to go find out for themselves what the real story of Iraq is.

I have to admit, when I went, I went with apprehension, and I did not go with apprehension because I was concerned about my personal safety. I went with apprehension because I was concerned that I would find the story of hopelessness, of pessimism because I had read the papers and I had watched the television, and it did not look like a pretty picture; but when I returned home, I had great optimism and I had great hope because what we see on TV and what we read in the papers is not the real story of Iraq and is not representative of what is actually happening on a day-to-day basis in that country.

When we landed, I really could not believe I was in the same country that I had seen on TV and read about in the papers. This was not a country in chaos. This was not a country where one felt unsafe and in fear for their personal safety. It was a country that was recovering from a scar of over 30 years of a brutal regime that its people had to live under. Sure, there are challenges that we are going to face and there are tragedies that happened, but there is also great hope, and there is great optimism because there have already been great successes.

The problem is the good news is not news. When a torture chamber that used to house Saddam Hussein's political prisoners gets turned into a police academy where tens of thousands of Iraqi police have been trained to protect their citizens and protect their country, no cameras show up, no reporters show up. When a school reopens, in fact when 1,000 new schools have been built in Iraq, there is not one reporter; and there was not one camera. When the power comes back on, when businesses can operate on a consistent basis, when restaurants can open, there are no reporters and there are no cameras. When the crop is harvested, thousands of acres of wheat, again, there are no reporters and no cameras, and businesses are opening every single day; but again, it goes unreported. But when there is one tragedy, certainly every camera and every reporter in the country is covering that story.

But for those that have visited Iraq, those that have actually taken the time and the effort to go, it cannot go unnoticed because a success is so clear and so obvious and so exciting and inspirational that we come back and we tell our stories. This is not a partisan issue. This is a situation where Republicans and Democrats have come back

and told the real story of Iraq with great hope and great optimism.

What we hear tonight, and I am sure we will hear in the future, is a lot of comments from people who have not been to Iraq, people who do not know the real story and are engaging in rhetoric and politics; and I think that is a great, grave danger, not only to our citizens but for all of our children and our grandchildren for generations to come.

We come back and we share stories of why we feel the way we do, and that is what we are here to do tonight. I am here with several other Members that have traveled to Iraq, and we are going to share our stories about why we share so much hope and so much optimism; and I would like to share just one story before I turn it over to some of my fellow Members.

I was in Iraq for 3 days, and I would just like to share one day, to give my colleagues a sense of what the experience was like.

□ 2030

The group I was with, we flew into Mosul, a town in the northern part of Iraq. When we got out of the plane, it was shocking, because most Americans think that Iraq is very much a desert country, all sand. This looked like northern Michigan. There were hills. There were trees. It was a lush green area.

As we got out of the plane, I noticed new construction, a building that was being built right next to where the troops are; and I asked, what is that? One of the local troops said, well, that is a local Iraqi entrepreneur. He is building a coffee shop for the troops to serve their needs. So here is a local Iraqi entrepreneur that is putting his own money into serving our troops and engaging in commerce. Does not sound like a country in chaos to me.

We went in and got a briefing. We got a briefing of all the successes that have already happened in the northern part of Iraq in the Mosul area. This is the briefing that we got.

Now we hear a lot of people say there is no plan for reconstruction, that there was never any thought to how we were going to win the peace. This is a plan that is not only about what we are going to do, but more importantly what has already happened. In this plan are discussions of the schools that have been rebuilt, the transportation projects, the employment projects, the water projects, and the banking. There is a chart of the local elections that have already taken place. Over 200 local elections have already taken place in Iraq, with representative governments in place which represent all of the ethnic groups in their localities.

So we had this briefing of the tremendous successes, and then we went into the town of Mosul. During that trip into town we were not in an armored vehicle, we had no bulletproof vests on, and we were in the center of town with the people of Mosul. What

we saw was commerce. We saw restaurants. We saw children. We saw everything portraying the normalcy of life and never once felt threatened for our safety or worried that anything was going to happen, which is what we see represented on the nightly TV.

After our trip downtown, we went back to the airport and we met with some of the locally elected officials. We met with the vice mayor of Mosul. This was a very impressive gentleman. With him were other locally elected officials. They represented the local ethnic representation. There were men, and there were women. There was never an opportunity under Saddam Hussein's regime to have an opportunity to have local representative government.

Shortly thereafter, we left and we went to Tikrit, Saddam's hometown. We flew in helicopters for about an hour; and we basically followed the Tigris River down to Tikrit, which is a little further south. From horizon to horizon on each side of the river all we saw was wheat. All we saw was fertile farmland. In fact, if Iraq had had the opportunity to have modern practices and techniques of agriculture and production, they have enough potential basically to feed the entire Middle East.

The most amazing thing to me was that it had been harvested, and it had been harvested just a couple of weeks ago. A country in chaos, a country that has no potential could never harvest hundreds of thousands of acres of wheat and store it effectively and use it for the benefit of their people.

As we approached Tikrit, Saddam's hometown, it was a stark picture. In the middle of town is Saddam's palace, 144 buildings in the palace compound. Now these are not small little garages. These are all villas and palaces. And on one side of two 10-foot walls that had barbed wire or guard stations every so often was basically obscene opulence that Saddam had built this palace for himself and his family. On the other sides of the wall was obscene poverty and pestilence.

I think that represented exactly how he ran his country. He would spend all of the country's resources, the riches that it has, and it has many riches in the form of oil and water and agriculture, he spent all of those riches on himself, on his family, on his palaces and on his weapons. He did not spend any money on the people of Iraq. He did not spend any money on upgrading their power supply or helping their infrastructure. I think that that was a very stark picture. It had been described as Las Vegas without the neon.

As we landed there we had the great opportunity, and this was the highlight really of the trip that I was on, at every meal we had the opportunity to visit and have a meal with the troops. That night we had dinner, and there was a very poignant moment, I thought. Every time we had a meal I would ask the troops, what do you want me to tell people when I go back home about your stay here?

There was a young woman soldier that looked at me and she said, you know what I want people to know is that I am here serving in harm's way in Iraq for the protection of my family and my country back home. Because she said, see, if we are successful here in Iraq, Iraq will become the model of democracy in the Middle East. It will help bring stability to a region that has not seen stability in hundreds if not thousands of years. If we are not successful, Iraq will become the home of terrorists and murderers and radicals who export violence and murder all over the world; and that will put my family and my country at much greater risk.

I have to say I was very impressed with her observations, and I think that she really put this whole discussion into context. The \$87 billion the President is asking for is a lot of money. But when we think about the consequences of failure, we have no choice but to succeed. If we succeed, we can help bring stability to a region by helping a democratic, secular, free government emerge.

Iraq has every ingredient for success and every opportunity to help its people have a bright future. Because the tools of the recruiters of the terrorists is hopelessness and oppression. The people that are causing problems, their worst nightmare is that we are successful, because it will take away every argument they have. It will change their world. If we are successful, it will change our world as well because we will live in a much more stable world, where people are not strapping bombs onto their backs because they see no hope in life.

If we can help the Iraqi people form a free and democratic government that brings hope, that brings economic prosperity, I think that is the best investment we can make as an American people. We have a history of generosity in this country, and I do not think it is time to stop that history. We recognize that \$87 billion is a lot of money, but when we consider that September 11 cost us \$2 trillion, I think it is a wise investment.

Madam Speaker, I want to yield to the gentleman from Texas (Mr. BURGESS), who was on the trip with me; and I know that he has some very inspirational stories to tell as well.

Mr. BURGESS. Madam Speaker, I thank my friend from Indiana for yielding to me.

So much of what I experienced, of course, when I got back, was similar to what the gentleman just related. I can remember sitting down to watch the national evening news back in Texas and turning on the television and hearing a news anchor that everyone is familiar with. His lead story was Iraq, and he started talking again about the hopelessness and the quagmire and we are just barely holding on and it looks like an operation gone terribly wrong. And I had to ask myself, did I get off the wrong plane? Did I perhaps land in

a parallel dimension? Because I did not recognize the country that he was talking about. I did not recognize the country that I had just left hours before.

I think General James Conway in Babylon, the ancient city of Babylon, stationed there with the First Marine Expeditionary Force, they were one of the first groups into Iraq, his description of what is going on in that country is what stuck with me. He described Iraq as a vivid success story. He also went on to say that Iraqis are not concerned that we are going to stay too long. Madam Speaker, they are most concerned that we are going to leave too soon. Apparently, that has happened to them before.

Just as my friend from Indiana pointed out about how normal life was in Mosul, even that first day, flying over the city of Baghdad, the markets were full. There were cars on the road. Indeed, there were traffic jams on the road. There were satellite dishes on the rooftops of the apartments and the houses. I do not know the number, but probably 25 to 30 percent of the residences had satellite dishes on the rooftops. And bear in mind, Madam Speaker, that merely 6 months ago possession of a satellite antenna was punishable by 1 year in one of Saddam's prisons. Kind of a daunting prospect.

The schools were open. Agriculture, as my friend from Indiana pointed out, was flourishing. And, indeed, flying over those wheat fields north of Tikrit, where the harvest had just happened at the end of August, it was nothing short of startling. It looked like Kansas below us. Albeit the Kansas of 150 years ago, but it looked like Kansas.

From a military standpoint, the combat phase of Operation Iraqi Freedom was prosecuted brilliantly. There is no remaining strategic threat. Stabilization is the current goal of our offensive operation: to find, contain, and kill those who would harm our troops or innocent Iraqi citizens. And, of course, 80 percent of the engagements are within the so-called Sunni triangle.

The police force in Baghdad is nothing short of a miraculous transformation. This is a police force that has gone from a mission statement that included brutality and contempt and corruption to one that emphasizes proper police procedure in a free and democratic society. Bernard Kerik, the police commissioner from New York City who gave so many of us comfort 2 years ago after the attack of 9/11, was working in Iraq when we were there. I believe he has returned to this country now, but he has been nothing short of a miracle worker there in Baghdad. He has gone from 0 to 35 precincts in 14 weeks time. That is 14 weeks time he has gone from 0 to 37,000 Iraqi policemen in uniform and expects to have 65,000 by next May.

In health care, we have to put it in the context of no significant expenditure in health care for almost 30 years. In fact, Lieutenant Colonel Michael Keller, a good Texas boy from Hale

Center, Texas, a registered nurse who is with the 385th Civil Affairs Brigade, Lieutenant Colonel Keller told me he visited the medical school library in Baghdad and could not find a textbook that had a copyright date later than 1984. Does anyone suppose there have been any improvements in the practice of medicine in the last 19 years?

Pharmaceutical agents that were manufactured in Iraq were useless. The bioavailability of those compounds was so variable that even Iraqi physicians were frightened to use them. But Saddam had the edict, if it is made in Iraq, it is good for Iraqis. In fact, we relied heavily on donations from the Kuwaitis after the fall of the Saddam government. Again, to put it in perspective, Saddam's per capita medical expenditure was 50 cents a person per year. Currently, that is up to about \$45 per person per year, but they have a long way to go.

My friend from Indiana did an excellent job of describing the opulence of the palaces that were provided for the ruling class in that country. No dollar was left unspent. The architecture of those palaces was truly horrible, but the site planners and the landscape architects had a good deal of skill. Because when Saddam stood in those palaces in Tikrit, he did not have to see the poverty on the other sides of the wall that was described.

But, Madam Speaker, what was most searing to me was to put the opulence of those palaces next to the poverty of the hospitals; hospitals that could not even afford linoleum for their floors; hospitals that could not afford to have medical gases piped into their neonatal intensive care unit. Do you suppose a premature baby is ever going to need oxygen? Unfortunately, at the Al Yarmouk Hospital, if a neonatal intensive care case needed oxygen, they would have to find a cylinder, if they could.

Finally, if I could, let me just reiterate what happened within the first 90 days after the fall of the Saddam regime. Schools completed their academic year and conducted testing. Over 90 percent of the major cities and towns have functioning town councils. Over 60,000 Iraqis are contributing to their own security. Not in the police force, this is an additional 60,000 that are in their military and are serving as border guards. The prisons are on the verge of reopening. The judicial additional system is up and functioning. Food distribution, with some minor glitches, food distribution was not interrupted at the conclusion of the combat phase. Indeed, no humanitarian crisis grew as a result of the major combat phase. Hospitals, although below standards, remained opened and functional. Four and a quarter million children were immunized between May and the end of August.

I point these things out because General Sanchez told us that all of these things happened within 90 days. Contrast that with Kosovo, where none of

those things were in place a year after the combat phase ended.

□ 2045

Madam Speaker, let me go back for a minute to the issue of no humanitarian crisis occurred in Iraq. What if there had been 15,000 heat-related deaths in the country of Iraq this summer? Would we have taken some negative press for that? Well, no, that humanitarian crisis was in France, not in Iraq; and I do not really recall reading a whole lot about it in this country.

Suffice it to say, we are not getting an accurate story or picture on what is going on on the ground in Iraq. The only time I remember seeing any reporters at all was when we were at the Al Rasheed Hotel in Baghdad. They are not going to find the stories that they need to be telling in the lobby of the Al Rasheed Hotel.

Mr. CHOCOLA. Madam Speaker, I thank the gentleman for his comments.

I would like to ask a question regarding General Sanchez and the outline of the successes which have been achieved, but when I got back home, I heard people say there is no plan to help rebuild Iraq. I am curious after visiting with General Sanchez and the briefings we were given about the plans in place, the successes which have already been achieved, is there a plan to help rebuild Iraq?

Mr. BURGESS. I do not believe this degree of success was achieved in the absence of a plan. Of course they have a plan in place, and of course they are executing it brilliantly.

The Coalition Provisional Authority in Baghdad, as General Sanchez pointed out to us, they will be developing the pre-constitutional convention, then convening the constitutional convention, writing the constitution and having elections.

They outlined a timeline for us of 18 months, give or take 6 months; so 1 to 2 years time. That information was given to us the last week of August. We have only recently seen those reports in the newspapers here in this country, but the story was clearly out there and available.

General Raymond Odierno in the city of Tikrit, clearly that man has a master plan, and that plan is to find, contain, and kill those elements within the city of Tikrit who mean harm to our troops and Iraqi citizens. I believe the gentleman from Indiana and I sat in the same briefing where he described how he isolated a whole peninsula of individuals who mean harm to our troops and innocent Iraqi citizens and with overwhelming force took that area out in a very brief period of time.

I think we have a workable plan and I think we have a winnable plan for winning the peace. Again, it is at this point so critical that we not lose heart, that we not lose faith and that we adequately fund what is required to bring that country to some measure of peace and stability.

No question about it, lack of fuel and lack of electricity are radical issues. In

Mosul, it was pointed out to us that dollars are ammunition; and right now we cannot afford to starve them of ammunition.

Mr. CHOCOLA. Madam Speaker, I thank the gentleman from Texas (Mr. BURGESS); and I agree 100 percent there appears to be a solid plan in place for success which has been executed to a great extent.

The amazing thing is I have not heard any Member that has been to Iraq who disagrees with the gentleman. The only people that disagree are the people who have not taken the time and taken the effort to understand what the plan is. It sounds more like politics than planning to me. As we make this decision, it is so important that we understand the real story of Iraq and we base our opinions on facts.

Madam Speaker, I yield to the gentleman from Pennsylvania (Mr. SHUSTER) to share the story of Iraq.

Mr. SHUSTER. Madam Speaker, I thank the gentleman for yielding me this time and for putting this Special Order together.

Tonight we need to shine light on the facts, on the truth of what is really happening in Iraq today. It is not the real story. It is not the whole story. We are getting bits and pieces, and we know that it is still a dangerous place, and they are killing American soldiers, and that is something that we ought to be concerned about.

But, as we have talked about here tonight, there are positive things happening in Iraq. There are things moving forward. The Iraqi people are grateful that we have come to Iraq to liberate them.

As May 1 came about and we ended major combat operations over there, I, as most Americans did, would listen to the nightly news and hear stories of death and chaos and mismanagement. And then every week we would come to Washington and get a briefing, and the story was different. So I decided in May that I had to go over there and see for myself what was occurring in Iraq and see with my own eyes because I was hearing the administration tell us what they said was happening, and then of course the national media would tell a different story.

The good news is, as we have heard here tonight, when we traveled to Iraq, we did see positive things, and I was struck with three things.

First, I wanted to go over and see what the situation with our troops was. I heard morale was low, the troops were unhappy. Much to my surprise when we arrived and had the lunches and dinners that the gentleman spoke about, which were a highlight of the trip and we were able to gain much information from them, I found out that the morale was good, it was high. When we think about the dangerous situation they were in, 130 degrees plus, living in tents, sand, dealing with all those elements, these young men and women had high morale. These young warriors talked about how they were proud to

be over there liberating the Iraqi people and protecting America and our freedoms and freedom for people around the world.

One of the things that I did when I came back, I was asked by several soldiers to call their families, and I did that. I can tell Members, as impressed as I was with the soldiers I met, it was inspirational to hear the parents and the wives when I called them, to hear them talk about how proud they were and how much support they were giving their son, daughter, husband or wife. It was really inspirational to me. They said not only were they supportive and proud of what they were doing, we were doing the right thing in Iraq.

I think it is imperative for the American people to hear the whole story so we have that support for our troops, we have that support for the effort we are undertaking over there, and that our Commander in Chief has that support. Because, without that support, we will not succeed. We have to have the American people strongly behind this effort, and that is the only way we will see success, if the American people support this effort.

The second thing that I saw while I was over there, and, as I mentioned, the national media would feed us a steady diet of death and destruction in Iraq and that picture was not the case as we talked here tonight about the many, many things that we saw in Iraq. For instance, the hospitals, they were not hospitals like we see here in America, but they were functioning hospitals. And many if not most of the major hospitals in Iraq are up and running today. The schools and universities are operating. Secondary schools are ready to take the kids on in the fall so they can begin that process, to continue to educate the young people of Iraq.

We talked about the security, the 56,000 trained Iraqis that are out there and walking the streets of Baghdad and Mosul protecting the borders. That was something to behold. We traveled to the headquarters and the training for the Iraqi police force; and we met Ali Kazon, who is now the head of the Iraqi police force. He told us the story how in 1979 he was head of the police academy, and when Saddam Hussein took over, he spoke out against Saddam, and he was imprisoned and almost on a daily basis for a year he was tortured. And now 20 some years later, he is back and ready to take up his role to build a stable and democratic Iraq.

We were told the story just 4 weeks before we arrived in Iraq there was an assassination attempt on a gentleman's life. He was shot in the leg. He was bandaged up, and 2 days later he was back on the streets going after the guys who tried to assassinate him.

And just 2 weeks after we left Iraq, there was a bombing at police headquarters, and it was another attempt on Ali Kazon's life. We were told that this man is somebody that the

Baathists, the terrorists, want to eliminate because he will be a force for good in a free and stable Iraq.

He told us what he told his soldiers or his police as he recruited them. He talked about we do not know the Americans, they do not know us, but they came here and died to free us, so every day when we take to the streets of Iraq we need to honor the Americans for what they have done for us, giving us our freedom.

Madam Speaker, it truly was inspirational to meet someone at the founding of a nation. As we talked about, most of the major cities and most towns and villages had elected municipal councils, and this occurred just 2 weeks after major combat had ended in Iraq. Today, as I said, every major city and most towns and villages are directing local matters themselves. Iraqis are doing that work.

The third thing that we saw and something that surprised me, although I do not know that I should have been surprised, as someone who has studied history all my life, but we focus on Iraq, and it is all about the oil and they certainly have tremendous oil reserves, and that is going to provide the Iraqi people the wealth to rebuild their country and have a stable Iraq in the future. But, as the gentleman from Indiana talked about, the agriculture was surprising. I thought Iraq was a desert, but it is not. It is brown, and I think a lot of that is because of the heat, but they have vast wheat fields. Also, the water resources that Iraq has, not only do they have the Tigris and the Euphrates Rivers, but they have miles of canals. They are able to irrigate much of the Iraqi countryside.

In the south, with a pick and shovel, they can dig down 10-12 feet and hit water because the water table is very shallow. In the north, as we flew over vast wheat fields, they were literally digging water wells horizontally, going in at an angle down 20-40 feet before they would hit water. So Iraq has oil and the ability to feed itself and the Middle East, and they have tremendous water resources that any successful nation needs to feed its people and take care of its people.

Finally, the Iraqi people themselves are a robust people; and proof of that is they have spent 30 years living under a Stalinist tyranny, living under terrible circumstances, but they have survived. Almost half the population is literate, so with the resources they have, with the personality of the people, what we are doing for them over there, giving them the opportunity to live free and to create a democracy, we are giving them hope. That is what any nation needs. Giving the people hope is going to take them off that path of strapping on a bomb to themselves and killing themselves.

We need to make sure that we are putting enough money into this situation. We talked about the \$87 billion. It is a lot of money when we look at it as \$87 billion, but when we look at the

losses that America suffered after 9/11 and the losses we could face in the future if we are not able to help build a stable and democratic Iraq, this is something we must do. We cannot fail in this endeavor. We need to move forward swiftly to make sure that the Iraqi people can build that stable, democratic country.

□ 2100

Mr. CHOCOLA. I thank the gentleman for his comments. As you mentioned, one of the highlights of this experience was the opportunity to share a meal with the fine men and women in uniform. We can sit here, and we can say how proud we are of them, but until you are actually there with them and seeing the tremendous work that they are doing, I do not know that we can appreciate their efforts and their competence.

During one of the meals, again I always ask, what do you want me to share with people when I go back home? We were in Babylon in this historic city where Saddam had built another palace to himself. A young soldier who had been very quiet during the meal, he looked up and he said, what I want the people at home to know is that the Iraqis that are shooting at us and setting off bombs, those aren't the Iraqi people I know. The Iraqi people I know are very appreciative that we are here. They thank me every day. I go out in the marketplace, and I don't feel threatened. That's what I want the people at home to know, is that the Iraqi people very much appreciate our efforts.

Then later, right after that meal, you will remember we went to a mass grave site. That was probably one of the most moving experiences that I had during the trip, where we visited this mass grave site where up to 15,000 people had been murdered, many of them buried alive. They told us about how that grave site was discovered and the conditions. Do you remember that? Do you want to share that story?

Mr. SHUSTER. Absolutely. That was one of the best stories that I have taken away from Iraq. Not only did we see firsthand the commitment and the bravery, the courage of our young men and women, but the decency of the American soldier. The story we were told was that when they found the mass grave site, the Iraqi people as they do to celebrate or in anger when they come together is they shoot their weapons off into the air. It is very dangerous because when you shoot a bullet up, it has to come down, and when you have several hundred people doing that, there were people being killed. The Marines told these folks that were going up to the mass grave site that they could not celebrate in that way. They were not allowed to shoot guns off into the air, so it was a very heated exchange. The Iraqis were angry because they could not do what they typically do.

So they went to the mass grave site, they collected the remains of many of

their family members, and as they came back into the village, they came face to face with a patrol of Marines. It was a tense moment. Without somebody from high up, some bureaucrat in Washington or some general in the Pentagon or some general in the field, a young sergeant decided the best thing to do was to order his men to stand aside, take their helmets off and bow their heads to pay respect to the families, to the people that had perished and to honor them as they passed.

I truly look at that, when I think about the American soldier and we think of, as I said earlier, how courageous they are, truly, how compassionate they are. That is a demonstration of that. It is really a touching story. It makes me very, very proud to be an American, to know that we not only train fierce warriors, but compassionate soldiers, compassionate people.

Mr. CHOCOLA. Again, I thank the gentleman. I think you are right. I think that the secret to our success in Iraq is not just going to be firepower or dollars, it is going to be the content of the character of the men and women in uniform, and, certainly, we saw that they have tremendous character. They represent American ideals and values better than we could ever imagine. I think we certainly owe them a debt of gratitude for their efforts.

Mr. SHUSTER. I think it was General Sanchez that said to us that the way for us to succeed, to win this, to finally win this, is not going to be militarily, it is going to be through the hearts and minds of the Iraqi people, helping them to rebuild a country and giving them back their country.

As you mentioned earlier, the thing we do not hear about in the media, they say that there is no plan. As you mentioned and showed, one of the plans as I recall, we met with General Sanchez who is the head of operations in the Iraqi theater. Then we met with four of the five division generals, commanders in Iraq. Every time we sat down for a briefing with any one of them, they gave us a similar plan.

Even General Dempsey, who controls Baghdad, that is his area of control, he talked about when we were there at the end of August, they were already starting to make plans and starting to move toward taking our control, our base out of the center of Baghdad and moving it to the four corners of Baghdad. That was a month ago. I have not heard about that. I have not heard about it in the national media. I have heard about it in our briefings, that General Dempsey is starting to make those moves, so that we are looking into Baghdad, not looking out. They believe that that is going to be a better way for us to help the Iraqi people, so we are not sitting in the middle and the Iraqi people then can take control of the security of Baghdad.

So there is a plan. We know that, and we have seen that. That is why it is so important tonight for us here and to go

back to our districts and talk about these plans, to talk about what we saw. I would encourage every Member of the House of Representatives, all 435 Members, to get on a plane, go to Iraq, see what is over there, because I think as you have pointed out tonight, they come back and tell a different story, or a full story of what is going on in Iraq. I would encourage all of the Members of the House to travel there and see it firsthand.

Mr. CHOCOLA. Again, I thank the gentleman. I share in his encouragement for all Members possible to go there and see for themselves what is happening and share those stories.

EXTENDING TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK GRANT PROGRAM

Mrs. JOHNSON of Connecticut (during special order of Mr. CHOCOLA). Madam Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 3146) to extend the Temporary Assistance for Needy Families block grant program, and certain tax and trade programs, and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Senate amendment:
Page 10, after line 16, insert:

SEC. 402. EXTENSION OF PROVISION EQUALIZING URBAN AND RURAL STANDARDIZED MEDICARE INPATIENT HOSPITAL PAYMENTS.

(a) *IN GENERAL.*—Paragraphs (1) and (2) of section 402(b) of the Miscellaneous Appropriations Act, 2003 (Public Law 108-7; 117 Stat. 548) are each amended by striking “September 30, 2003” and insert “March 31, 2004”.

(b) *EFFECTIVE DATE.*—

(1) *IN GENERAL.*—Subject to paragraph (2), the amendments made by subsection (a) shall take effect as if included in the enactment of the Miscellaneous Appropriations Act, 2003.

(2) *AUTHORITY TO DELAY IMPLEMENTATION.*—

(a) *IN GENERAL.*—If the Secretary of Health and Human Services (in this subsection referred to as the “Secretary”) determines that it is not administratively feasible to implement the amendments made by subsection (a), notwithstanding such amendments and in order to comply with Congressional intent, the Secretary may delay the implementation of such amendments until such time as the Secretary determines to be appropriate, but in no case later than November 1, 2003.

(B) *TEMPORARY ADJUSTMENT FOR REMAINDER OF FISCAL YEAR 2004 TO EFFECT FULL RATE CHANGE.*—If the Secretary delays implementation of the amendments made by subsection (a) under subparagraph (A), the Secretary shall make such adjustment to the amount of payments affected by such delay, for the portion of fiscal year 2004 after the date of the delayed implementation, in such manner as the Secretary estimates will ensure that the total payments for inpatient hospital services so affected with respect to such fiscal year is the same as would have been made if this paragraph had not been enacted.

(C) *NO EFFECT ON PAYMENTS FOR SUBSEQUENT PAYMENT PERIODS.*—The application of subparagraphs (A) and (B) shall not affect payment rates and shall not be taken into account in calculating payment amounts for services furnished for periods after September 30, 2004.

(D) ADMINISTRATION OF PROVISIONS.—

(i) NO RULEMAKING OR NOTICE REQUIRED.—The Secretary may carry out the authority under this paragraph by program memorandum or otherwise and is not required to prescribe regulations or to provide notice in the Federal Register in order to carry out such authority.

(ii) LIMITATION OF REVIEW.—There shall be no administrative or judicial review under section 1869 or 1878 of the Social Security Act (42 U.S.C. 1395ff and 1395oo), or otherwise of any delay or determination made by the Secretary under this paragraph or the application of the payment rates determined under this paragraph.

Mrs. JOHNSON of Connecticut (during the reading). Madam Speaker, I ask unanimous consent that the Senate amendment be considered as read and printed in the RECORD.

The SPEAKER pro tempore (Mrs. MILLER of Michigan). Is there objection to the request of the gentlewoman from Connecticut?

There was no objection.

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

Mr. CARDIN. Madam Speaker, reserving the right to object, I do not intend to object, but under my reservation, I yield to the gentleman from Oregon (Mr. WU).

Mr. WU. I thank the gentleman from Maryland for yielding. Madam Speaker, I rise to express my grave concern with the potential termination of the successful Welfare Waiver Program in my State of Oregon because of Federal action or inaction. Today we are moving forward again on legislation to extend the Temporary Assistance for Needy Families, or TANF, Program through a period of time until we can do the full reauthorization. Also today in Oregon, a successful State-designed welfare-to-work program which has provided a gateway from welfare to work for thousands of Oregonians may expire through our action or inaction.

My State of Oregon currently operates its welfare program under a Federal waiver. In Oregon, the program is known as the Oregon option and in the last 6 years, it has seen caseload reduction rates above the national average. Our innovative program allows Oregon the flexibility to consider individuals on a case-by-case basis. Some folks simply need a little job training or job search skills and then they are ready to transition back into the workforce. Others need more extensive drug and alcohol treatments or basic education before they are able to hold down a job. This combination of rehabilitative services to the most needy and more education and job training activities for others has proved to be a great success. For 18 months, I have sought to protect and extend the successful State innovation. My friends and colleagues have acknowledged the success of the Oregon program and the importance of preserving individual State innovation. However, with the passage of today's extension, we find ourselves punishing, rather than rewarding, innovation.

I ask the gentlewoman from Connecticut to assist the citizens of Or-

egon and the Nation in this matter, and I am seeking it here tonight.

Mr. CARDIN. Madam Speaker, I yield to the gentlewoman from Connecticut.

Mrs. JOHNSON of Connecticut. I thank the gentleman for yielding. I certainly appreciate my colleague from Oregon's concern with his State's inventive approach and successful program in support of women on welfare, individuals on welfare seeking the independence of returning to the workforce. I am pleased that the next round of welfare reform will allow a great deal more flexibility in State programs.

As the gentleman is aware, a number of State waiver programs have expired in recent years. In June 2003, Oregon Senators were informed by Secretary Thompson that, despite the expiration of Oregon's waiver that month, Oregon was not in danger of failing to satisfy work rate requirements in the future. The reason is because Oregon's caseload reduction credits totally wipe out any effective work rate requirement in the State.

Here is how Secretary Thompson put it:

"Oregon is not in violation and, based on Oregon's history, is not expected to be in violation, and, therefore, Oregon will not be subject to penalties for the next 3 months or until reauthorization. Even without its waiver, Oregon's program would have met its all-family work participation requirement in 2002 because it effectively had no participation requirement. Should reauthorization not occur prior to the end of the fiscal year and current law be extended again, I would remain confident, based on the facts that I have before me, that Oregon could continue to operate its program without becoming subject to participation rate penalties."

As the gentleman knows, the House-passed welfare reauthorization bill, H.R. 4, includes provisions that would allow States to apply for new waivers of the TANF program. That reflects additional flexibility for States and is a positive step. I will fight in conference for enhanced waiver authority for States in conference with the Senate.

Mr. WU. If the gentleman will yield further, I would make inquiry of the gentlewoman from Connecticut, I would like to make two inquiries, and let me do them separately. Oregon has had a terrible unemployment situation. Out of the last 24 months, we have topped the Nation in unemployment 17 out of those 24 months. We have oscillated between 8.1 percent unemployment and 8.8 percent unemployment. I believe we are currently at a seasonally-adjusted 8.5 percent unemployment rate.

My first inquiry of the gentlewoman from Connecticut is that the factual predicate, upon which the Secretary's letter is written, is based on weighted averages of caseload reduction. Given the terrible situation that our State of Oregon is in, it may take some time for

this Congress to reauthorize TANF. If it does take a substantial amount of time, there may come a time that, given our unemployment rate, our caseload reduction may no longer be able to meet some of the current statutory requirements. Is it the gentlewoman's intention to work on a bipartisan basis to encourage the Secretary and the administration to continue to extend those State waivers which are being informally extended currently by the Secretary?

Mrs. JOHNSON of Connecticut. It is simply my belief that within the time frame of this extension, we will be able to permanently reauthorize the welfare program and add to it the more flexible provisions that are in the underlying bill with some interest that the Senate has expressed in additional waivers.

Mr. CARDIN. Madam Speaker, under my reservation, let me just compliment the gentleman from Oregon for raising this issue. There are States that have operated under waiver authority that has expired. I can assure you, although we have not been able to work out a bipartisan bill, there is bipartisan agreement to maintain the flexibility of the States under the waiver authority. I know that there are efforts to extend it and expand it, but at least there is agreement that we want to maintain at least where the States are today in their ability to use authority to tailor programs for their individual State needs. That is a bipartisan understanding, and I believe, also, there is a lot of support in the other body.

I thank the gentleman for raising these issues, because I think they are very important as we move forward in the debate, not only to Oregon but to other States. I know the gentleman is fighting very hard for his own State. We appreciate that very much. We certainly do not want to see a diminished ability of your State to perform its services.

Mr. WU. I thank the gentleman from Maryland. I will take the gentlewoman's response as we certainly aspire to extend this to the full reauthorization within the limits of this extension, but that on a best efforts basis, should we not be able to do that within this period of time, which I believe is March of 2004, that we will endeavor together to continue on this informal basis to extend the waivers under which Oregon and other States have operated.

Mrs. JOHNSON of Connecticut. It will certainly be an issue that we will discuss together before the expiration if we think reauthorization cannot be finalized.

□ 2115

Mr. WU. Madam Speaker, if I may make my second inquiry of the gentlewoman from Connecticut, I would like to inquire of the gentlewoman as to her intent to assist Oregon and other States with an extension specifically for States on welfare waivers in the

TANF reauthorization bill as it is currently being considered before this Congress and this body and the other body.

Mr. CARDIN. Madam Speaker, before I yield to the gentlewoman from Connecticut, it has been the position at least of this body by its formal actions to expand the authority to what is known as a superwaiver. That is controversial, and I am not sure there is certainly not an agreement on a bipartisan basis for a superwaiver; however, the superwaiver sort of consumes the individual State waivers. It is certainly the position of the majority of this House on both sides of the aisle that the States have at least the waiver authorities that they had under the expiring TANF laws. I will be glad to yield to the gentlewoman from Connecticut, but I am not certain that there is an agreement right now as to individual State waivers as compared to broader authority. I can tell the position that I would like to see is individual States, but I understand there is no consensus yet on that issue.

Mrs. JOHNSON of Connecticut. Madam Speaker, will the gentleman yield?

Mr. CARDIN. Further reserving the right to object, I yield to the gentlewoman from Connecticut.

Mrs. JOHNSON of Connecticut. Madam Speaker, I agree with the gentleman from Maryland. There is a lot of interest in the States having flexibility to tailor their programs to their own specific needs, but exactly the structure of that authority is a matter of disagreement at this time; and we will look to see how the Senate resolves those issues and then in conference find an agreement that we think will meet the needs of the majority of the States.

Mr. CARDIN. Madam Speaker, I appreciate what the gentlewoman said. I think it is, in fairness to the gentleman from Oregon, certainly our desire to make sure the States maintain the type of authority Oregon has been able to use to create creative programs, and I really do thank the gentleman for bringing this to our attention. It is a very important issue to our States.

Mr. WU. Madam Speaker, will the gentleman yield?

Mr. CARDIN. Further reserving the right to object, I yield to the gentleman from Oregon.

Mr. WU. Madam Speaker, I thank the gentleman for yielding.

I would like to inquire one more time of the gentlewoman from Connecticut as to her intention to work in this body in conference and with the Senate with respect to specific State waiver authority as we go forward with this reauthorization.

Mr. CARDIN. Madam Speaker, I think the gentlewoman has already answered that. Further reserving the right to object, I yield to the gentlewoman from Connecticut again if she wants to further clarify it.

Mrs. JOHNSON of Connecticut. Madam Speaker, I would indicate to the gentleman that the bill that passed the House has a very broad waiver of authority in it. There are some that think it is too broad and would like narrower waiver authority. We will see what the Senate has done, and then we will see if the conference committee can come to a conclusion about the structure of the waiver authority in the future. But there was a waiver authority in the last welfare bill. I think there is universal agreement that States need flexibility to structure their programs to meet the specific needs and circumstances of their own people, and so this will be a significant issue that will be addressed.

I cannot tell the gentleman at this point whether there will be precisely the narrow State waiver authority there is under current law, but I would also remind the gentleman that that waiver authority under current law has a defect. The waivers expire and are not reauthorizable. Under current law, they have to reapply for them. So under current law there is a problem about how do we move the successful waived program into the mainstream, and I think that is an issue that the conference needs to resolve as well because my State also has a waiver that has expired as well as the same kind of unemployment rate, unfortunately, that Oregon has.

So there will be a number of people in conference concerned about this issue, but I certainly cannot assure the gentleman that there will be exactly the same kind of state-based waiver authority in the reauthorization that there has been in the past bill. There is a lot more interest amongst many in a broader waiver authority that encompasses a greater variety of bills so that they could better integrate broad services for people coming off welfare. So it is a long debate. We are not going to resolve it here, but I do appreciate the gentleman from Oregon bringing to this floor his concern about his State's rights to tailor its welfare program to meet the needs of its people. In the end that is really what makes a Federal program successful or not successful is that local control and local power, and I agree with the gentleman that that is terribly important to the quality of Federal programs and their success.

Mr. WU. Madam Speaker, will the gentleman yield?

Mr. CARDIN. Further reserving the right to object, I yield to the gentleman from Oregon.

Mr. WU. Madam Speaker, I thank the gentleman for yielding.

The language of this body is beautiful for its specificity and nonspecificity, and I fully appreciate that. I certainly do not expect a solution to the problems of this particular reauthorization this evening. I would like to simply note that under the plenary authority that Congress has over many issues, including this one, that it is within the ability of Congress in this

bill to extend expired waivers, and I would just like to log that as a point of departure for States like Connecticut and Oregon, the waivers for which have expired; and if there is a will, there will be a way.

Mr. CARDIN. Madam Speaker, further reserving my right to object, just to respond to the gentleman, I agree completely with what he has said, and it has been the position of some of us to do the extension of individual States that had it prior to the expiration of the bill. There has been a consensus, as I have indicated before, to give States at least that flexibility; and the majority has decided to go beyond that with the superwaiver in this body. So the gentleman's point is very well stated, which I happen to personally agree with; and I appreciate his bringing it to our attention.

Mr. WU. Madam Speaker, I thank the gentleman and I thank the gentlewoman.

THE SECRETARY OF HEALTH
AND HUMAN SERVICES,
Washington, DC, June 24, 2003.

Hon. RON WYDEN,
U.S. Senate,
Washington, DC.

DEAR SENATOR WYDEN: Oregon has been operating its Temporary Assistance for Needy Families (TANF) program under a waiver since 1996 and this waiver is due to expire at the end of this month. I thank you for raising with the Administration your concerns about your State's TANF program and its waiver, and I admire the tremendous efforts you have been making on Oregon's behalf to see that your State has the ability to operate the best TANF program it can. I believe that Oregon will be able to maintain its current program through the end of this fiscal year, and ask you to continue working with me to complete reauthorization legislation that will improve TANF for families across the nation.

The rigorous evaluation of your Portland program has documented some of the most impressive impacts on increased earnings, improved job quality and reductions in welfare dependency of any program that has ever been evaluated. This impressive record of accomplishment is one of which you can be proud.

I know that your efforts in support of Oregon's program are grounded in the lessons you have learned from the evaluation of your State's success and these lessons will be important in informing the debate on issues that will be considered in TANF reauthorization. Your commitment and leadership on these issues continues to benefit the people of Oregon.

Oregon's TANF program operates with a waiver granted under the former Aid to Families with Dependent Children (AFDC) program. When AFDC was converted into TANF as part of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA), the new law enabled States such as Oregon that had previously approved waiver programs to continue operating those waivers. However, there is no provision in law that would permit the Administration to extend such waivers, as it was anticipated that these programs would eventually align themselves with the larger TANF reforms upon completion of their waivers. Therefore, extending existing waivers would require changing current law.

TANF is currently authorized only through the end of this month, and legislation is before the Senate that would temporarily extend the program through September, 2003,

the end of FY 2003. The Administration strongly supports passage of this emergency measure to keep the current program operating, and enable Congress to complete work on reauthorization. Without this measure, Oregon would be denied access to over \$40 million in TANF funding scheduled to be made available for the fourth quarter next week.

I understand Oregon will maintain its current program while Congress completes work on reauthorization. Oregon is not in violation and based on Oregon's history is not expected to be in violation and therefore Oregon will not be subject to penalties for the next three months or until reauthorization.

Let me explain. Oregon's current TANF program has many elements, most of which are accommodated under TANF and are permissible under current law. However, I understand the State is concerned about its ability to continue operating two particular policies when its waiver expires. Oregon's waiver allows the State to count toward its required work participation rate certain types of activities, such as participation in substance abuse treatment and extended education and training, which would not otherwise be countable under TANF. Your State's waiver also permits counting of certain adults who are participating but have not attained at least 30 hours of participation per week, which is also required under TANF law.

Importantly, even without its waiver, TANF would not prohibit Oregon from engaging clients in the activities they currently do, nor does it prohibit the State from assigning hours for particular clients at levels below the current-law standard. These issues are relevant in that States must meet minimum participation rates. However, according to Oregon's current data, the State would be likely to meet its required participation in FY 2003, even though Oregon's ability to count certain activities and clients under its waiver will end at the end of this month.

Oregon achieved a participation rate for all its families of 61.1% in FY 2002. It would have achieved only an 8.0% all-family rate if it had operated the same way, but counted participation without its current waiver. However, because Oregon achieved such a dramatic reduction in TANF caseload over the past several years, it enjoys a caseload reduction credit that reduced its effective all-family participation rate requirement to 0% in FY 2002. Thus, even without its waiver, Oregon's program would have met its all-family participation requirement in FY 2002 because it effectively had no participation requirement.

Oregon's caseload reduction credit in FY 2001 was 56.2%, and in FY 2002 was 58.3%. I would anticipate that this would not change considerably in FY 2003, and because the required all-family rate for FY 2003 remained at only 50%, the State is very likely facing no participation requirement for the current year as well. Furthermore, work participation rates are measured on a full year basis, meaning that for FY 2003 Oregon's rate would be an average of what it achieved throughout the year. Given Oregon's extremely high participation rates under its waiver, and the fact it will have operated under the waiver for three of the four quarters of FY 2003, it should achieve a very high rate even if the final quarter is calculated without the waiver.

Oregon also must meet a separate participation rate for its 2-parent families. With its waiver, the State achieved a 53.8% 2-parent rate in FY 2002, but due to the caseload reduction credit it earned, only needed to meet a 31.7% standard. Again, given the State's likely high 2-parent participation for the

first three quarters of FY 2003, it should meet this standard as well.

Based upon this, I am confident that Oregon can continue to operate its current TANF program through the end of this fiscal year without concerns about becoming subject to penalties for meeting its participation requirements. Should reauthorization not occur prior to the end of the fiscal year and current law be extended again, I would remain confident based on the facts that I have before me that Oregon could continue to operate its program without becoming subject to participation rate penalties.

TANF is a great program, and with your help we can make it work even better in the future. TANF provides States tremendous flexibility to fund and operate work and job preparation activities, and to provide supportive services and benefits so clients can find work, support themselves and build a better life for their families. I know you share my interest in seeing the program reauthorized as quickly as possible, and seeing that important improvements are made to enable States to engage all cases in meaningful and helpful activities so they can move into work quickly and successfully. Reauthorization is crucial for Oregon. As you know, the President's reauthorization proposal includes changes that would enable States to count various barrier removal activities toward their participation rates, as Oregon is doing now. It would also eliminate the separate 2-parent participation rate.

I appreciate the impressive work you are doing for the State of Oregon, and particularly your attention to this critical program that has become so important to helping our neediest families build better lives. The State of Oregon has done a wonderful job with its TANF program over the years, and we will continue to work with you on reauthorization legislation to see that we build the best program for Oregon and all of America.

The Office of Management and Budget advises that it has no objection to this letter from the standpoint of the Administration's program.

Sincerely,

TOMMY G. THOMPSON.

Mr. CARDIN. Madam Speaker, this is very important legislation. It extends the TANF programs and related programs for the next 6 months so that we can try to work out a long-term, multiyear extension of the TANF programs and related programs. I thank the gentleman for bringing this legislation forward.

Mrs. JOHNSON of Connecticut. Madam Speaker, will the gentleman yield?

Mr. CARDIN. I yield to the gentleman from Connecticut.

Mrs. JOHNSON of Connecticut. Madam Speaker, this legislation is nearly identical to H.R. 3146, a bill the House unanimously approved last week. The only change is the addition of a 6-month extension of expiring Medicare payment provisions affecting hospitals in small cities and rural areas. These provisions need to be passed today and signed into law immediately to ensure the continued smooth operation of programs affecting health, welfare, and commerce throughout the country. I urge the support of this body.

Mr. BEREUTER. Madam Speaker, this Member wishes to add his strong support for H.R. 3146 and would like to commend the dis-

tinguished gentleman from California [Mr. THOMAS], the Chairman of the House Ways and Means Committee, for introducing this important legislation and for his efforts to extend the authorization for the Temporary Assistance for Needy Families (TANF) program, as well as related welfare reform initiatives, such as the mandatory child care program, the abstinence education program, and the transitional medical assistance program. Moreover, this Member would like to thank Chairman THOMAS for including language in H.R. 3146 to address Medicare payment disparities between rural and urban hospitals.

The Rural Health Care Coalition, which this Member currently leads as the Interim Co-Chairman, has been diligently working to bring equity to the rural health care delivery system. One of the Coalition's key priorities has been to address hospital payment disparities to ensure that facilities in rural areas and small cities can stay in business and continue serving patients who need care.

Medicare pays for inpatient services in large urban areas using a standardized amount that is 1.6 percent larger than the standardized amount used to reimburse hospitals in other areas (both rural areas and small urban areas). The Consolidated Appropriations Act of 2003 (Public Law No. 108-7) provided a six-month base payment increase for rural and small urban hospitals from April 1, 2003 to September 30, 2003. Specifically, this measure raised the inpatient base rate for hospitals in rural and urban areas to the level of the rate for those in large urban areas.

The bill before us today will extend this payment increase until March 31, 2004. Such action is crucial—especially for cash-strapped rural facilities which are near the breaking point and in need of urgent aid. This policy will help maintain access to care in rural and less populated urban areas of the country by better aligning hospitals' payments to their average costs. The estimated impact of eliminating the base rate differential for six more months will result in \$3.8 million for Nebraska hospitals, according to the Nebraska Hospital Association. This Member will continue to work on initiatives to bring even greater Medicare equity to Nebraska this year.

In closing, this Member urges his colleagues to support H.R. 3146. Reducing the difference in Medicare reimbursement levels between rural and urban hospitals is critical. Rural hospitals receive less Federal funding than hospitals in urban areas for providing the same services. This legislation will keep base payments at the same level as those in urban areas for six more months.

Mr. CARDIN. Madam Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore (Mrs. MILLER of Michigan). Is there objection to the initial request of the gentleman from Connecticut?

There was no objection.

A motion to reconsider was laid on the table.

THE REAL STORY OF IRAQ

The SPEAKER pro tempore. The gentleman from Indiana (Mr. CHOCOLA) has 19 minutes remaining in his Special Order.

Mr. CHOCOLA. Madam Speaker, so far we have heard from three Members

including me that have been to Iraq. We shared some of our stories. But we got back about 3 weeks ago; and in Iraq's history as a free nation, that is a very long period of time since they have only been free of the Saddam Hussein regime for about 5 or 6 months.

I yield to the gentlewoman from Texas (Ms. GRANGER), a Member of Congress who just returned last night.

Ms. GRANGER. Madam Speaker, I appreciate the gentleman yielding.

The night is long; so I will be brief. But I was a part of a 17-member bipartisan delegation that left last Thursday after the last vote and then returned late last night. And as we left and as we arrived many hours later, we knew that there were people that were debating whether we should be in Iraq and how we got there. We spent the next days looking into the faces of men and women who fought there and assuring them that we were not going to cut and run, that we were going to make their sacrifices worth it and we were there to assure them that we would let them finish the job. As was mentioned earlier, General Rick Sanchez, he talked to us about what had occurred there and what needed to occur there, and he also told us the same thing, that winning this war would be winning over the hearts and the minds of the people of Iraq, and I certainly could not agree more.

What we saw in Iraq, first of all, were palaces, over a hundred of them, with beautiful crystal chandeliers and painted ceilings and gilded doors and a gilded throne. Outside we saw statues and monuments built by Saddam Hussein and built there to glorify Saddam Hussein.

What else did we see? We visited a hospital in Baghdad, and not in my lifetime have I seen a hospital like that except in old movies, World War I and World War II, because we do not have hospitals with equipment that is that old. We saw a predelivery room with women waiting to deliver their babies in a room with a roof that leaked and air conditioners that did not work and faucets with rusted handles. We went to a power plant that was supposed to supply the power to Iraq, and it was held together with hope and rope and rust and baling wire. We were escorted there by a wonderful Marine lieutenant colonel who said as he went through that country he wondered if he would ever see a child with shoes on because none of them had shoes.

Is this a country without natural resources and assets? Is this a country that had no other choices? No, it certainly is not that country. It is a country with oil reserves second only to Saudi Arabia, that had land that was fertile and good for agriculture, had intelligent, caring people who wanted something better than that. Remember, this is a country that helped start the World Bank and at one time had an economy equal to Australia. But what had happened in this country, or what

we understood what happened in that country, is Saddam Hussein.

We also visited a mass grave, much as what the gentleman had described; and we stood there and heard the story about that mass grave of 3,000 people identified because they had to put their identification in a plastic bag that was hung around their neck. So when that was discovered along with they think are over 100 graves like that, some as large as what the gentleman said, 10,000 remains, and as they tried to identify those people and go to those families and say to the people that they thought all these years were alive and in prison were in this mass grave, shot in the back of the head and then dumped into a grave and then sometimes, either because they ran out of ammunition or just got tired, they were not shot. They were just dumped into graves. What we saw and what we understood there in Iraq were businesses that were not started and educations that were not finished and babies who did not live. This is a country that has an infant mortality that is equal to India, one of the highest in the world. We saw children whose fathers just disappeared and lives that were lived in utter terror. We saw justice that was not delivered and protection that was not given.

So we came back, I say, as a bipartisan congressional delegation. We came back united in our resolve, regardless of where we were on the resolution before, but united in finishing the job that had been started; and I have thought ever since I got back and all day today, which I cannot get out of my mind, and I know as well as those who have spoken tonight, we have an opportunity to prove who we are and what we stand for. Sure, there are challenges. There are challenges. We could talk about the cost. Is it enough? Is it too little? Where do we get it? But we have an opportunity to help the people experience what we take for granted often, and that is our freedom, our protection, our system of justice, having a future, having a future for our children and grandchildren and say they can be what I am or better, they have that opportunity.

□ 2130

We have the opportunity to help the people of Iraq have that and then, of course, leave them in charge and leave, and leave them with a future that is full of hope. I left with the wonderfully uplifting feeling of being able to do what is right, both what is right for the people of Iraq but also what is right for the people, our people who are serving in uniform there, and just what is right as men and women of principle in this House, the opportunity that we have been given by the people.

So I would say I wish every Member of this House could do what we have done, to be there and to see that and talk to the people of Iraq and talk to our men and women who serve. I am glad the American people have the op-

portunity for us to tell about this, because it was something that I will never forget as long as I serve in this House, or be able to walk away and say what I am proud of. I appreciate the time to be able to relate that.

Mr. CHOCOLA. Madam Speaker, I thank the gentlewoman very much for joining us tonight and staying up late after a very long trip. But certainly I think that tells how impressed we all were after we had the opportunity to visit Iraq.

One of the things that I think struck us all was the quality of the men and women in uniform and their sense of mission. I get asked often, what is the morale? Three weeks ago when we were there, the morale was very strong. They knew why they were there, and they knew what they were doing. I am curious as to how the gentlewoman found the morale.

Ms. GRANGER. Absolutely. The highlight of any trip like that is to sit and break bread with the people who serve; and we always sit with people who are in our districts, but in my particular case the people of Texas overall. But amongst the men and women the morale was high. They knew why they were there. They were proud of what they were doing, and they could not wait to tell us. The experience and the expertise, the determination of those men and women is always something that is just astounding to me. Yes, the morale is very high. They know why they are there. They are anxious to get home to their families and get back to their jobs but very proud of what they are doing.

As one of the officers related, he said he went to the hospital to visit someone who had been injured badly, and he said he experienced what he always experiences when he says, what can I do for you. They always say, take me back to where I was; I want to finish the job.

Mr. CHOCOLA. Again, I thank the gentlewoman very much for joining us tonight, and welcome home, and I thank her for sharing her stories.

I see the gentleman from Texas is still here, and I think he may have another story he would like to share with us.

Mr. BURGESS. Madam Speaker, I thank the gentleman for yielding, and I certainly thank my colleague from Texas for taking the time to come here tonight. I know what that jet lag is like.

I feel obligated just to make another mention about the situation with the mass graves. I was a private citizen in 1999, but I remember the administration and I remember the news media talking about the necessity for going into Kosovo and how desperate that necessity was, because there were mass graves in Kosovo. Well, we went into Kosovo and we won that conflict, but the mass graves somehow never materialized and somehow that was unimportant. But, Madam Speaker, we found those mass graves. Those mass

graves were in Iraq. When we were busy in Kosovo, we probably should have been concentrating on the regime of Saddam Hussein.

A lot has been made about the weapons of mass destruction and the fact that we have not yet found them. I will tell my colleagues I am impressed, because of the size of the country, with the enormity of that job. But one weapon of mass destruction we have found, and that weapon was the person of Saddam Hussein, and that is attested to by all of the silent voices buried in those mass graves around his country.

I thank my friend from Indiana for yielding me the additional time, and I happily yield back.

Mr. CHOCOLA. Madam Speaker, I think there are a lot of misconceptions about Iraq, that it is a barren desert country, when in fact it is a fertile crescent, truly, and also about the mass graves. When I am at home I ask people, how many mass graves do you think we found in Iraq? And they say, oh, five, six. If I recall when we were there, they found something like 151 already; and they thought that there were maybe as many as 500, maybe over 1 million people had been murdered in these mass grave sites.

The magnitude of the horror of the regime of Saddam Hussein can only be understood by the people who lived under it. I think that is why, when we were in the area of Babylon traveling in a bus along the roadside, people would run up to the bus and give us the thumbs up. Can my colleagues imagine the situation of living under that burden of knowing that your relatives were killed in a field near your village, but you could never go there because you might find the same fate if you tried to go find out what really happened?

Mr. BURGESS. Madam Speaker, if the gentleman will yield, he will remember one of the estimates that we were given about the number of casualties in that mass grave in Al Hilla was based upon the testimony of a physician in that town. I was a physician in my former life. Imagine this doctor whose life was dedicated to saving lives, to healing, to giving life, watching in his village while a bus or a truck was loaded up three times a day and driven out to that site and returned empty, and this continued for a full month. And that was where they got the estimates of the numbers of perhaps in excess of 30,000 people being within that one single mass grave; and then, of course, as the gentleman knows, there are many more like that throughout the country.

Mr. CHOCOLA. Again, I thank the gentleman. As with all things, it is not important what we say or think or observe but what we do. Certainly, our action on supporting the men and women in uniform and the citizens of Iraq rebuild their country, which I think will pay dividends for generations to come, is very important.

I think the gentleman from Pennsylvania has another measure to discuss on what we should do.

Mr. SHUSTER. Madam Speaker, I thank the gentleman for yielding.

Our efforts are on track in Iraq. We do have a plan. But something that is very disappointing to me and, actually, I am angry about is that is in regard to the participation or lack of participation of the world's largest peace-keeping organization.

The United Nations is an organization that was founded on international cooperation and collective security, but it has failed to assist in efforts to remove a growing threat. The failure of this organization to support our efforts against a murderous and extreme dictator is unfortunate and, at times, unforgivable.

What I have done is I have drafted a piece of legislation that I am going to introduce tonight that will take \$200 million of our annual dues, which is about \$330 million every year, and it directs the administration to take that money and put it towards the humanitarian situation and our troops in Iraq, to improve their environment, whether it is food or shelter or whatever the case may be. But I am to the point that I have watched for years the United Nations talk and not act. In this situation it is quite evident, the situation that occurred in Iraq, and it is quite evident that they need to be there helping us and, to this date, they have done nothing.

So my legislation, as I said, would direct the administration to take \$200 million of the \$330 million, I believe it is, that we pay to the U.N. annually and send it over for our troops. So I would encourage my colleagues to sign on to this bill and support it as it moves forward. Just to let my colleagues know, there is a provision that if the United Nations decides to stand up and do what is right and support this effort, to go over and take their role in Iraq the way that they should participate, then there is a provision there that will let this legislation lapse. So I plan on introducing that tonight. Again, I would urge all of my colleagues to support this, to say to the U.N., stand up and be counted in this situation.

Finally, I just want to thank my colleague from Indiana for setting up this hour this evening. I think it is important that we not only here on the floor of Congress in the House of Representatives tell the whole story, but that as we travel through our districts, making sure that the people that we represent hear firsthand and unfiltered what is happening there, and that there is a positive plan in place, and that we have young men and women who are committed to doing what is right against sometimes terrible situations, but they are doing what is right and they are doing an absolutely fabulous job. The American people need to support them and need to support this effort. So I thank the gentleman for putting this together tonight.

Mr. CHOCOLA. Again, I thank the gentleman, and I certainly appreciate his efforts. Our men and women in uniform are essentially performing many of the duties of the United Nations by liberating oppressed people and helping them rebuild their nation and really giving them the opportunity of freedom for the first time in their lives, something that I think is contagious and benefits all of us.

Mr. Speaker, let me conclude by pointing out that the bottom line is that Iraq is the frontline of the war on terror, and it is a war we can and must win. As the young woman in Tikrit, the young soldier that I had dinner with, pointed out, this issue is much larger than Iraq itself. It is about the future stability of the Middle East and really about the future stability of our entire world.

If Iraq can become a secular, free, democratic nation, it will give hope and optimism to a region of the world that really has very little today. They are well-equipped to win that war, they are well-equipped to help the Iraqi people build a much better future, because they have every ingredient of success. They have water. They have rich oil reserves, which was pointed out tonight. They have tremendous agriculture capabilities. They can help feed not only themselves but many of their neighbors.

So I think all of us, as Members of Congress, have an obligation to base our decisions on facts, not on rhetoric, not on politics. But with an issue as important as this that has ramifications for generations to come, it is so important that we seek the truth and seek the facts.

What I have observed from every Member who has been there, that they came back with exactly the same story. They come back with hope, they come back with optimism, they come back with support for doing what is necessary to help our men and women in uniform and the men and women, the citizens of Iraq, to help rebuild their country. They do not try to separate out what we spend money on for just guns and bullets and what we spend on infrastructure, because they are really inseparable. Because our success is not really based on firepower, although that is important. It is about winning the hearts and minds of the Iraqi people and showing them American ideals and generosity that has really changed the globe and history over the last 200 plus years.

Madam Speaker, I am sorry to say that since returning home from Iraq I have been criticized by some people for being optimistic. I have been scolded for not sharing the pessimism that we see on TV at night and read about in the paper in the morning.

As I mentioned earlier, I left home with great concern, but I came back with immeasurable hope. If having faith in the power of democracy and the power of freedom and the capabilities of our men and women in uniform

is a sin, I am guilty as charged. I only wish that every American had the same opportunity that we had that went to Iraq. Because I know for a fact, if they went there and they could see the real and the whole story of Iraq, they would share our hope and our optimism, and they would support a very wise investment in the future of not only the Iraqi people, but of this entire world.

I would certainly encourage all of my colleagues as Members of Congress to support the supplemental, because it is a very wise investment.

AMERICAN WORKING FAMILIES BEAR THE BURDEN OF IRAQ BLUNDER

The SPEAKER pro tempore (Mr. BURGESS). Under the Speaker's announced policy of January 7, 2003, the gentleman from New York (Mr. OWENS) is recognized for 60 minutes as the designee of the minority leader.

Mr. OWENS. Mr. Speaker, we are all glad that Saddam Hussein has been dethroned. It is better for the world. It is better for Iraq. But the cost is too great and has been too great in dollars, and we now are considering another \$87 billion. We have already invested more than \$70 billion. The regular defense budget is also enormous, and that has been expended, and there is no end in sight. We will have more requests for more money.

The cost has been too great. We have not achieved any greater amount of security from terrorism. In fact, we are less secure from terrorism now than we were before we invaded Iraq. We have been forced to concentrate all of our energies, all of our priorities, our best minds, everything has been concentrated in Iraq, ignoring the threat in Afghanistan and the borders of Pakistan.

The overwhelming burden of the Iraq blunder, however, has been placed on the backs of working families. The actual troops out there are from working families. We all support our troops. We all want to do whatever is necessary to make certain that those troops come home. We want to do whatever is necessary to support them to guarantee that they have a chance to come home. The overwhelming burden of the Iraq blunder, however, should not remain on the backs of working families. Mismanagement should not cause more unnecessary suffering and more death among working families, relatives of people who are from working families.

The New York Times documented what we all knew already, that more than 90 percent of the members of the military are from working families. More than 90 percent of the people in Iraq are from working families. This is true for the war in Iraq, as it has been true for most other wars.

□ 2145

We know in the Civil War, the people who had money could buy their way

out of the draft and pay someone else to go in their place. But, in general, draft boards and drafts in cases of the war in Vietnam and Korea and so forth have ended up selecting large numbers of working family members.

The greatest generation that celebrated winning World War II had many components, class-wise, but the overwhelming number of people who lost their lives in World War II were also people who were in working families.

Working families are very special to America. Working families have a right to make a claim on America. And what concerns me, and the reason I am here today, is that we do not seem to understand the importance of working families, the people who are in charge, the people who are in power continue to treat working families as if they were expendable, that they are not important.

We heard some discussion of the welfare bill before today. It was technical, and it was probably difficult to understand, but that is one of the greatest harassments of working families you are going to find, the present welfare legislation, which provides a family of four is given a subsidy of \$6,000 or \$7,000 per year, while at the same time we give subsidies to agribusiness of more than \$250,000 per year. One more treatment, one more example of the treatment of working families.

We need to take a hard look at this war in Iraq and what it is doing to us. We need to stop the war for many reasons. We need to stop the war because it is absorbing large amounts of cash that can be used for other purposes, for purposes that we need here at home to improve our economy and to improve the lot of all of us, including the lot of working families.

This great Nation's survival and its freedom are directly dependent on the courage and the devotion of men and women from working families. The blunder has been committed already. We are mired in a deep pit. We cannot leave now. The sons and daughters of working families must remain on the dangerous front lines. But at least we could support those troops in a better manner, not in the current superficial manner being mouthed by so many while at the same time they undercut our troops.

We need to understand that in very concrete ways, we are betraying the troops in Iraq who are from working families. The kinds of programs that have been promulgated by the Republican leadership are outrageous. Patriotic and meaningful support means that we must address some of the following issues, and we must do it immediately:

The conflict must be better managed so that there is multinational participation in the decision-making and a clear exit strategy to bring these American troops home. The best we can do for our troops, the most important thing we can do for them, is to bring them home. It has to be an hon-

orable exit. We do not want to leave the job half done. We have to make certain that no other leader like Saddam Hussein is ever able to take control of Iraq.

We want to encourage democracy as much as possible. The first step toward doing that is to share the decision-making with other nations and have other nations get involved because they know they can participate in the decision-making. They will then commit troops and commit equipment and other things. And, most of all, they will be there to send a message to the Iraqi population that Americans are not trying to take over their country, occupy their country, and control the tremendous oil fields that lie beneath that country. That would be one way to say to working families, we care about the troops, we care about your son and daughter. We are going to make that effort.

With regard to the United Nations, this administration has only offered a cold shoulder, despite the difficulty that we are in. We are not moving to try to convince the rest of the world that we are ready to share decision-making with Iraq. We are ready to go some extra lengths, swallow our pride, do some things we said we would never do, put away our anger, and do what will promote a solution, the fastest possible solution in Iraq. That is what we can do for our troops. They deserve it.

There are some other direct benefits that the sons and daughters of working families over there deserve. They deserve adequate equipment and they deserve troops, a troop contingent, enough troops to make it safer for them. There are not enough troops in Iraq. They are not adequately equipped.

We heard some speeches before from some visitors who went over. I found them very interesting. JOHN MURTHA, who has been on the Committee on Armed Services for two decades, made the same trip, came back and was incensed and angered by the fact that the morale was so low and obvious needs in equipment and supplies were not being met. And he immediately demanded that the President fire the people who were in charge of the war in Iraq.

JOHN MURTHA, the gentleman from Pennsylvania, who has long experience in the Committee on Armed Services, saw an outrageous performance in terms of the leadership who planned and executed the war in Iraq.

Rotation rights have been sort of dismissed. Even in the war in Vietnam, there was a right of a soldier not to be placed at risk for more than a year. A year in combat, placing your life at risk, was all that was demanded. You could rotate out of Vietnam after a year. Those rights have not been guaranteed to the people in Iraq, soldiers, regular soldiers or Reservists.

The worst thing is the people who are in the Reserves, who thought they were going for a 6-month stint, have now

had their time extended. Worse still for the people in the Reserves there is no economic justice. People in the Reserves gave up jobs. They were not career people. Yes, they signed up, and they knew that they would have to go in case of an emergency, but they were not career military people. And they did not want to give up their income and their jobs, leave their families indefinitely, but they had to do that. They were forced to do that.

We have behaved so abominably toward those working families that a Washington Post article of yesterday describes it as unacceptable, almost atrocious. It is a legislative atrocity that they described. I am going to read from this article in which the Washington Post described what is being done to Reservists in this war in Iraq. "A proposal to close any pay gap faced by civil service employees who are called to active duty in the military reserves will not be considered by the House and Senate negotiators working on the fiscal 2004 Defense authorization bill."

Now, this brings it home to us. We mouth our concern about supporting the troops and here is an example of how little we are supporting the troops, especially the Reservists, how we hold them in contempt really.

"In May the House Government Reform Committee approved an amendment sponsored by Representatives Tom Lantos and Chris Bell aimed at requiring Federal agencies to make up the difference between civil service and military pay for those on military duty." The provision was one of several civil service changes but, hear me carefully, a civil servant working for the Federal Government, who happens to be in the military Reserves, goes to Iraq; he is paid at the same rate as any other soldier, but he left a job that was paying far more. He left a family that had been nurtured on an income of more.

If the Federal Government still had him on the payroll, it would cost them a certain amount of money. If they continue to pay him at the same rate, it does not cost them any more money, it just keeps him at the same rate while he is off doing his duty for his country under very difficult circumstances. But they did not agree to that.

"The provision was dropped when the Armed Services panel put together the House version of the defense authorization bill. That version sets out guidelines for weapons and equipment purposes and for troop strength. The Lantos bill amendment stalled because of its cost: \$160 million over 5 years including \$75 million in fiscal 2004."

Hear me carefully: It would have cost the government, the Federal Government, \$160 million over 5 years, including \$75 million in fiscal 2004. But if those same people had remained in their jobs, they would have been paid the \$160 million over 5 years and \$75 million. And the Federal Government

was not called upon to do any more than they would have done if there had been no war in Iraq. I find that atrocious. I find the behavior of this Congress under the Republican majority leadership to be atrocious.

More important, in another outrageous observation, however, were objections from the Defense Department, which argued that making up differences in pay for civil service employees would undercut military morale. You have two sergeants, one a career military and one a Reservist doing the same job. And essentially the government is paying the civilian employee more for that service than the career military guy. That is the heart of the Defense Department objection. Listen to that carefully. It would undercut military morale to have a citizen who was earning an income at a certain level from the Federal Government, who was there against his will, he did it out of duty, has been shipped to Iraq, and he is in units along with career military people.

Now, if you are a career military person, you know what the pay scale is. You have accepted the pay scale. Your family is probably getting some benefits that the civil servant family is not getting. There are a number of ways in which a career person has adapted to a situation that they voluntarily went into. But the Reservist, who happened to have been a civil service employee for the Federal Government, has to hear that he would undercut morale if the government paid him at the same rate that they were always paying him.

About 200 private sector employers, however, and 50 State and local governments make up the difference in pay for their worker. Listen carefully: The Federal Government, the men and women in charge of the blunder in Iraq, who created a situation requiring all these Reservists to go, they are doing less than 200 private sector employers, 50 State and local governments, which now make up the difference in pay for their workers when the workers are forced to serve as Reservists.

This is outrageous. It falls right at the doorstep of us Members of Congress and Members of the other body. About 65,000 Reservists are employed by Federal agencies. Mr. Speaker, 65,000 is a large number that we are depriving of income, we are depriving those working families of their income at a certain level, forcing them to accept the pay of the military service that they are in. Sixty-five thousand Reservists are employed by Federal agencies making the government the single largest employer of Reservists. An additional 48,000 Federal technicians are required, they do not have a choice, to be members of the Guard as a condition of employment.

So we have a huge contingent of citizens, who happen to be Federal employees, who are treated like dirt. Our government, our Federal Government treats this huge number of people and their families like dirt. Working fami-

lies should not have to bear these kind of burdens. This is a legislative atrocity.

Madam Speaker, I submit this article in its entirety into the record. It is entitled "Pay Gap Remedy for Military Reserve Appears Doomed," in the Washington Post, Monday, September 29th.

[From the Washington Post, Sept. 29, 2003]

PAY-GAP REMEDY FOR MILITARY RESERVES

APPEARS DOOMED

(By Stephen Barr)

A proposal to close any pay gap faced by civil service employees who are called to active duty in the military reserves will not be considered by House and Senate negotiators working on the fiscal 2004 defense authorization bill, according to congressional aides.

Most lawmakers feel that the issue was evaluated by the House Armed Services Committee during its deliberations and is now closed, the aides said.

The proposal, pushed by a group of House Democrats, ran into opposition because of its cost, as well as concern that it might cause morale problems among regular military troops.

In May, the House Government Reform Committee approved an amendment sponsored by Reps. Tom Lantos (D-Calif.) and Chris Bell (D-Tex.) aimed at requiring federal agencies to make up the difference between civil service and military pay for those on military duty. The provision was one of several civil service changes proposed for the Defense Department and forwarded to the Armed Services Committee.

But the provision was dropped when the Armed Services panel put together the House version of the defense authorization bill, which sets out guidelines for weapons and equipment purchases, military benefits and troop strength.

The Lantos-Bell amendment stalled because of its cost—\$160 million over five years, including \$75 million in fiscal 2004—and because it could have triggered jurisdictional questions that would have given the Government Reform Committee a voice in shaping the defense bill, a congressional aide said.

More important, however, were objections from the Defense Department, which argued that making up differences in pay for civil service employees would undercut military morale. "You have two sergeants, one a career military and one a reservist, doing the same job. And essentially the government is paying the civilian employee more for that service than the career military guy—that is the heart of the Defense Department objection," the congressional aide said.

A Pentagon spokeswoman said there would be no comment on the issue.

Supporters of the Lantos-Bell effort argue that National Guard and reserve families are increasingly at risk of financial hardship because reservists are being called up more frequently since the Sept. 11, 2001, terrorist attacks. The Army recently issued a policy requiring Guard and reserve troops to serve 12-month tours in Iraq, meaning that most Army reservists will be mobilized for more than a year.

About 200 private-sector employers and 50 state and local governments make up the difference in pay for their workers and the federal government should serve as an example of the importance of assisting reservists, an aide to Lantos said. But other congressional aides said the issue needs more study. It might be more appropriate to use pay supplements to offset income loss for specific occupations or individuals rather than to take a blanket approach, they said.

Recent studies indicate that between 30 percent and 40 percent of activated reservists face a loss of income during mobilization.

About 65,000 reservists are employed by federal agencies, making the government the single-largest employer of reservists. An additional 48,000 federal technicians are required to be members of the Guard as a condition of employment.

The Office of Personnel Management has called on federal agencies to shoulder the cost of health insurance premiums for employees called to active duty. At last count, about 80 out of more than 100 federal agencies had agreed to pick up the premiums.

Madam Speaker, just treatment for working families left behind ought to be a major goal of a government that has asked people to go and fight in Afghanistan or in Iraq. Just treatment for working families left behind. What is involved in just treatment? I serve as the ranking Democrat on the Subcommittee on Workforce Protections of the Committee on Education and the Workforce. And I am on that committee which has jurisdiction over the minimum wage, over the Wage and Hour Act, and other safety programs related to persons in the workforce. We have had constant harassment since the Republican majority took control of the Congress on all of these fronts.

□ 2200

On the minimum wage, we are still at \$5.15 an hour. In the last 3 years, the Republican majority has refused to allow us to bring a bill to the floor to increase the minimum wage. That is what we think of working families that we send off to war in times of war. They go. They die. They fight. They get wounded. They are the backbone of the security for America. But we do not want to increase the minimum wage beyond \$5.15 an hour. We have had constant harassment on overtime pay and recently that was sort of intensified. But they do not want to pay people cash for overtime. They want changes in law, so that employers can pay you comp time if they so choose. It is not your choice. It is their choice. Comp time, taking the cash out of your pay check and food off your table, but offering you comp time at some future date they choose.

They pushed that very hard. And even now, although we stopped it in the Congress by executive fiat, the law is being changed to eliminate certain categories of people as being eligible for overtime.

A jobs program is not in sight. Unemployment goes galloping on, and we do not have a jobs program.

Health care, the papers all reported yesterday or today that the number of people who are uninsured in America has jumped dramatically, gone up. Those are working families that are uninsured.

Poverty, three or four days ago, it was reported that poverty has greatly increased. These are the families from which these soldiers come. These are the families that supply the troops out there that we say we care about.

Madam Speaker, at this time I would be glad to yield to the gentleman from Ohio (Mr. STRICKLAND).

Mr. STRICKLAND. Madam Speaker, I thank my friend from New York for yielding to me.

I noted earlier that many of our colleagues had gone to Iraq over the weekend, and they came back and described their experiences. I went to southeastern Ohio over the weekend, and I talked to people in Shady Side, Ohio and in Bel Air, Ohio, and Youngstown, Ohio, and I heard about infrastructure needs in Ohio. I heard about schools that need to be built. I heard about water and sewer systems that small communities simply cannot afford to pay for. And I talked with teachers and principals, talked with about three or four high school classes over this last 4 or 5 days while I was in Ohio.

We are a compassionate people. I would say to my friend from New York. We are compassionate. We care about other people, but we also care about the people that we are charged to represent. And in my district, I have got so many needs.

I found out this past weekend that in one of my communities there is the great danger that we are going to lose an additional 275 good-paying jobs, union jobs, steelworker jobs. This really concerns me. I think there is a bleeding of jobs in this country.

I looked at the headlines in the Columbus, Ohio Dispatch this morning. Iraq Battle Last 8 Hours and then One in Six Uninsured, this U.S. report says. Unemployment is skyrocketing in my district and throughout Ohio. More and more of our constituents are without health insurance. Our schools are being inadequately funded.

I toured a school in my district, I would say to my friend from New York, not long ago; and after that tour was completed, one of the parents on that tour came to me and he said, Congressman, I have two children who attend this school. I had no idea it was in this condition. He said, I am a building inspector, and if I were inspecting any other commercial building that had the problems this school has, I would close it immediately. He said, I saw at least 100 safety violations in this school. And he said, there are violations that cannot be easily fixed because this school has been added on to. It has been patched together over multiple years.

Why is it that we seem so willing to accept the fact that our kids can go to dilapidated schools, our people can be without health insurance, our roads can be unbuilt, our veterans can be shortchanged in the health care we provide to them, and yet we seem so willing, almost casual in talking about billions of dollars for the rebuilding of Iraq?

I might say to my friend from New York, it is not the rebuilding of Iraq. It is the building of Iraq. The President said when he addressed the United Nations that he intends to build 1,000 new schools in Iraq. We did not destroy

1,000 schools in this war. They want to build two 400-bed hospitals in Iraq. We did not destroy hospitals during this war. Talk about nation building. This President, during the campaign, criticized efforts to nation-build. And as I said earlier when I started my comments, we are a compassionate Nation. We care about the needs that exist in other countries. We care about the people in Iraq, but we are charged primarily to represent our constituents right here at home.

I want to state, I do not know if many of my colleagues or the President understand what life is like in southern and southeastern Ohio. It is an Appalachian district. Unemployment in one of my counties is 13.5 percent. People want to work. They are good people. They want to care for their families. They care about their kids as much as any Member in this Chamber cares about his or her children. They want them to get a high-quality education as much as any person in this Chamber wants their children to get a high-quality education.

If I can just take a moment before I yield back to talk about veterans. I am on the Committee on Veterans' Affairs. I keep reminding us in this Chamber that we are underfunding the VA health care system by at least \$1.8 billion. Think about that. We have got veterans who are going without health care, who are being denied the ability to enroll in VA health care, who are going to be asked by this administration to pay more copayments for prescription drugs. The President wants to impose a \$250 enrollment fee on Priority 7 veterans. And Priority 8 veterans are being told they cannot even enroll in the VA system. They can make as little as \$24,000 and be a Priority 8 veteran, and yet we are just, it seems, almost casually talking about spending \$21 billion to build schools and roads and bridges and clinics and hospitals in Iraq. I just do not understand what is wrong with this government. I certainly do not understand what is wrong with this President and this administration.

We have got a war going on. We are shortchanging our national needs. We are not caring for our soldiers. We have got about 40,000 soldiers in Iraq tonight that have cheap vests that are not capable of stopping bullets. The more expensive protective vests, my understanding is, cost \$571 on average. I got a letter from a young soldier, a West Point graduate. He said, Congressman, they are issuing two kind of vests over here. One is capable of stopping a bullet, and the other only stops shrapnel. My men are asking me why they have the cheap vests.

I wonder how many of our soldiers may have been wounded or killed wearing a cheap vest, inadequate protective body armor. And the British Broadcasting System has reported that we have made a deal with some of these other countries, I think Poland and some other countries, that if they will

contribute soldiers, we will provide them with these higher-cost vests. I want to make doggone sure that no foreign troops get these better vests before every single American soldier that is in Iraq has access to one of these protective garments.

I thank my friend for allowing me to express my opinion on this subject, and I yield back to him and thank him for his graciousness this evening.

Mr. OWENS. Madam Speaker, I thank the gentleman and I would like to add to that discussion on veterans.

Most of us in the House of Representatives were shocked 3 weeks ago to discover that there was a provision where veterans who go to the hospital must pay for their food, their meals. And we immediately passed legislation to end that. I do not know whether it has been signed by the President yet or not. It is just one more administrative atrocity. I use the word atrocity, and I think it is appropriate. It is an atrocity to have veterans treated as they are. Some of my friends earlier are talking about "you have to go to Iraq to know exactly what is happening."

I suggest to those who want to know what is happening, go to Walter Reed Hospital and visit the wounded. The wounded also suffer. And in many cases those are wounded one week, and in a few weeks are dead. You can get a good example of what is going on if you look at veterans who, the minute they are off the roster of the Army, they will get no pay. They will be put on disability. Some have totally lost everything in terms of limbs or the capacity to work. They were put on disability, which is a far cry from the salary they earned as a soldier.

So my simple plea is that working families who fight for the security and peace abroad deserve survivable and living wages and a reasonable chance to pursue happiness here at home. We are investing tremendous amounts of money in the rebuilding of Iraq in the Armed Forces, and we are neglecting the needs of our own people in catastrophic proportions.

On March 3, I summarized my concern with the waste of American cash in a rap poem which I call Stop The War—We Need The Cash.

Stop the war, we need the cash.
Tank battles escalate into nuclear ash.
Stop the war.
We need the cash.
Give Medicaid families some of Rumsfeld's stash.
Throw the empty body bags in to the trash.
Stop the war.
Welfare mothers rush to cry.
Soldiers from the ranks of the poor will be the first to die.
Stop the war.
Vietnam had profound lessons to teach.
Empires lose when they overreach.
Stop the war.

One of the greatest monuments related to heroes is the Vietnam War Memorial monument here in Washington. That monument makes a statement that has never been made by any other military monument in the history in

the world. Instead of unknown soldiers in a tomb, they have put the names of every soldier who died in Vietnam on the wall for you to see. They have given those individuals a person. They are there. And you must confront the fact that wars take individual humans in large numbers, in the case of Vietnam, 58,000, but regardless of numbers, the individualization of a process, the Vietnam Memorial Wall does that.

The poor are up there. The youngsters who came from welfare families. The numerous youngsters who came out of the big cities because when the draft was on, the largest proportion of young men who went to Vietnam came out of our big city slums. We must stop and think for a moment about the way those soldiers and everybody who was enlisted are treated in terms of the technicalities and administrative requirements of the veterans administration.

They have categories, Category 7, 8, people who served in combat under great risk are given preference. They are different from others. But I say that anybody who has served in the military for the benefit of his country deserves equal treatment, because once you put the uniform on and you take the oath, your life belongs to the military, to the Nation. And where you go and what you do is determined by forces that you have no control over.

□ 2215

If you were needed behind the lines to catalog munitions or run a computer, then you were assigned there because you were needed there. The fact that you were not put on the front line does not make you any less than the people who were put on the front lines, because you could not make that decision.

So everybody who put a uniform on and took the oath should be treated as a hero. They are a small percentage of the rest of us. Even in World War II when such large numbers went to war, the percentage of those who actually went to war was still a small percentage of the overall population. They deserve to be treated as heroes. Those who went to Vietnam deserve to be treated as heroes, regardless of how many hours they spent in combat under fire. They were all heroes. They come from working families, as I said before, most of them; and this classification scheme, these technicalities about how much copayment you have to pay if you are a Category 8 versus Category 7, whether you are eligible at all is part of the insult that working families have been forced to endure; and we should fight against it.

Righteous indignation is in order. The treatment of working families in America is an outrageous abomination and we should fight. We fight on the front lines, and we die on the front lines. We should fight our government.

We should fight Alan Greenspan. Alan Greenspan is against the minimum wage law. Alan Greenspan has

been the economic guru of Democrats and Republicans for a long time. Did you know that Alan Greenspan thinks that we should not even have a minimum wage law? Part of the reason we cannot get a minimum wage law to the floor is we have the guru of our economic system saying we do not need a minimum wage law. This is outrageous.

Alan Greenspan happens to be a disciple of Ayn Rand, a woman who was a great individualist, who felt that government was not needed, group action was not needed except in times of war or when you need the police. So when her physical body was threatened, she believed in the group process, we should have police, we should have an Army. Any other time, individuals should be totally left alone; and if they cannot make it, let them die. So that man is a disciple of Ayn Rand, Alan Greenspan. He is one of the reasons we cannot move. Philosophically, there are too many people in Washington who agree that minimum wage laws are not important.

Examine the tax cuts of that situation in terms of what happened at the New York Stock Exchange. The New York Stock Exchange has a big brouhaha because the man who headed the stock exchange, Dick Grasso, had a severance package of \$140 million and he wanted another 48; and they made a big brouhaha, and headlines were formed about how dare he ask for another \$48 million. Well, what about the first \$140 million? These astronomical amounts of money are being tossed around by the people who belong to the kleptocracy. At the time I call them kleptocracy, call them oligarchy, whatever you want to call them. They are the ones who want a tax cut. They do not need a tax cut. It is obscene the kinds of figures that we have heard that corporations throw around among themselves, Enron, WorldCom. The head of WorldCom, one of the directors got a \$400 million loan from the company, \$400 million. Can you imagine a loan of \$400 million? Surely if you get a \$400 million loan, it is understood by those who loan it to you that you are never going to pay it back.

But this goes on, and these are the people who will show great indignation if a welfare mother gets extra food stamps. This is the kind of mental attitude that we have allowed to develop.

The workers who are on the front lines in Iraq, Afghanistan and everywhere else have to know they have to come forward and fight, fight this kind of oppression.

On Wednesday, July 16, as a result of my anger following the attempt to stop the payment of overtime to workers, I wrote the following and enter it into the CONGRESSIONAL RECORD:

"Mr. Speaker, the July 10th vote to allow the expenditure of funds to implement radical changes in the overtime provisions of the Wage and Hour Act was an outrageous and devastating attack on working families.

Compounding the horror of this action is the recent announcement that our present complement of soldiers in Iraq, 90 percent of whom come from working families, will be forced into combat overtime for the indefinite future."

At the same time we were fighting overtime payment for workers here, we were announcing, the President was announcing, Rumsfeld was announcing that they would be extending the time of the soldiers indefinitely.

"Not even the 1-year rotation rule of Vietnam will be applied to relieve their long ordeal under extreme heat and guerilla warfare duress. Overtime in the dangerous defense of the Nation is being mandated without controls while at the same time overtime wages to feed working families is being subjected to new schemes to reduce take-home pay. This is an unacceptable continuation of the gross exploitation and oppression of working families by the Republican scrooges who presently dominate the Congress and the White House."

I summarize my statement in a rap poem, which is called "Let the Rich Go First."

Working Families

Keep your soldiers at home,

For overtime in Iraq

No cash

No comp time

Not even gratitude,

Republicans intrude

To exempt all heroes,

No combat rotation

Life on definite probation

Scrooges running the Nation.

To the front lines

Let the rich go first—

For blood they got a thirst,

Let the superstars drink it

In the glorious trenches;

Leave the disadvantaged on the benches.

Working Families

Let the rich go first:

The battlegrounds they always choose

Their estates have the most to lose;

Send highest IQs to

Take positions at the front,

Let them perform their best

High-tech warfare stunt;

Working Families

Keep your malnourished sons home—

Harvard Yale kids should roam

The world with guns and tanks,

Reserve gold medals

For the loyal Ivy League ranks.

O say can you see

Millionaire graduates

Dying for you and me?

Welfare Moms

Have a message for the masters:

Tell Uncle Sam

His TANF pennies he can keep

For food stamps we refuse to leap

Through your hoops like beasts;

Promise to leave our soldiers alone

And we'll find our own feasts.

To Uncle Sam we offer a bargain—

Don't throw us dirty crumbs

Don't treat us like bums

And then demand

The full measure of devotion;

Our minds are now in motion

Class warfare

Is not such a bad notion;

Your swindle will not last

Recruiters we won't let pass,

Finally, we opened our eyes—

Each family is a private enterprise.

Each child a precious prize;

We got American property rights,

Before our children die in war

This time we'll choose the fights.

Let the rich go first:

They worry about

The overtime we abuse;

The battlefields they always choose

Their estates have the most to lose.

Let the rich go first!

I have stated a divine right of parents that nobody's ever bothered to talk about. We assume that the government, like the kings and the queens of old, have the right to conscript in a time of war and take their sons and daughters. Why do we not have a movement which challenges that? Governments that do not bother to provide food, clothing and shelter for poor youngsters have no right to later on claim their lives in wars that they had no decision-making power to start or stop.

It comes down to a class warfare. There is class warfare in America. The rich have declared war. The powerful have declared war on the poor. The poor do not fight back. They do not know that they are being constantly abused. It is time we took a hard look at how much they are abused in times of war. Like the blunder in Iraq, it is a life and death matter. They are going to die if they do not fight back.

America is a promised land, and America's promised land is being grossly mismanaged. We are as a promised land as man can ever get, human kind will ever get. We have the greatest potential of anything that ever existed on the face of the Earth. While managing a society that provides justice for all provides the right to pursue happiness and the opportunity to pursue happiness for all. That is possible in America, but America's promise is being grossly mismanaged by this Republican administration. The war in Iraq is the most dangerous mismanagement this country has ever experienced.

Preoccupation with \$87 billion for the war dooms any realistic effort to revive the economy. There are alternatives, but this mismanagement team will never consider those alternatives.

There was a bill offered by a friend of mine, the gentleman from Oregon (Mr. DEFAZIO), which says if we are going to spend 20-some billion dollars in Iraq to rebuild Iraq, then let us spend an equal amount in the cities and the States to improve our economy. That is a good idea. There are other good ideas along those lines that have been offered.

I think several months ago I offered a bill called the Domestic Budget Protection Act, H.R. 1804. The essence of the Domestic Budget Protection Act is we should have a situation where the domestic budget, the budget for education, for highways and schools, and the budget for health care is not in the same category with the budget for the war. Let the war pay for itself in some other way, and H.R. 1804 says that we should pay for it the way we paid for part of the Vietnam War and part of the Korean War and to some extent

World War II. We placed a tax on the profits of corporations. Let a tax be placed on the profits of corporations to pay for the war so that no money is taken out of the other revenue that comes in and there is no threat to the domestic budget from the war budget. That is not a radical idea. We have done it before. Let us consider it now and do it now.

I also had another act which was a twin for that, and this is called the Emergency Targeted Revenue Sharing Act of 2003, H.R. 2335, and that is a simple act which says that we should spend the same amount of money in the States and the cities on job creation programs, education, health care, et cetera, that we spend in Iraq. The gentleman from Oregon (Mr. DEFAZIO) says \$20 billion, I said \$9 billion was at the time the amount we were proposing for the war in Iraq.

The principle is pretty clear, as my colleague from Ohio stated. We are suffering greatly in our cities and our towns. Our schools are suffering. People are being laid off. Terrible things are happening in terms of taxes being raised on ordinary local people. At the same time, the Federal Government is cutting income tax for the richest people, for the Dick Grassos who earn \$140 million and want another \$40 million. They are getting tax cuts for the WorldCom president who can borrow \$400 million. He is getting a tax cut. For all the Enron criminals who squandered large amounts of money, they are getting tax cuts. But for those who are out there searching for jobs, they are sinking in a quagmire of poverty. The report that came out a few days ago said poverty is increasing. The number of people who are uninsured is increasing. It is not surprising, they are both very much related.

We want to support the troops. The first way we can support them is to support their families. We should manage the war and the economy better, manage the war and the economy better.

The team now in charge is not capable of managing better. I have here an advertisement that appeared in the New York Times last Friday. It is a big, full page advertisement that reads: "Donald Rumsfeld betrayed my son and our Nation; it is time for him to go." It is written by a person who has three sons in the military, three sons in the military. Two of them are in Iraq.

□ 2230

His name is Larry Syverson of Richmond, Virginia. I am going to read it all and submit it for the RECORD.

"I am a patriotic American with three sons in the military, two serving in Iraq. Brandon is a master gunner near Tikrit. Bryce is a gunner stationed in Baghdad. I'm proud of their service, but I'm angry with those who have led us into what can only be called a quagmire.

"Donald Rumsfeld had day-to-day authority for planning the war and its

aftermath. He was the chief architect, and it is his house of cards that is tumbling today. Months after the President declared 'mission accomplished,' Americans are being killed almost daily. On April 13, Rumsfeld said: 'Every hour that goes by, it's getting better and more peaceful and more orderly in Iraq.'

"We know that is not true. Rumsfeld's bad planning has left our troops poorly equipped and vulnerable in an increasingly hostile environment, and Americans are being asked for an additional \$87 billion for Iraq. We now know that the President and those who serve him misled us about weapons of mass destruction, about Saddam's supposed nuclear program, about a link between Saddam and September 11.

"I'm in awe at the courage of my sons and the honorable service they give, but the leaders they serve have not acted honorably. They have failed my sons. They have failed all of us. At the very least, Secretary Donald Rumsfeld must go."

Now this is an ad that appeared in The New York Times and is paid for by MoveOn.org that says we can win without war.

We have a situation where very high-powered leaders with very high-powered advice, almost unlimited funds to pay for the personnel to do the planning, have placed us in a situation which is a quagmire. There is an overwhelming blunder that has taken place in Iraq. Did we not know about the dilemma of Robert McNamara in Vietnam? Were the people who did this not able to read? Did they not see the clipings and the media representations about the war in Chechnya, the Russians trying to contain a very small population, compared to the 24 million population of Iraq? Did we not see that and understand what that was all about? Did we not understand what happened to the Soviet Union in Afghanistan? Did we think the Soviet Union was driven out of Afghanistan because we supplied the Taliban, the al Qaeda at that time, the Mujahadeen? We supplied them with modern weapons. We supplied them with training. We spent billions of dollars that were never recorded in Afghanistan to defeat the Soviets.

I invite anybody who would like to hear more about that to read a book called Charlie Wilson's War. Charlie Wilson's War has gotten very little publicity in terms of what it deserves. Charlie Wilson's War is a story of a Congressman named Charlie Wilson from Texas. He is still alive. He was an amazing character and should be given some kind of medal for being the Member of Congress who controlled and manipulated billions and billions of dollars. He has the record for what he controlled and manipulated, using the CIA and other mechanisms to get money into Pakistan to be used against the Russians in the war in Afghanistan.

Eventually, the modernizing of the Mujahadeen and the Taliban, including

Osama bin Laden, who was there at the time, the modernization of that group led them to the point where they were able to drive the Soviet Union out of Afghanistan. Stinger missiles were supplied in tremendous numbers through the efforts of Charlie Wilson. It is something everyone should read. But did Rumsfeld not read it?

Westmoreland, in Vietnam, kept offering optimistic reports and blowing up the body bag numbers for the enemy. Did he not read about that? Later, we found it was not true. The number of enemy that General Westmoreland claimed were being killed in Vietnam was far less than were being killed. Therefore, it threw off all our calculations, and the North Vietnamese were later to mount a tremendous counterattack, and we had to scramble to get out of Saigon. Did no one read that?

Does anybody remember the Tet offensive, the Tet offensive in Saigon? At a time when President Johnson said we were winning the war, the Vietnamese guerrillas, with the help of North Vietnam, launched a massive weekend guerrilla attack which shattered once and for all any hope that we could ever win the war in Vietnam. It was called the Tet offensive. In the environment of Iraq it will be easy to mount a Tet Offensive type operation. They have already started down that road.

The guerilla attacks are getting more intense in Iraq. There was an 8-hour firefight yesterday, an 8-hour firefight with the guerrillas yesterday. This is not a hit-and-run suicide bomber situation. They are moving into other levels.

Now, should we cut and run? That is not my proposal. I propose that we immediately move as rapidly as possible to create a situation which will head off the support for these guerrillas. The way to do that is to be able to get help from other nations. Let it be known clearly that we are not oppressors, we are not occupiers, we do not intend to stay there. We need to get help from other nations, move rapidly to establish a constitution for Iraq, and while we are doing that, send in more troops.

We cannot play games the way we are playing now, pretending we do not need more troops. The way to stop the guerrillas is to have more troops. The way to stop the sabotage of the oil wells, the way to stop the sabotage of the water systems, the way to stop the sabotage of the electricity systems is to have more troops to guard them. You cannot escape the need for more troops on a short-term basis.

Naturally, Mr. Rumsfeld does not want to be in a position of exposing that his calculations were all wrong. God forbid he should become a person who has to call for a draft. But he puts our soldiers in harm's way by playing such games, by not agreeing with the generals who are afraid to say so in public but they tell us behind the scenes they need more troops. We need more American troops while we are

waiting for those others to come from other nations, who might show up and they might not.

We must understand the degree of the mismanagement. Robert McNamara was a genius, but he got caught up in a situation in Vietnam which drove him to ignore all of his common sense and all of his genius. Lyndon Johnson was a political genius, but ego and the belief that America must never allow itself to be defeated led to a quagmire in Vietnam. Fifty-eight thousand died in Vietnam.

The numbers are much smaller in Iraq, but every life is sacred. And if we do not move now in a decisive way, the numbers will go up, and every soldier killed will have died in vain. I do not think this blunder in Iraq is worth a single American life, and since we are there, we could not avoid being there, let us try to limit the number of lives that are being lost.

So I say to the working families of America and the people who care about all of Americans, who care about our troops who are out there suffering, really care about the troops and not just waving flags but refuse to provide the kind of support the troops need, as veterans, as soldiers out there who need flack jackets at work, and there are a number of things going on which are detrimental to our troops in the field and certainly affect their morale when they look back home and see their families being treated like dirt, I say to all those people who are watching this to not give up.

Now is the time for us to come forward and place ourselves on the front lines for the defense of America. The greatest Americans are the Americans who want peace. The greatest Americans are the Americans who will tell the truth and who will fight the myths that are endangering our security. It is a myth that Iraq is a center for fighting terrorism. That is a myth. We have said it is a center, but it is only a quagmire, a trap, an ambush. The real center is still wherever Osama bin Laden and his network is located, and that network is still our greatest threat in terms of our security. That is a myth. We should fight that myth.

We should fight the myth that the United Nations has nothing to offer; that France, with its French fries and American fries, does not deserve to be a decisionmaker in this situation; that Russia only wants to get involved because it wants to get the money back for its contracts; that Iraq cannot pay for its own reconstruction. That is the biggest myth. Iraq has oil fields beneath the surface that can pay for any reconstruction they need to take. The problem is that many of the people involved in this war are trying to secure the oil of Iraq for the oil barons and the companies that already are involved. They want theirs off the top. They do not want an agreement which says Iraq should pay its own way because they have plans to take their commissions off the top.

There was a time when the Middle East oil flowed out of the Middle East and each country only got 12 cents on the barrel. The rest of it flowed to Great Britain or France or some other country, the dollars. They want to go back to that. They do not want to admit that Iraq can pay for its own reconstruction. We can set up a situation where they wait maybe 10 years, 20 years. Who cares? Charge them low interest. They can pay for their own reconstruction.

We need to come forward and be as fervent, as dedicated as the people who support Donald Rumsfeld. They have fervor. They are bold. But they are wrong.

We need to be fanatics for peace.

We are citizens who ought to volunteer to do our part.

Never mind looking for a military Purple Heart.

We are fanatics for peace.

Our holy assault must never cease.

The Constitution light still shines.

We should launch spit into the fascist face.

Our maneuvers will launch the human race.

Pledge allegiance to the human race.

Pledge allegiance to the civilization that our children deserve.

This is the cause we swear to serve.

Victory without blood in Ghandi's name.

Celebrate Mandela's fame.

The spirit of Martin King again will reign.

Resist a government that has now gone insane.

Commanders of abuses must face the Nuremberg nooses.

We are fanatics for peace.

Run and broadcast the brave news.

Divine mobilization is what working families should choose.

Surrender we unconditionally refuse.

Our vision will not decrease.

Our passion will never cease.

We are fanatics for peace.

We are the greatest Americans.

We want peace.

Madam Speaker, the article I referred to earlier is as follows:

I'm a patriotic American with three sons in the military, two serving in Iraq. Branden is a master gunner near Tikrit. Bryce is a gunner stationed in Baghdad. I'm proud of their service. But I'm angry with those who have led us into what can only be called a quagmire.

Donald Rumsfeld had day-to-day authority for planning for the war and its aftermath. He was the chief architect and it is his house of cards that is tumbling today. Months after the President declared, "mission accomplished," Americans are being killed almost daily. On April 13, Rumsfeld said: "Every hour that goes by, it's getting better, and more peaceful and more orderly in [Iraq]." We know that is not true. Rumsfeld's bad planning has left our troops poorly equipped and vulnerable in an increasingly hostile environment. And Americans are being asked for an additional \$87 billion for Iraq.

We now know that the President and those who serve him mislead us about weapons of mass destruction, about Saddam's supposed nuclear program, about a link between Saddam and September 11. I'm in awe at the courage of my sons and the honorable service they give. But the leaders they serve have not acted honorably. They have failed my sons. They have failed all of us. At the very least, Secretary Donald Rumsfeld must go.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, September 29, 2003.

Hon. J. DENNIS HASTERT,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on September 29, 2003 at 12:35 p.m. and said to contain a message from the President whereby he submits a Memorandum of Understanding between the Department of State and the Department of Homeland Security Concerning Implementation of Section 428 of the Homeland Security Act of 2002.

With best wishes, I am

Sincerely,

MARTHA C. MORRISON
(For Jeff Trandahl, Clerk).

MEMORANDUM OF UNDERSTANDING BETWEEN SECRETARIES OF STATE AND HOMELAND SECURITY CONCERNING IMPLEMENTATION OF SECTION 428 OF THE HOMELAND SECURITY ACT OF 2002—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 131)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on the Judiciary and the Select Committee on Homeland Security and ordered to be printed.

Message to the Congress of the United States:

Consistent with section 428(e)(8)(A) of the Homeland Security Act of 2002 (Public Law 107-296) (the "Act"), I am pleased to report that the Secretary of State and the Secretary of Homeland Security have completed a Memorandum of Understanding concerning implementation of section 428 of the Act. The Memorandum of Understanding will allow the Departments of State and Homeland Security to work cooperatively to create and maintain an effective, efficient visa process that secures America's borders from external threats and ensures that our borders remain open to legitimate travel to the United States.

GEORGE W. BUSH.
THE WHITE HOUSE, September 29, 2003.

MEMORANDUM OF UNDERSTANDING BETWEEN THE SECRETARIES OF STATE AND HOMELAND SECURITY CONCERNING IMPLEMENTATION OF SECTION 428 OF THE HOMELAND SECURITY ACT OF 2002

This Memorandum of Understanding (MOU) is the agreement between the Secretary of State and the Secretary of Homeland Security that shall govern the implementation of section 428 of the Homeland Security Act of 2002, P.L. 107-296 (hereafter the Act), by the Department of State (DOS) and the Department of Homeland Security (DHS).

1. INTENT OF THE PARTIES

a. The Secretary of State and the Secretary of Homeland Security will work cooperatively to create and maintain an effective, efficient visa process that secures America's borders from external threats and ensures that our borders remain open to legitimate travel to the United States. Such travel is important to our international, economic, and national values and interests.

b. Accordingly, the Secretary of Homeland Security will establish visa policy, review implementation of that policy, and provide additional direction as provided by this memorandum, while respecting the prerogatives of the Secretary of State to lead and manage the consular corps and its functions, to manage the visa process, and to execute the foreign policy of the United States. The Secretary of Homeland Security will rely upon the expertise of the Department of State with respect to foreign policy, and the Secretary of State will respect the expertise of the Department of Homeland Security concerning threats to American security.

2. VISA GUIDANCE

a. Definition. As used in this MOU, the term "visa guidance" refers to regulations, Foreign Affairs Manual provisions (including all interpretive and procedural notes) and ALDACs (DOS cables to all diplomatic and consular posts) implementing the provisions of the Immigration and Nationality Act (INA) or other immigration and nationality laws pertaining to visas.

b. Continuity of existing visa guidance. All existing DOS visa guidance shall remain effective unless and until superseded in accordance with this MOU.

c. Issuance of visa guidance. (1) DOS may propose and issue visa guidance subject to DHS consultation and final approval as discussed below. DHS will have authority to issue or approve (hereinafter "final responsibility over" visa guidance, except for those matters that are the specific responsibility of the Secretary of State as prescribed in section 428 (c)(2) and (d)(2) of the Act, in existing statutes related to foreign policy or management of the visa process, in future statutes, Presidential proclamations and executive orders, and in paragraphs 3 and 10 of this MOU. DHS will exercise its final responsibility over visa guidance subject to consultation as discussed in paragraph 2d.

d. Notice and consultation.

(1) DHS and DOS will provide notice to the other when either determines that serious consideration should be given to development of new visa guidance. DHS will also provide notice to DOS when it begins drafting rules, policies or procedures affecting the visa process. Each will designate a point of contact for this purpose who may or may not be a liaison identified in paragraph 9a below.

(2) DHS and DOS will each offer the other the opportunity to consult regarding security, legal, operational, resource, or foreign policy or foreign relations issues associated with such guidance.

e. Publication of regulations. The Secretary of Homeland Security may elect to publish any and all visa regulations in 6 C.F.R. in an appropriate form. All visa regulations shall be published by the Secretary of State in 22 C.F.R. using State Department procedures for the issuance of visa regulations and shall become effective on the effective date specified in the Federal Register when published as interim final or final regulations. Each notice of rulemaking will indicate whether the rule is being approved by or being issued on behalf of DHS. DOS will expeditiously publish notices of rulemaking that are approved by or directed by DHS in accordance with paragraph 2c, and will expeditiously implement interim final or final

regulations that are approved by or directed by DHS. Regulations prepared by DOS and requiring DHS approval will be expeditiously reviewed and approved by DHS. Wherever possible, the Secretaries will jointly issue regulations affecting the visa process.

3. AREAS OF PARTICULAR INTEREST

a. Classification, admissibility and documentation.

(1) Classification. The Secretary of Homeland Security will have final responsibility over visa guidance to consular officers concerning eligibility for classification for non-immigrant and immigrant visas, except that:

(a) The two Secretaries will have joint responsibility over visa guidance concerning approval of cultural and training programs under INA section 101(a)(15)(Q)(ii) and eligibility for classification under INA section 101(a)(15)(S)(ii); and

(b) The Secretary of State will have final responsibility over visa guidance concerning eligibility for classification for non-immigrant and immigrant visas under INA sections 101(a)(1), 101(a)(15)(A), 101(a)(15)(C) (determine who is eligible to pass in transit to and from the U.N. headquarters district), 101(a)(15)(E) (determine what is a qualifying treaty of commerce and navigation), 101(a)(15)(G), NATO and other defense or arms control agreements, 101(a)(15)(I) (determine whether qualifying reciprocity exists), 101(a)(15)(J) (designate qualifying exchange visitor programs), 101(a)(27)(D), and 101(a)(45) (establish, after consultation with appropriate agencies, amount of trade or capital that is "substantial" for purposes of INA section 101(a)(15)(E)).

(2) The Secretary of Homeland Security will have final responsibility over visa guidance concerning grounds of inadmissibility for visa applicants, except that:

(a) The two Secretaries will have joint responsibility over visa guidance concerning the exception to the material support provisions established in INA sections 212(a)(3)(B)(iv) and 212(a)(3)(F); and

(b) The Secretary of State will have final responsibility over visa guidance concerning the suspension or restrictions on entry pursuant to Presidential proclamations under INA section 212(f) and the grounds of inadmissibility for visa applicants specified in section 428 (c)(2) of the Act; INA section 212(a)(2)(G) (determine who is a foreign government official who was responsible for or directly carried out particularly severe violations of religious freedom); INA 212 section (a)(3)(B)(i) (determine whether an alien is an officer, official, representative or spokesman of the PLO); INA section 212(a)(3)(B)(vi)(II); INA section 212(a)(3)(E) (define participation in Nazi persecution and genocide); INA section 212(d)(8); section 2225 of the Foreign Affairs Reform and Restructuring Act of 1998 (found in Div. G, Title XXII of P.L. 105-277); and the exception to the retroactive application of section 411 of the USA PATRIOT Act (P.L. 107-56) established in section 411(c)(4) of that Act.

(3) DHS will have sole responsibility for determining when waivers of grounds of inadmissibility are granted, except that:

(a) The two Secretaries will have joint responsibility for waivers under INA section 212(d)(4)(B); and

(b) The two Secretaries will have joint responsibility, with the Secretary of Interior, for waivers under INA section 212(I).

(4) Consular officers or the Secretary of State may recommend waivers to DHS under such guidance as the Secretary of State may establish.

(5) The Secretary of Homeland Security will have final responsibility over visa guidance prescribing information, evidence, or other documentation collected to establish

eligibility for a visa, admissibility to the United States, and to classify an alien as an immigrant or nonimmigrant, provided, however, that DHS will not require foreign-source documents from any country without establishing the reliability and availability of such documents in close consultation with the Secretary of State. DHS will otherwise consult with DOS concerning the reliability and availability of documentation and DOS will identify resource implications for collecting, maintaining, and evaluating additional or different documentary requirements. The Secretary of Homeland Security will prescribe only documentary requirements that the Secretary determines are germane to visa adjudication or core homeland security interests.

b. Place of visa application. The Secretary of Homeland Security will have final responsibility over visa guidance prescribing the circumstances in which aliens applying for an immigrant or nonimmigrant visa, other than aliens applying for visas for diplomatic or official purposes, may make application at a place other than a consular post having jurisdiction over the alien's country of origin or principal, actual dwelling place, provided that the Secretary of State shall have final responsibility for specifying, in consultation with the Secretary of Homeland Security, the place or places of visa application for nationals of a country in which there is no visa processing post.

c. Discontinuing granting visas to nationals of country not accepting aliens. The Secretary of Homeland Security will have authority to notify the Secretary of State pursuant to INA section 243(d) when a foreign government denies or delays accepting an alien who is a citizen, subject, national, or resident of that country. When so notified, the Secretary of State shall order consular officers to discontinue granting non-immigrant and/or immigrant visas, as the Secretary of State deems appropriate.

d. Personal appearance. The Secretary of Homeland Security will have final responsibility over visa guidance prescribing when a consular officer may waive a visa applicant's personal appearance, except that the Secretary of State will have final responsibility over guidance applicable to aliens applying for visas for diplomatic and official purposes.

e. Visa validity periods and multiple entry visas. The Secretary of State will continue to prescribe periods of validity for a category of nonimmigrant visas based on reciprocity but will consult with the Secretary of Homeland Security before increasing any period of validity or establishing a period of validity in the first instance. Once a validity period is established by the Secretary of State, the Secretary of Homeland Security, in consultation with the Secretary of State, may prescribe a shorter period of validity or place other restrictions upon the validity period for an individual applicant or class of applicants within a category, based on security interests.

f. Visa waiver program. In accordance with INA section 217, the Secretary of Homeland Security, in consultation with the Secretary of State, will designate countries that may participate in the visa waiver program, and the two Secretaries will carry out their other responsibilities as specified in that section.

g. Notices of visa denials. The Secretary of Homeland Security will have final responsibility over visa guidance pursuant to INA section 212(b) prescribing when and under what conditions a consular officer may waive notice of denial of a visa, but the Secretary of State will have final responsibility over guidance applicable to diplomats or other official government representatives, and may provide for notice in cases in which advising

the applicant of the ground of denial would advance the foreign policy of the United States.

h. Persons from state sponsors of terrorism.

(1) A country is a "state sponsor of terrorism" for purposes of section 306 of the Enhanced Border Security and Visa Entry Reform Act of 2002, P.L. 107-173 (8 U.S.C. 1735) if the Secretary of State determines, under any of the laws specified in section 306(b)(2), that the country's government has repeatedly provided support for acts of international terrorism.

(2) After the Secretary of State has designated a country as a state sponsor of terrorism, DOS and DHS will jointly, in consultation with other appropriate agencies, develop standards and procedures for administering section 306 with respect to nationals of that country, keeping in mind the Secretary of State's expertise with respect to foreign policy and the management of the visa process and the Secretary of Homeland Security's expertise concerning threats to homeland security. The standards and procedures for nationals of each country designated as a state sponsor of terrorism will be specifically tailored to the nationals of each country, taking into account the reasons why the Secretary of State designated the government of the country as a state sponsor of terrorism and the relevance of those reasons to the individual nationals of that country. The standards and procedures will not preclude a national of the country from applying for a visa and providing information to show that the applicant does not pose a threat to the safety or national security of the United States. The Secretary of Homeland Security will have the final responsibility over the standards and procedures for administering section 306. Should DOS object to a standard or procedure and articulate specific U.S. foreign policy objectives or interests that will be compromised relevant to the country or nationals concerned, however, the matter will be referred to the Secretaries of both departments to consult and reach agreement.

(3) Any determination by the Secretary of State or designee that an alien from a country that is a state sponsor of terrorism does not pose a threat to the safety or national security of the United States will be made in accordance with the standards and procedures for nationals of that country and in consultation with the Secretary of Homeland Security or designee (unless otherwise provided for in procedures), and shall be without prejudice to the Secretary of Homeland Security's authority to refuse or revoke a visa in accordance with law.

4. ADVISORY OPINIONS

a. Continuation of DOS advisory opinion guidance and DHS review. The Secretary of State will continue to prescribe guidance concerning advisory opinions that may be sought by consular officers, but will consult with the Secretary of Homeland Security concerning changes in that guidance. Except with respect to security advisory opinions (SAOs) relating to matters to which paragraph 3a(2)(b) of this MOU refers, the Secretary of Homeland Security must concur in changes in policies and procedures involving SAOs, including when an SAO is requested and when an SAO may be transmitted to a consular officer, and may direct changes in SAO policies and procedures when it serves the interest of homeland security.

b. Continuation of DOS issuance of advisory opinions and DHS review. DOS will continue to provide advisory opinions, including SAOs, after appropriate interagency coordination. DHS will be copied on all security advisory opinion requests. DHS will be copied on all outgoing advisory opinions whether or not relating to security. Cases in which

a third agency to which such an SAO request is referred believes that denial of a visa is appropriate and DOS believes the information is legally insufficient will be referred to the Secretary of Homeland Security to decide whether the facts support denial of the visa in accordance with law. DOS advisory opinions are without prejudice to the authority of the Secretary of Homeland Security to refuse or revoke a visa. DHS will have access on site at the Visa Office or remotely, as may be appropriate, to any advisory opinion and may seek consultation concerning any opinion that may affect homeland security.

c. Involvement of Overseas DHS employees in advisory opinions. A DHS employee assigned to an overseas post who performs section 428 functions will have access to all advisory opinion requests transmitted by the post of assignment to DOS, unless the Chief of Mission or Deputy Chief of Mission determines that the sensitivity of the matter requires that access be limited in the case of a particular advisory opinion request under a ground of inadmissibility specified in paragraph 3a(2)(b) of this MOU. If the COM or DCM limits the access of a DHS employee assigned to an overseas post who performs section 428 functions to an advisory opinion request, the COM or DCM will advise DOS, which will advise DHS headquarters of the request as appropriate. A DHS employee who performs section 428 functions may recommend that the post submit security advisory opinion requests.

5. NOTIFICATION AND COORDINATION OF REFUSALS AND REVOCATION

a. If the Secretary of Homeland Security decides to exercise the authority of the Secretary of Homeland Security to refuse a visa in accordance with law, or to revoke a visa, the Secretary of Homeland Security shall request the Secretary of State to instruct the relevant consular officer to refuse or revoke the visa and specify the grounds and factual basis for refusal or revocation. The refusing consular officer shall note in the Consolidated Consular Database entry that the refusal or revocation has been directed by DHS. Notwithstanding paragraph 17, the Secretary of Homeland Security's authority to direct refusal or revocation of a visa may be delegated only to DHS headquarters staff.

b. If the Secretary of State directs a consular officer to refuse a visa on the grounds that refusal is deemed to be necessary or advisable in the security or foreign policy interests of the United States, DOS shall notify DHS of the exercise of such authority by including DHS on the distribution of the instruction cable and making a notation in the Consolidated Consular Database entry, and/or by any agreed upon means of communication.

c. If the Secretary of State decides to revoke a visa pursuant to his authority under Section 221(i) of the INA, DOS will notify DHS of the exercise of such authority by including DHS on the distribution of any cable reporting the visa revocation decision, by making an entry in the Consolidated Consular Database, by forwarding to DHS a copy of the certificate of revocation, and/or by any agreed upon means of communication.

6. ASSIGNMENT OF DHS PERSONNEL TO DIPLOMATIC POSTS AND THEIR FUNCTIONS

a. Selection of posts to which DHS personnel will be assigned and assignment of DHS personnel. DHS shall identify the diplomatic and consular posts where it considers the assignment of DHS personnel to be necessary to perform section 428(e) functions, including posts where it wishes to have existing DHS personnel perform section 428(e) functions. DHS will establish criteria by which posts will be selected and will consult with DOS concerning the selection of posts.

DOS may recommend posts to which assignment of DHS personnel to perform section 428(e) functions would be beneficial. DHS may assign employees pursuant to section 428(e) to perform functions of regional or worldwide scope or functions related to a particular post to which they may be assigned. Each position and assignment shall be justified and described in accordance with National Security Decision Directive 38, and communicated to the Secretary of State and relevant chief(s) of mission. DHS will consult with DOS and relevant chief(s) of mission before assigning section 428(e) functions to DHS employees already assigned to diplomatic posts to perform other functions. Assignment of DHS personnel will be made consistent with resource availability.

b. Qualifications for overseas DHS personnel.

(1) Any DHS employee selected for assignment overseas after the effective date of this MOU to perform section 428(e) functions should have:

(a) broad knowledge of immigration law, including visa law,

(b) experience or training in counter-terrorism,

(c) experience or training in interviewing individuals during investigations, including fraud, or in similar contexts, and

(d) experience or training in identifying tampered documents.

(2) DHS will exercise best efforts to provide training for personnel who are assigned to perform section 428(e) functions who are selected for such assignments prior to the effective date of this MOU or who are already assigned overseas to perform other functions.

(3) DHS training and assignment policies will emphasize identification of persons with the following skills, experience or knowledge, or developing them before or during assignment:

(a) the ability to speak the host country language, and

(b) experience in or knowledge of the host country, and extensive understanding of terrorism or other homeland security concerns in the host country.

(4) Prior to being assigned to an overseas post, a DHS employee must obtain a minimum security clearance of Top Secret.

(5) The assignment of DHS employees to a particular post to perform section 428(e) functions, the scope of their functions, and who and how many DHS employees are assigned will be determined in accordance with the authority of the relevant chief(s) of mission and the Secretary of State. The Assistant Secretary of State for Consular Affairs will use best efforts to facilitate and assist the assignment of qualified DHS employees and the Assistant Secretary of State for Administration will assign a high priority to the expeditious provision of administrative arrangements to accomplish these assignments.

c. Temporary duty of DHS personnel.

(1) DHS may also send DHS employees to overseas posts in temporary duty status to perform functions under section 428(e) from time to time.

(2) Whether a DHS employee may go to an overseas post on temporary duty status is subject to the authority of the relevant chief(s) of mission and country clearance procedures.

d. Support of DHS employees.

(1) In addition to participating in basic mandatory shared administrative costs overseas, DHS may at its option enter into reimbursable support agreements under the International Cooperative Administrative Support Services (ICASS) established under sections 13 and 23 of the Department of State's Basic Authorities Act (22 U.S.C.

§§2687 and 2695), which provides administrative services to agencies performing functions overseas. DHS may participate in the ICASS system on the same basis as other participating agencies. DHS may utilize the ICASS system where appropriate to procure such equipment, facilities and supplies as are normally purchased by individual agencies, at its costs.

(2) DHS will be provided with necessary office space and Embassy housing as available on the same basis as other agencies represented in the relevant mission overseas. To the maximum extent practicable, DHS employees performing visa duties shall be collocated with consular officers. DHS employees who are properly cleared will have access to secure equipment and facilities, and be provided work space in such controlled access areas, that may be available at particular posts and that is necessary for the performance of their section 428(e) duties.

(3) DOS will take such steps as may be appropriate and necessary so that DHS employees performing visa duties pursuant to section 428 receive from the host country legal privileges and immunities appropriate to their functions and the post to which they are assigned.

e. DHS overseas functions. DHS employees assigned to overseas posts who perform section 428(e) functions will:

(1) Provide expert advice to consular officers regarding specific security threats relating to the adjudication of individual visa applications or classes of applications. This may include but is not limited to:

(a) Gathering and reviewing intelligence reports and coordinating with other agencies at post to consolidate up-to-date information with respect to terrorist groups or other entities or individuals in the host country who pose a threat to homeland security and their connections with individuals and groups in other countries and making this information available to consular officers in a timely and useful manner.

(b) Briefing consular officers and providing training sessions to consular officers, as appropriate, concerning terrorist groups or other entities that pose a threat to homeland security and questions and interview techniques useful in detecting persons who may be a threat or whose applications may be fraudulent.

(c) Consulting with consular officers on particular visa applicants who raise homeland security concerns.

(2) Review any such applications, either on the initiative of the DHS employee in accordance with procedures prescribed by DHS under paragraph 6(f)(1) below, or upon request by a consular officer or other person charged with adjudicating such applications. This may include but is not limited to providing input to or recommending security advisory opinion requests based on their expertise.

(3) Conduct investigations with respect to consular matters under the jurisdiction of the Secretary of Homeland Security, in accordance with paragraph 6g of this MOU.

f. Performance of DHS overseas functions.

(1) DHS, in consultation with DOS, will develop policies and procedures by which DHS employees assigned to posts abroad who perform section 428(e) functions will perform the functions listed in paragraph 6e of this MOU. DHS may conduct the functions listed in paragraph 6e of this MOU with regard to some or all nonimmigrant visas and, at its option, some or all immigrant visas. DHS, in consultation with DOS, will develop standards by which it may direct DHS employees at post to review classes or quantities of visa applications based upon worldwide threat assessments, or by which DHS employees at post may initiate, in consultation with the

Deputy Chief of Mission or senior consular officer, review of classes or quantities of visa applications based on local threat assessments. In accordance with section 428(i), DHS employees assigned to Saudi Arabia to perform section 428 functions shall review all nonimmigrant and immigrant visa applications.

(2) A DHS employee assigned to an overseas post and performing section 428(e) functions may recommend to the chief of the consular section or the most senior supervisory consular officer present that a visa be refused or revoked. If the chief of section or supervisory consular officer does not agree that the visa should be refused or revoked, the post will initiate a request for a security or other advisory opinion and the DHS employee will be consulted in its preparation. No visa will be issued in the interim. No advisory opinion will be issued thereafter without the full consultation of DOS and DHS. Nothing in this subparagraph prejudices the authority of the Secretary of Homeland Security to direct refusal of the visa at any time in accordance with the procedures specified in paragraph 5 of this MOU.

(3) DHS employees assigned to overseas posts and performing section 428(e) functions may communicate directly with consular officers and other DOS employees assigned to overseas posts and other DHS officials in carrying out their functions, provided that their interactions are consistent with the authority of the senior consular official at post over the consulate or consular section. DHS employees will not serve under the supervision of consular personnel, and DHS employees will not supervise consular personnel, or otherwise give binding instructions or directions to consular officers.

(4) DHS employees assigned to overseas posts and performing section 428(e) functions are subject to the authority of the chief of mission and the Secretary of State in the same manner as all other executive branch employees serving abroad. They must also comply with the Interagency Security Policy Board's security guidelines.

g. Investigations by DOS and DHS.

(1) DHS employees assigned to overseas posts and performing section 428(e) functions may in accordance with policies and procedures established by DHS under paragraph 6f(1), recommend investigations, participate in investigations conducted by consular officers (with their consent), or conduct investigations involving visa matters, such as the eligibility of any visa applicant. Consular officers will, in any event, make available their investigative reports or conclusions. However, such DHS employees shall not conduct law enforcement investigations or activities, investigations concerning matters that are within the jurisdiction of the Bureau of Diplomatic Security or the Inspector General of the Department of State, or take action in relation to allegations of misconduct by an employee of the United States Government, other than to report such allegations. This does not affect DHS investigative functions performed under other authorities. DHS employees performing investigative functions under section 428(e) authority will consult and cooperate with consular officers and Regional Security Officers with respect to any investigative activity. DHS employees performing investigative functions under other authority will ensure appropriate coordination with other law enforcement elements. DHS employees will ensure that the COM or the COM's designated representative is fully and continually informed regarding such activity.

(2) If the DOS becomes aware of an allegation of visa fraud or other misconduct in relation to the issuance of visas, any allegation of misconduct by such DHS employees,

contractors or grantees or by DOS consular employees in relation to the visa function, any other matter in relation to the visa function that creates a potential security vulnerability, or any allegation of fraud, waste or abuse of DHS funds or involving DHS programs or operations, the DOS shall promptly notify the DHS IG of such allegation. If the DHS becomes aware of an allegation of visa fraud or other misconduct in relation to the issuance of visas, any allegation of misconduct by such DHS employees in relation to the visa function or by DOS employees, contractors or grantees, any other matter that affects the security of the mission or that creates a potential security vulnerability, or any allegation of fraud waste or abuse of DOS funds or involving DOS programs, the DHS shall promptly notify the DOS and, unless determined to be inappropriate, the COM.

(3) When allegations concern matters over which the DHS IG and the DOS both have investigative jurisdiction, they shall consult regarding how best to pursue the investigation. Unless otherwise decided in a given case, DOS shall investigate allegations concerning DOS employees, contractors, grantees and funds and DHS IG shall investigate allegations concerning DHS employees, contractors or grantees. DHS IG and DOS may, as agreed, also develop more detailed guidelines and procedures with respect to the conduct of such investigations.

(4) Any DHS investigation conducted abroad must be conducted in compliance with local law (unless it is an activity routinely authorized by senior host country officials and ground rules established by the host country), unless otherwise authorized by the Secretary of Homeland Security, or his designee, and by the Secretary of State, or his designee, and the Chief of Mission.

h. Participation in Lookout Committees. DHS employees assigned to overseas posts and performing section 428(e) functions shall participate in the terrorist lookout committee established under Section 304 of the Enhanced Border Security and Visa Entry Reform Act of 2002 (8 U.S.C. § 1733), and other relevant groups.

7. PERFORMANCE STANDARDS AND EVALUATIONS FOR CONSULAR OFFICERS AND FOR DHS EMPLOYEES ASSIGNED ABROAD TO PERFORM SECTION 428 FUNCTIONS

a. Performance standards for consular officers. The Secretary of Homeland Security may develop performance standards for evaluating the performance of consular officers with respect to the processing and adjudication of applications for visas. If the Secretary of Homeland Security wishes to develop such performance standards, the Secretary will consult with the Secretary of State in their development. The Secretary of State will also consult with the Secretary of Homeland Security in developing or revising other performance standards relating to the issuance of visas by consular officers. Once any such standards are developed, the Secretary of State will take the necessary measures to incorporate the standards into the DOS evaluation process in a manner consistent with the Foreign Service Act of 1980 and applicable labor-management consultation or negotiation requirements.

b. DHS input to consular officer evaluations. DHS employees assigned abroad and performing section 428(e) functions may, as deemed appropriate by the Secretary of Homeland Security, provide the rating and/or reviewing officer with input relevant to the evaluation of a consular officer in light of any performance standards developed by the Secretary of Homeland Security pursuant to this paragraph. The rating or review officer will take such input into consider-

ation in preparing the annual employee evaluation report.

c. Performance standards for DHS employees. The Secretary of Homeland Security will develop performance standards for DHS employees who are assigned to posts abroad pursuant to section 428, and will consult with the Secretary of State concerning them prior to issuance.

d. DOS input to DHS employee evaluations. The chief of mission or deputy chief of mission may provide the rating and/or reviewing officer of a DHS employee assigned abroad pursuant to section 428(e) with input relevant to evaluation of the employee. The rating or reviewing officer will take such input into consideration in preparing the annual employee evaluation report. The senior DHS employee at post shall be subject to evaluation by the COM and/or DCM in the same manner as other agency senior representatives.

8. TRAINING

a. Availability of DOS training to DHS employees and families.

(1) At the request of DHS, DOS shall, on a reimbursable and space-available basis, make available to DHS employees identified for assignment to overseas posts to perform functions under section 428(e) training relevant to such functions, including training in foreign languages, interview techniques, fraud techniques, conditions in the country of assignment and other appropriate areas of study, and shall give priority to these employees after DOS employees, and ahead of other personnel of other agencies. DHS employees may train with consular officers and undergo the same consular function training on a reimbursable and space-available basis.

(2) DOS shall afford the families of DHS employees assigned to overseas posts access to language and culture training on the same basis as the families of employees of other agencies, i.e., on a reimbursable, space-available basis.

(3) All DHS employees assigned to overseas posts must attend the DOS Security Overseas Seminar, or such training as may be required in the future of persons assigned overseas, on a reimbursable, space-available basis. Eligible family members of DHS personnel are also encouraged to attend the Security Overseas Seminar, on a reimbursable, space-available basis. In addition, DHS employees assigned to overseas posts are strongly encouraged to attend the Introduction to Working at an Embassy seminar prior to departure, on a reimbursable, space-available basis.

b. DHS training development.

(1) DHS may develop other training, as appropriate, to enable DHS employees to carry out their functions. Such training will be made available to consular officers on a reimbursable basis and equal basis with DHS employees.

(2) DOS will consult with DHS, as appropriate, to ensure that DOS consular officer training incorporates homeland security concerns, and DHS may propose changes in DOS curricula to better prepare consular officers to perform their functions in connection with the granting or refusal of visas. DHS may also develop programs of homeland security training for consular officers in addition to other DOS training programs. Such programs may be conducted by or under the auspices of DHS and facilitated by DOS, or DOS may conduct such programs under the guidance of DHS, as DHS and DOS may agree. DHS shall bear the costs of developing and delivering such training and cooperate with DOS to schedule such training in conjunction with other DOS training DOS personnel are required to take or give under DOS auspices. DOS will use best efforts to

make available DOS facilities for such training that may include Foreign Service Institute space, subject to DOS resources and other commitments. DOS shall otherwise bear the costs of travel and per diem of its personnel who participate in training either as instructors or students for the purpose of improving the skills or knowledge of consular officers. DOS shall determine in consultation with DHS the appropriate timing for participation in such training, either as instructors or students, based on staffing requirements of the DOS employee's post of assignment, so as not to impede the ability of the post to carry out essential functions assigned to the employee. DOS will ensure attendance of DOS personnel in a manner consistent with effective and efficient training management and to ensure training is received in a timely fashion.

(3) DHS employees assigned overseas to perform section 428 functions may develop local training programs in whose development post consular personnel will cooperate. The chief of the consular section or the most senior supervisory consular officer present will facilitate the attendance of consular personnel at such training, provided that the nature and timing of such training shall not impede the ability of the post to carry out essential consular functions.

c. Joint training development. DHS and DOS agree to cooperate in the joint development of training that will be useful to the employees of both agencies, that may be conducted at DOS facilities, or in other institutions.

d. Resource availability. Training activities under this paragraph are subject to resource availability.

9. INTERAGENCY COOPERATION

a. Establishment of liaisons. The Secretary of Homeland Security, or designee, and the Secretary of State, or designee, may designate persons to serve as liaisons between the headquarters of both departments, who may or may not be stationed in the other's headquarters. Any DHS liaison assigned to work in the Visa Office will have access to any advisory opinion that may be issued.

b. Management reports. DHS will have access to standard workload reports generated by the automated visa systems of the Bureau for Consular Affairs. DHS will also have access to such systems to determine the status of specific visa cases and accompanying notes. The Bureau will respond to requests from DHS for periodic reports on how DHS or other visa policies are being implemented and will cooperate with DHS in generating special queries when necessary and practicable.

c. On-Site Monitoring of field operations. DHS employees may participate in Consular Management Assistance Teams and travel with regional consular officers as may be practicable. DHS shall bear the cost of travel of its employees.

d. Cooperation in interagency and international matters. DOS and DHS agree to cooperate and coordinate as appropriate in interagency and international matters that may affect the function of consular officers in connection with the granting or refusal of visas.

10. SYSTEMS AND RECORDS

a. Maintenance of DOS systems; DHS systems authority. The Secretary of State has the authority to create, maintain and operate all information systems used by consular officer and other DOS employees in visa adjudication and issuance processes. These systems are DOS systems.

b. Maintenance of visa applications and visa issuance records. DOS has the authority to create and maintain all records pertaining to the issuance or refusal of visas or permits

to enter the United States. DOS is the originating agency and retains custody and control over such records for purposes of the requirements of the Federal Records Act, the Freedom of Information Act, the Privacy Act, Executive Order 12958 and section 222(f) of the Immigration and Nationality Act, as well as for purposes of all document production and information requests. To the extent that the DHS obtains copies of such records in connection with its duties, DHS shall refer questions concerning the above requirements to DOS, in accordance with normal third agency referral procedures. DHS shall be responsible for such records as it may create and maintain and that are not made a part of DOS records.

c. Systems compatibility and biometric requirements.

(1) The Secretary of Homeland Security and the Secretary of State recognize that each has statutory authorities related to the maintenance of electronic databases and use of biometrics for border security purposes and that they must exercise these joint and separate authorities in full coordination to ensure interoperability and effectiveness. Each agrees to coordinate closely with the other and to work together toward the maximum possible compatibility of the DHS and DOS information technology systems and data related to the issuance of visas to and the entry to and exit from the U.S. of aliens.

(2) In particular, each Secretary agrees to keep the other fully informed in a timely fashion about decisions and actions that his Department is contemplating with respect to such database systems related to the issuance of visas to, and the entry to and exit from the U.S. of, aliens, including the use of biometrics, legal interpretations and policy implementation decisions and datasharing (the sharing of information electronically). Toward this end, each Secretary will designate an employee of his Department to serve as a liaison on such systems development, interoperability and datasharing with the other Department. These systems liaison persons shall keep each other fully informed of applicable systems initiatives being taken within each home agency and will serve as the point of contact for reception and transmission of such information between the two Departments.

d. Coordination with DHS concerning systems. DOS will consult with DHS concerning what visa data will be contained and maintained within DOS systems. DOS will give serious consideration to implementing DHS recommendations concerning collection and maintenance of visa data, as well as DHS recommendations concerning management controls in automated systems that audit or support visa adjudication, consistent with resource availability. DHS and DOS will increase and expand data share between agencies. DHS will be consulted and, where possible, participate in modification of existing systems and development of new systems that remain under DOS control.

e. Access of DHS personnel to DOS systems and records. DOS will provide appropriate DHS personnel with access to DOS information systems used in visa adjudication and visa issuance processes as well as to DOS records pertaining to the issuance or refusal of visas or permits to enter the United States, as necessary and appropriate for implementation of DHS functions under section 428. In the case of classified information, such access will require both an appropriate security clearance and a need to know the information. DHS personnel who are provided such access will abide by applicable restrictions on the use of such systems and records and the disclosure of the information contained therein. In particular, such DHS

employees will not disclose the information in such systems or records to anyone not authorized to receive it. DHS will make available to consular officials and other DOS officials involved in the visa issuance process all data maintained by DHS that is pertinent to the security and integrity of the visa issuance process, but DOS will respect restrictions on dissemination of sensitive law enforcement information.

11. RESOURCES

DHS and DOS shall bear their own costs in the performance of responsibilities under section 428 except as otherwise provided in this MOU, or other written agreement. Activities included in this MOU are subject to resource availability.

12. LITIGATION

The Legal Adviser to the Secretary of State and the General Counsel for DHS shall cooperate as appropriate in support of litigation conducted by the Department of Justice for or against the United States on account of actions taken or not taken by consular officers related to the issuance or refusal of visas or by DHS personnel performing functions under section 428.

13. STUDIES AND REPORTS

a. DOS will assist DHS as appropriate in the preparation of the study of the role of foreign nationals in the granting or refusal of visas and other documents authorizing applications for entry of aliens into the United States that is required by section 428(g)(1) and in the report containing the findings of the study conducted under section 428(g)(1) that is required by section 428(g)(2). DHS and DOS will jointly draft and submit to Congress, as required by section 428(e)(7), the report on the implementation of section 428 and any legislative proposals necessary to further the objectives of section 428.

b. In any case in which the Secretary of Homeland Security directs refusal of a visa on the basis of INA section 212(a)(3)(B), DHS will provide DOS with sufficient information (including the factual basis for the refusal) for the Secretary of State to fulfill his reporting requirements under section 51 of the State Department Basic Authorities Act (22 U.S.C. §2723).

14. DISPUTE RESOLUTION

Disagreements concerning the interpretation or implementation of this MOU will be resolved at the lowest level possible. Failing that, matters will be referred successively to higher authorities.

15. MODIFICATION AND TERMINATION

This MOU may be modified or terminated upon the mutual agreement of the parties in writing. The parties shall review this MOU not later than 24 months after it becomes effective. Any amendments to it shall be by mutual agreement.

16. EFFECTIVE DATE

This MOU becomes effective on the date on which the President publishes notice in the Federal Register that he has submitted a report to Congress setting forth the MOU.

17. DELEGATIONS OF AUTHORITY

a. Except for paragraph 5, references in this MOU to the Secretary of Homeland Security or the Secretary of State or specific subordinate officers or components thereof shall not be construed to limit the authority of the Secretaries of Homeland Security or State to direct and control the activities of their departments and delegate or re-delegate authority as may be appropriate.

b. The Secretary of Homeland Security and the Secretary of State shall keep each other informed on a timely basis of the persons to whom they have delegated their authority under this MOU.

c. Each Secretary hereby delegates to the other such authority as may be necessary to implement the provisions of this MOU.

18. ENFORCEABILITY

Nothing in this MOU is intended, or should be construed, to create any right or benefit, substantive or procedural, enforceable at law by any person against the United States, or any of its agencies, officers, or employees.

IRAQ WATCH

The SPEAKER pro tempore (Mrs. MILLER of Michigan). Under the Speaker's announced policy of January 7, 2003, the gentleman from Pennsylvania (Mr. HOEFFEL) is recognized for 60 minutes.

Mr. HOEFFEL. Madam Speaker, the Iraq Watch is back tonight. We look to have an interesting discussion in store for the next hour. We have been holding these hours of debate on Iraq for the past 2 months or so, once a week, in which we gather on the floor to talk about our policies in Iraq, suggest changes, as we would recommend changes in those policies, and ask questions to try to learn from the Congress and for the American people what the administration's plans are in Iraq.

□ 2245

I would like to open up briefly this evening with a brief report on the appearance by Ambassador Paul Bremer before the Committee on International Relations on September 25. He came before the committee to justify the administration's request for \$87 billion of military occupation and reconstruction dollars in Iraq.

I asked the Ambassador, who I think is a fine public servant who is doing the best he can, a career diplomat, one of America's finest, but I believe his political masters are making it difficult for him to give us the information which I believe Congress is entitled to. I asked the Ambassador when we would get timetables and information and when would the President level with the American people about plans to internationalize the security challenges and the reconstruction challenges in Iraq, when we would get timetables and plans for giving the Iraqi government back to the Iraqis, and when would we get an exit strategy; when would the administration tell us when they believed we could bring our troops home and what standards we would want to achieve in Iraq before making that decision, and how would we know if we were succeeding or failing with those goals.

The Ambassador could not answer those questions. He said in his opening statement, "We have a definite plan with milestone and dates," and I asked him about that. First off, he was only talking about how to spend the \$87 billion. But, secondly, that definite plan with milestone and dates that he referred to in his opening statement is not yet available for Congress. He may have the milestones and dates, the administration may know what the mile-

stones and dates are, but he could not tell the Committee on International Relations, or any other committee in Congress, what those milestones and dates are. So it was not really a successful explanation to our committee about what is coming down the pike and what the administration plans in Iraq.

He did say with some pride that 61 countries have pledged their support for reconstruction in Iraq. I asked him how much that pledge amount totaled, and he said \$1.5 billion. Now \$1.5 billion is a lot of money, but from 61 countries it is not much of a contribution. If we compare it to what we have spent and will spend in Iraq, it is less than 1 percent of what America is spending on the military occupation and on the reconstruction. And if we only add up what America is spending on reconstruction, what we have already spent and what the President is asking, this \$1.5 billion from 61 countries is only about 5 percent of what we will spend and have spent on reconstruction.

Clearly the administration has not received from the international community anything close to what we ought to get in terms of their financial support for reconstruction and for what we are trying to do in the name of freedom and liberty in Iraq.

I would suggest that the heavy-handed diplomacy, the arrogance, the unilateral approach of this administration has resulted in our allies and international organizations not yet stepping up to the plate.

I would simply say that I believe that the \$87 billion needs to be handled separately by the Congress; and I would suggest that while we need to grant that money for the support of our troops in the field, that the part of that request, some \$21 billion that is designed for reconstruction costs in Iraq, should be handled differently. I believe we ought to provide those dollars as loans to Iraq and not as outright grants to be repaid by Iraqi oil revenue. Everyone believes within 2 or 3 years the Iraqi oil industry will be generating at least \$2 billion a year in revenue, hopefully within a few years up to \$3 billion to \$5 billion in revenue. And Iraq has the ability to repay loans, and I believe our reconstruction aid should be in the form of loans. Some have said that this would only put Iraq further in debt, and international organizations and our allies have already lent \$200 billion to Iraq when Saddam Hussein was in power and they would not take kindly to us creating more debt.

Well, if we give this money as loans, it is my view that we should be the first in line for repayment. If the French and Germans and Russians do not like that and feel they have a higher claim on repayment of the money they loaned to Saddam Hussein, let them find Saddam Hussein and ask him for the money. We are the ones that pushed him out of office and have made that investment. I believe we should

not put our country deeper into debt, and it should be loans, not grants.

Madam Speaker, I yield to the gentleman from Massachusetts (Mr. DELAHUNT), a senior member of the Committee on International Relations.

Mr. DELAHUNT. Madam Speaker, I thank the gentleman for yielding me this time, and I think it is ironic when I hear representatives of the administration say we do not want to load down the Iraqi people with debt. Well, I wish that they would share the same concern for the American people because recent reports in the media indicate that here in the United States poverty has increased dramatically. More than 1 million Americans, an additional 1 million Americans are now below the poverty line. That is a historical first, the median income, the median household income, that is halfway if you count all of the households in the United States, right at the 50 percent mark, the median income for an American family has gone down for 2 consecutive years. Ironically, there has been a significant increase in the number of millionaires. That went up some 14 percent. Of course, they have benefited from the recent series of tax cuts put forth by the President and enacted by this Republican Congress.

But debt, the deficit, is breaking all historical records. This year it will exceed \$500 billion, and we are not talking about this particular supplemental, this so-called war supplemental. So when we talk about debt, let us remember the American people because we are going to have to answer to those people when they ask us who pays the bill. Well, it is you folks and your children and grandchildren, and possibly your great grandchildren because while we were projecting a \$5.6 trillion surplus, we are now looking at a \$3.3 trillion public debt.

Let me tell you what the cost of that \$87 billion will do to the communities that the gentleman from Massachusetts (Mr. MEEHAN) and I both represent. The \$87 billion in additional war spending will cost Massachusetts taxpayers \$2.6 billion. If that money were spent on other priorities in our home State, it could pay for \$334 million for school construction resulting in over 8,000 new jobs; almost 1,900 new affordable housing units creating 4,500 jobs; \$445 million for local and State roads and bridges, creating 10,000 new jobs; and 9,300 new firefighters; and health care coverage for 150,000 people in the Commonwealth of Massachusetts who are not currently receiving it. That is what it means to our home State, the Commonwealth of Massachusetts.

Mr. HOEFFEL. Madam Speaker, I yield to the gentleman from Ohio (Mr. STRICKLAND).

Mr. STRICKLAND. Madam Speaker, I just want to elaborate on what the gentleman from Massachusetts (Mr. DELAHUNT) has said. He talked about the increase in poverty. In the New York Times today, "Big Increase Seen

in *People Lacking Health Insurance, Largest Rise in a Decade.*” The number of people without health insurance shot up last year by 2.4 million, the largest increase in a decade, raising the total to 43.6 million Americans without health insurance.

We have a crisis in this country. Unemployment, health care, prescription drug coverage, an exploding deficit, an ever-increasing debt, we are not building our roads, our bridges, our water and sewer systems, our schools, our VA hospitals, our medical clinics; and yet the President seems so determined to take resources from the American taxpayer and send them to Iraq. And I will tell Members something else which concerns me, and that is the possibility of profiteering off this war. I think we will talk about some of the contracts that have been let a little later tonight, but it troubles me that some people are getting rich off this war. We have young soldiers over there without protective armor. About 40,000 are without the best protection we can provide.

Madam Speaker, when they get wounded and come back to Walter Reed Hospital or the Bethesda Naval Hospital and they spend a week or 2 weeks or a month there, when they leave, they are presented with a bill totaling \$8.10 a day for the food they have consumed. What has become of us. We have gotten our priorities really confused. That is why I am glad we are talking about this. The American people need to know and I look forward to the gentleman's further elaboration on what is happening to the money we have already appropriated.

Mr. DELAHUNT. Madam Speaker, if the gentleman would yield, we talked earlier about the support that France and Russia and Germany provided Saddam Hussein. That particular chart represents the support that previous Republican administrations provided to Saddam Hussein from 1982 to 1990. I thank the gentleman for yielding.

Mr. HOFFFEL. Madam Speaker, I appreciate the comments of the gentleman, and we look forward to hearing more about the chart. We will now turn to the gentleman from Hawaii (Mr. ABERCROMBIE).

Mr. ABERCROMBIE. Madam Speaker, what we have attempted to do over these weeks is to bring the hammer of truth down on the anvil of inquiry, and that is the object of these discussions. People have sometimes asked me, and I know they have asked other Members, why is it that we have these sessions late at night during what is called Special Orders. And because we are used to it, we may take it for granted that everyone knows what that is. The people who may be perusing through the various channels on their television set may come upon C-SPAN, and they see the regular order of business is concluded for the day, and now we are in Special Orders.

What that means is in this people's House, membership of which is re-

stricted, restricted to those who have been elected, not appointed, elected by their constituents across this country, the faith and trust of their constituents have put all of us on this floor.

□ 2300

We are here under Special Orders because this is our opportunity to speak to our colleagues and to the Nation about those matters which we consider most important and which we may not have had the opportunity during the regular course of business to discuss at length or in-depth. Unfortunately, as I have mentioned over and over again, we are dependent on the people of this country, on the people of our Nation, to pay attention to what may be said here, not because we necessarily know more than others, but because we have been privileged to occupy these positions and accept this responsibility and meet the obligations of carrying forward an inquiry for the Nation at large, so that we can determine what the best course of action is. Over and over, we reach out to the country here on this most important of issues, our Iraq Watch, because the media, and you see my arm reaching back to those who cannot see it, the galleries are here for a free press to join us, to observe us and they are never here. They are never here because they are occupied with those matters which they consider most important. They are chasing after a circus out in California, they are trying to determine whether or not they can start a fight, a verbal fight, some verbal fisticuffs between politicians, they are preoccupied with process and politics is entertainment. But that is not what our charge is, and that is why we are here at 11 o'clock at night on the east coast, not because we have nothing else to do in terms of our responsibilities and our commitment, but meeting our most important responsibility, which is to reach out to the citizens of this country to let them know that their Members here in the People's House are focusing in on those items not just of interest, but of most immediate concern to their welfare and to the welfare of peace throughout the world. And so we meet here tonight, and we meet here every week, determined to bring forward from our inquiry not just a measure of truth, but hopefully a sense of insight and to bring forward the facts, as best we know them, to let people draw their judgments.

And so the gentleman from Massachusetts (Mr. DELAHUNT) has here this evening a chart. Maybe we cannot all see it on the television screen, so he is going to explicate for us what is on that chart, and what it means. The reason that we are doing it is because we have a deep and abiding desire to share with the entire citizenry of the country our profound concern that we are moving in the wrong direction. The fact is that there is no higher degree of patriotism, especially when you think your country is moving in the wrong direc-

tion and the price of that moving in the wrong direction is the blood and grievous wounding of our young people. We have to speak out under those circumstances, and that is why we are here this evening. I am particularly pleased to be joined as the gentleman from Massachusetts (Mr. DELAHUNT) indicated by his colleague, the gentleman from Massachusetts (Mr. MEEHAN), and a former president of the Connecticut State Senate and now the ranking member, the senior Democrat on our Committee on House Administration, the gentleman from Connecticut (Mr. LARSON), joining with us tonight. They are here, I think, at this stage to back up the issue, the issue at hand which is can we put forward a policy and analyze the circumstances under which these policies are presently being put forward by the administration, can we put forward an analysis and analyze these policies in such a manner as to give some direction that will see that this comes to an early end?

Mr. HOFFFEL. I thank the gentleman for his eloquent comments. I am happy to recognize the gentleman from Massachusetts (Mr. MEEHAN).

Mr. MEEHAN. I compliment my colleague the gentleman from Pennsylvania (Mr. HOFFFEL) for his leadership and the gentleman from Massachusetts (Mr. DELAHUNT) and the gentleman from Hawaii (Mr. ABERCROMBIE). We were at a House Armed Services Committee meeting tonight and the press was not there, either. We were looking to mark up House Resolution 364, which is a resolution of inquiry that I know that the gentleman from Massachusetts (Mr. DELAHUNT) is familiar with, introduced and cosponsored by the gentleman from Florida (Mr. WEXLER) and many of us cosponsored that, including myself, that would ask the President to send to the House of Representatives a report prepared by the Joint Chiefs of Staff that has been widely reported in the press entitled *Operation Iraqi Freedom, Strategic Lessons Learned*. These are documents about the reconstruction and security of postwar Iraq. This report was compiled by the Chairman of the Joint Chiefs of Staff with interviews from senior U.S. military officials, including Army General Tommy Franks, that outlines the deficiency in the Bush administration's postwar planning for Iraq.

According to a Washington Times article that appeared a few weeks ago, this report includes a scathing analysis of the Bush administration's lack of planning for postwar Iraq. No matter which side people were on at the resolution that was voted on a year ago, all of us, I think, said that the challenge was not necessarily in the military mission in Iraq that all of us as members of the Committee on Armed Services knew could be completed because we had prepared for it for 10 years, the question was whether or not we were prepared for the postwar Iraq. I think

the evidence is overwhelmingly, in fact even the Bush administration has acknowledged that the stabilization and reconstruction of Iraq is turning out to be a disaster.

Nobody can seriously doubt that the world is a better place without Saddam Hussein in power. But I think the evidence is clear that if we are not careful, and if we do not ask questions, if we do not have inquiries, we risk turning Iraq into a breeding ground for terrorism. According to the Washington Times report, prepared by the Joint Chiefs of Staff, this is a comprehensive analysis of the Bush administration's postwar strategy. Everyone on this floor today knows that this administration botched the planning for how to deal with postwar Iraq.

The only question we face now is, how can we fix it before more damage is done? There is good reason to think that this report, if made public, would help us to do that, because it looks at the planning for the war and its aftermath through interviews with senior military officials. The report is in final form. According to the Washington Times, it was stamped that it is a final draft. I cannot understand why we would not get a copy, why the Committee on Armed Services would not get a copy, before we decide how to handle the Bush administration's request for yet another \$87 billion to secure and rebuild Iraq. With everything we know now about the absence of intelligence on weapons of mass destruction and the failure to plan for a significant resistance, I do not think the Bush administration is in any position now to ask us to trust them to give us the information that we need. All of us on the Committee on Armed Services have a responsibility to the Republic, to the Constitution, to get to the bottom of the Bush administration's planning on Iraq and what went wrong.

As the gentleman from Hawaii (Mr. ABERCROMBIE) would attest to, more than 6 months have gone by since the Joint Chiefs of Staff initiated this report. Three months have gone by since the draft was handed over to the Department of Defense stamped final draft. And it has been 1 month since the Washington Times has reported this. I do not see any reason why the Pentagon should not be able to give the Congress of the United States this report. We need it now, before we make any decisions about another \$87 billion as we are cutting back, this administration, cutting back on health care for Americans, cutting back on veterans' services, \$1.8 billion to make sure that we meet our commitment to veterans across this country, cutting back on Head Start and other programs. We ought to know what this report says before we move further.

I was disappointed at what the Committee on Armed Services did tonight because we reported that bill out with an ought-not-to-pass the bill. I do not know why the American people do not have a right to know what is in this re-

port that the Joint Chiefs of Staff have put together. But instead there is more stonewalling, we do not want to tell the truth, we do not want to let it out, we want to keep it secret. If there is anything that all of us Members of Congress have come to understand it is we have a responsibility to make sure that this administration hides behind the truth no longer.

Mr. ABERCROMBIE. Now that everyone understands what the gentleman from Massachusetts (Mr. MEEHAN) was referring to in terms of what is called an adverse reaction, an adverse recommendation, I want to make sure that everybody understands what is going to come to the floor, and I think the Committee on International Relations had to deal with this issue the same way.

□ 2310

What is coming out of the Committee on Armed Services and what is coming out of the Committee on International Relations, if I understand correctly, is the recommendation to all the Members when it comes to the floor to vote down, vote down a request for information that is vital to our understanding the direction that we should take with respect to Iraq and the post-war activities therein.

Mr. DELAHUNT. Just trust us. That is what the administration is saying. Just trust us.

Mr. ABERCROMBIE. Madam Speaker, more than that, there is going to be a recommendation to vote down. That is the recommendation. To me it seems that it would have been a far more straight-up approach to simply say, no, we are not going to do it and take it from there. But I know this is going to strike the American people as an awfully strange way of doing business, but I hope that the media will pay some attention, that we will be able to bring attention hopefully through Iraq Watch tonight to say tune in, listen in, pay close attention when this vote comes up in the House because for the first time in my memory, and, in fact, next year I will be 30 years in public service and I cannot ever recall an instance in which a legislative body which is bound to determine what the policy of the Nation should be or what the State should be or whatever legislative jurisdiction that it has actually is asked to turn down the opportunity to receive information that can help it make a judgment.

Mr. HOEFFEL. Madam Speaker, I thank the gentleman from Hawaii (Mr. ABERCROMBIE) for his comments.

Before yielding to the gentleman from Connecticut (Mr. LARSON), I want to compliment the gentleman from Massachusetts (Mr. MEEHAN) for waging this fight with the gentleman from Connecticut (Mr. LARSON) in the Committee on Armed Services, and inform them that the gentleman from Massachusetts (Mr. DELAHUNT) and I waged the same fight in the House Committee on International Relations with the

same pathetic response and result, that it was approved with a negative recommendation to the floor.

I share the gentleman from Hawaii's (Mr. ABERCROMBIE) outrage at that. And the Republican leadership of the committee and the rank and file on the committee took great delight in saying to the Democrats they just have to ask questions and they can get answers and come back later this afternoon. This was last Thursday, September 25, and ask Paul Bremer and they will get all the information they need about the administration's plans in Iraq. And as I said at the beginning of Iraq Watch tonight, we went back and asked Mr. Bremer questions, and we did not get answers at all. It was just more, We do not know, we have got our plans and our timetables but we will not tell you what they are, and it is a sad day for Congress when we cannot get information that we need to make a decision.

Mr. MEEHAN. Madam Speaker, there was an amendment by the gentleman from South Carolina (Mr. SPRATT) tonight before the Committee on Armed Services, and I know the gentleman from Connecticut (Mr. LARSON) can attest to this, where all we are asking is how have they spent the \$80 billion we have already sent to them. Where has this money gone? There is a controversy around the country because some leaders in this body and the other body have said the money went for this or the money went for that. Tell us what has happened to the money. They will not tell us. They do not want to tell us. The gentleman from Connecticut (Mr. LARSON) was there for that debate on that amendment. They do not want to justify the \$80 billion they have already spent. They want to pass another \$87 billion before they even justify where the first \$80 billion went.

Mr. HOEFFEL. Madam Speaker, I yield to the gentleman from Connecticut (Mr. LARSON).

Mr. LARSON of Connecticut. Madam Speaker, I thank the gentleman from Pennsylvania and the gentlemen from Massachusetts and Hawaii who have been integral in organizing these nightly hearings and providing the American public with an opportunity they otherwise would not receive to hear about what is going on.

I am fortunate, aside from serving on the Committee on Armed Services, to have recently traveled to Iraq with the gentleman from Pennsylvania (Mr. MURTHA), probably this body's most learned individual with regard to foreign policy and military issues, especially as they relate to intelligence. We were very disturbed this evening to find in a partisan manner that we were unable, as the gentleman from Pennsylvania (Mr. HOEFFEL) has indicated, frustrated, in fact, by the fact that we can just not even get information to come forward in this body. Even more disheartening is the fact that apparently The Washington Post, CNN, the

Washington Times, and others have information that the United States Congress cannot even obtain.

I am particularly concerned because of our troops that are in the field; and one would think at home that there would be an accounting, recognizing that there is a creditability gap that exists here in this country with our own people, clearly one around the world, but with our own people and with our troops that we would be doing our very best to level with them.

Let me explain that anecdotally I was before a group of Reservists and National Guard families in Connecticut last Thursday evening as the adjutant general from Connecticut struggled to try to explain to them why their deployment has been extended. And unfortunately, the adjutant general gets about the same kind of information that Members of Congress do. And the American people are beginning to understand that this administration simply will not level with them. And whether it is the deployment of our troops, whether it is the actual costs that are involved, as the gentleman from Massachusetts (Mr. MEEHAN) has pointed out, whether it is an accounting for the \$80 billion already appropriated, forget about the \$87 billion that they are asking for, and some are saying it is more than that, but not even being able to account for that in a very reasonable amendment that was put forward by the gentleman from South Carolina (Mr. SPRATT).

Tommy Franks in front of our committee made a very telling point that the gentleman from Hawaii (Mr. ABERCROMBIE) observed. We queried him about whether or not these policies, some of the very issues contained in this report, the policies of preemption and unilateralism, whether they are working; and to be quite frank and honest, he said, look, these are issues that are above my pay grade. But I will say this: there is a big difference between those who wave the flag and those who salute the flag. Those who salute the flag, the men and women of our armed services have performed extraordinarily for this Nation. They deserve such a debt of gratitude to us; we all should drop to our knees nightly and thank them and praise them for their effort. But those who are waving the flag over here, the neoconservative preemptive unilateralist movement that has given this Nation a hard right turn away from the policies of deterrence, diplomacy, and containment and towards the policies of preemption and unilateralism are taking the country in the wrong direction. All we are doing is asking for information and data that this country and this body needs in order to make an informed decision.

That is why I am so proud of our colleagues who have come here nightly to make sure that the American public at least know that this is not a Congress that is sleeping. It is just a Congress that has been muffled by virtue of the fact that we are in the minority.

Mr. HOEFFEL. Madam Speaker, I thank the gentleman from Connecticut (Mr. LARSON) for his comments and eloquence, and I want to thank the gentleman from Connecticut (Mr. LARSON) and the gentleman from Massachusetts (Mr. MEEHAN) for joining us in the Iraq Watch tonight from the Committee on Armed Services. They have reinforced us, and we are glad that they are here.

Before going to the gentleman from Massachusetts (Mr. DELAHUNT), I yield to the gentlewoman from Texas (Ms. JACKSON-LEE), who has been waiting very patiently, her second appearance I think with Iraq Watch and we welcome her back.

Ms. JACKSON-LEE of Texas. Madam Speaker, I thank the distinguished gentleman for his leadership on this issue, and I think it is important to note that a singular theme that is appearing amongst all of our Members, members of the Committee on Armed Services, and members of the Committee on International Relations is that we are united in our respect and support for those troops that are on the frontlines in Operation Iraqi Freedom.

I bring a different perspective as a member of the Select Committee on Homeland Security that some of my colleagues are also members of to really ask the question to the American people and to explain why we all are on the floor because we do have an obligation, we have taken an oath of office, and that is to the American people and as well our responsibility internationally; and I have been asked by even my constituents and I have asked them rhetorically do they feel safer today than they felt before 9/11, the tragic incident, and do they feel that this war has placed America in a safer position.

□ 2320

I hope that as they listen to our debate and our inquiries that we are making and the resolutions that were passed, though unfavorably out of the Committee on Armed Services and the Committee on International Relations, they are really asking the question: are we better placed because of the war in Iraq. I would simply give a resounding "no."

So one of the requests that I am going to ask of all of my colleagues is that we go home to our districts and hold forums or town hall meetings on this very question. Because I think the American people, the American public have been belt-tightening, they have to keep budgets, they know they can only spend their certain amount. They take their certain amount in by salaries and then they spend a certain amount out. I think they will understand that what we are doing in this debate on the \$87 billion is putting conditions on the expending of these dollars. We are putting conditions on it, primarily because we respect the American people and their pocketbook.

We already know this administration has given a reckless tax cut to the 1 percent rich, and most of the American

people have not experienced it. So we are suffering on the domestic end because there are Americans who are suffering with Social Security and lack of Medicare prescription drug benefits and lack of Medicaid, and lack of resources to their schools. There are students who are telling me that they are not getting Pell grants.

What I want to see happen in this body is that I cannot vote, and I believe that the Members of this Congress are reasonable to ask for certain conditions, on the expenditure of the \$87 billion. I am going to be putting in a resolution, a sense of Congress resolution to ask a simple question: would you simply bifurcate the vote, give us the expenditures or the requests as relates to the security and safety of our troops, whether it be equipment or whether it be bullet proof vests, whether it be Hummers, whatever it might be, give us that amount and let us all come running to the floor to support that. Then, let us respond to the request by the Committee on International Relations and the Committee on Armed Services on a detailed report of data that we have not been able to receive on the strategies that are taking place in Iraq.

I, for one, would like to have the following, if I might share this with my colleagues, the gentleman from Pennsylvania (Mr. HOEFFEL) in particular. First of all, I said I want the separate vote, and I think that is fair, so we can understand what the \$20 billion plus will be and, I think the administration should present the case, what will be the next request? When will we have the next request of \$75 billion or more? I say this on the backdrop because I know my good friend, the gentleman from Hawaii (Mr. ABERCROMBIE) was here and that was during the Gulf War which was a war when we went in to liberate Kuwait because Iraq had invaded Kuwait. But if we look at it militarily or scientifically, the interesting point about that, I thought that was the greatest effort of coalition maybe since World War II, when we had a coalition that ranged across the spectrum, across the regions of the world from as far south as South America and we spent \$62 billion on that war. The United States spent \$7.5 billion, \$7.5 billion and with no debt on that, but we did what we needed to do and we did it with a coalition.

So I am asking for a separate vote, I am asking for a direct exit strategy as a condition, and I am asking to find out what is the plan for postwar Iraq. I would like to see a resolution to the United Nations that would include the number of allies, the troops, and the amount of monies that would be expended. I believe still, a lot of people said to me, well this is by-gones be by-gones. We are in Iraq because of the administration; specifically, Secretary Rumsfeld. Because I am not indicting my colleagues; this is the separate branch of government that provides oversight and receives its information

from the administration and does it in a way that each of us have to rely upon the truth and the integrity of each body of government. We were presented evidence that there were weapons of mass destruction and there was a need for a preemptive attack against Iraq. I cannot let that be bygones.

I think if we present this in the way that the American people understand; maybe in the way they raise their children. Maybe a child has done a bad act. The parent does not just say they did a bad act. If they are parenting that child, they bring them in and they say, can you explain, Johnny, why did you have to do this? Why did you think this was the right way to go? So that in the parent's discipline of that child, you can do it in a way that is instructive and it does not happen again. They came, the administration came to this Congress and indicated to us that there were weapons of mass destruction pointed toward the United States.

Let me share with my colleagues the claims of Vice President CHENEY who indicated in Meet The Press, whenever he was talking, that Iraq was reconstituting its nuclear arms program, and we continued to hear this over and over again. Well, my friends, let me just say this. We have David Kay returning back from a long period of time in Iraq. He has 1,400 weapons experts and he reports to George Tenet. And the basic draft is going to suggest that the report by the Americans leading the hunt for banned weapons in Iraq says, his team has not found any of the unconventional weapons cited by the Bush administration as a principal reason for going to war, Federal officials acknowledge the findings and acknowledged today. That is in a New York Times report.

Let me just say this as well. The team who spoke said that Mr. Kay's team had not found illicit weapons. They may have found precursors, but they found no illicit weapons.

So I believe we have a 2-pronged responsibility. One, to condition the request for the \$87 billion, as my colleagues and friends have been doing; explaining to the American people by going, spreading out across this Nation, I want Republicans and Democrats to do it, because I want them to know that there are people in all districts who are concerned about Reservists who have no time certain to come home, troops who have no time certain to come home, and a report that says that by March 2004, we will not have enough troops continue this if we do not get allies.

Let me just simply close this portion by saying this: we need friends. We need a United Nations resolution that says these allies are joining us with troops and with money. Because it is clear that we only have 20,000 troops from other countries in Iraq right now. Those are the coalition of the willing, allegedly, and we thank them for their efforts, but it is 20,000 very small countries, including Britain. And what we

are hearing is there are not too many favorable fans, allies trying to join us. I think the administration owes the United States military, the United States Congress, and the American people a commitment that they will have new, fresh allies coming in to help maintain the peace, provide troops and money. I believe that it is extremely important, and I join my colleagues in saying this, that we condition any expenditures, and it is a shame on our friends who do not see that this is the responsibility of this Congress to stand up on behalf of the American people. I hope we will do this, and I hope we will go out and listen to our constituents as well.

Mr. HOEFFEL. Madam Speaker, I yield to the gentleman from Massachusetts.

Mr. MEEHAN. Madam Speaker, we have a simultaneous war on Afghanistan and Iraq, and I will be brief, but I had to call a family today in my district. Evan O'Neill, a 19 year old, great kid, was killed in Afghanistan, and I had to talk to his father, Mike. His mother, Barbara is a nurse. His father is a firefighter in Andover, Massachusetts. A Vietnam war veteran, he was injured himself.

I think this has nothing to do with partisan politics, but we have to think about the uprising in Afghanistan of the Taliban and al Qaeda, and consider the fact that while we have the Taliban on the run and while we have certainly put a dent into al Qaeda, there are many in this chamber who have asked the question whether or not we could conduct 2 simultaneous wars. And I just want to take a moment to reflect on Evan O'Neill and his heroic fight for our country in tracking down the Taliban in al Qaeda. He gave the ultimate sacrifice today: his life.

The point I want to make is, and my colleagues recognize this, what we are talking about on this floor is serious business. It is about life and death, and the decisions that we make and this administration make about war and peace is about dollars, it is about investment, but it is also about human life. And I, for one Member of Congress, am tired of having to talk to families who have lost loved ones.

On September 11 I had 31 of them from my district. We have to think about these issues. One of the reasons why inquiry is important, discussion is important is because this is serious business, and it is about life and death. And we owe constituents the responsibility of having an honest, intelligent, nonpartisan discussion about the issues that affect our country.

Mr. HOEFFEL. Madam Speaker, I want to thank the gentleman from Massachusetts (Mr. MEEHAN) for putting a human face on what we are discussing. I am happy to yield to the gentlewoman from Texas (Ms. JACKSON-LEE).

□ 2330

Just for a moment, Congress Meehan, I want to join you in that. I had sitting

next to me at a weekend event Saturday a father who had lost his 19-year-old. He was sitting next to one of our well-known POWs who suffered, Shoshanna Johnson. He got a chance to sit next to her. He happened to be a constituent of the gentlewoman from Ohio (Mrs. JONES). And without the details of it, he just simply wanted to sit next to someone who had returned. His son did not. She happened to have known his son and was able to share with him some of those, unfortunately, last hours of his life. The parent was just grappling to have some connection to that young boy who no longer lives, who had a future.

I am disturbed by commentators, media, administrations saying it has been 200. No, this is not Vietnam. We lost, as I understand it, 50,000. But what we are trying to do on behalf of the American people is to not have this be a Vietnam. In Afghanistan we hear that the Taliban is reorganizing and coming back.

So that young man's life was not in vain, we have got to be able to ask the hard questions of this administration: What are you doing in Afghanistan to make sure that we have a victory and what are you doing in Iraq? Because fathers and mothers and relatives are coming and sitting next to people and going to churches and synagogues and parishes to try to find comfort about their deceased loved ones. We should not diminish what it means to lose a child.

That is why this discussion is so vital, and that is why I think it is imperative that we have answers from the administration to pay tribute to those who have given the ultimate sacrifice.

Mr. HOEFFEL. Madam Speaker, I want to thank our colleague, the gentlewoman from Texas (Ms. JACKSON-LEE), particularly for her enumeration of conditions that you want to see the administration provide before we vote for the requested money; and I think that is a fundamental theme that we have to provide for.

Mr. STRICKLAND. I know my colleague from Washington (Mr. INSLEE) has been waiting patiently and would like to speak. Can I just have 30 seconds? Then I will hear what my good friend and colleague has to say.

Mr. HOEFFEL. If the gentleman from Washington does not mind, I will yield the gentleman from Ohio (Mr. STRICKLAND).

Mr. STRICKLAND. What we just heard about this being serious business is absolutely true. I was watching TV not many days ago, and William Crystal, who is one of those who beat the war drums leading up to this war, said something. I was so stunned by what he said and I took a pencil and I wrote it down because I was so offended by it. He said, "This is our war and we have just got to suck it up, spend some money, and take some casualties."

I thought to myself, it is easy for him to sit in the safety of that TV studio and talk like that. But what about

the moms and dads who this very night who are crying themselves to sleep, worrying about their sons and daughters who may be in harm's way?

This is serious business. That is why we are here, and that is why I am looking forward to hearing what my good friend and colleague, the gentleman from Washington (Mr. INSLEE), has to say to us.

Mr. HOFFEL. Madam Speaker, I yield to the gentleman from Washington (Mr. INSLEE), a regular participant in Iraq Watch.

Mr. INSLEE. I went home to the Seattle area this weekend and got a real earful from my constituents who in the words of this one veteran I talked to said, "You know, I know war is hell, but it is double hell if you do not plan on what you are going to do in it and after it." And I got an earful from my constituents who were concerned that this administration, in at least Federal employee respects, has not done adequate planning on how we are going to move forward in Iraq.

I want to talk about those three. First, I met with a group of reservist families and active duty families who tonight are worried about their sons and their husbands and their wives in Iraq. They live with this 24 hours a day worrying about if they are going to get that phone call, and they told me that they were offended at the lack of planning that has gone into the deployments that their families have been involved with, post-war. They told me that they were told they would be home in 4 months, then 6 months, that they would be 8 months in country and 12 months overall; and now they have changed the rule that they have to be 12 months in Iraq, in country, past the time of retirement of some reservists.

They told me that they believe this is because there essentially was a gross misunderstanding, understanding of what was going to happen in Iraq, where we were told we would be welcomed with rose petals and kisses and parades. As a result of that, those mothers and sisters and brothers and wives and husbands tonight are worrying about their family members getting home; and they want some answers about how we are going to take care of reserves.

Let me tell you one thing that this administration needs to work with us on: How are we going to increase the incentive for these families to deal with these incredibly long deployments? That is why this administration made a mistake putting millions of dollars into this \$87 billion to establish a zip code in Iraq but not a dime to improve the health care for our reservists, and we are going to make an effort on this floor to improve that situation because that is where our priority needs to be.

Second issue where they are seriously deficient is they are asking us to spend \$87 billion in the hopes of establishing a democracy in Iraq. But have you seen the plan for establishing a

democracy in Iraq, about how a constitution is going to be developed? Who is going to vote on it? How we are going to get this together? I will tell you what I saw. This weekend's report out of Iraq was that there is a deadlock between the Shias and the Sunnis and the Kurds about how to go forward; and they are making zero progress, unfortunately.

This administration has not shown us a plan to get from here to there, to have a meaningful constitution with real democracy in Iraq; and we have asked for it now for over 8 months. Show us the plan for getting democracy in Iraq. And they want to send \$87 billion without a plan. It is a problem.

Third issue I want to mention, I think this is very important, we need good ideas from Americans on how to go forward in Iraq. But when Ambassador Joe Wilson at the request of the CIA went to Africa as a patriotic duty and discovered that the claim that Saddam was buying uranium from Africa was patently false and reported it to the CIA, and despite the fact that the CIA told the White House it was false, and the President of the United States stood right there and told us that in fact Saddam was buying uranium from Africa even though our CIA knew that that was false, and Ambassador Joe Wilson does his patriotic duty by writing an article in the New York Times blowing the whistle on this falsehood, which the President of the United States now agrees was false and should never have been in the State of the Union address, what did this administration do? Did it write him a thank you letter for pointing out that they made a huge mistake preceding this war? Did they recommend the Congressional Medal of Honor for stepping forward when he knew he was going to get nothing but flak from people in a very contentious issue?

That is not what this administration did. This administration, we are now told, tried to punish his wife who we are told works for the CIA by blowing her cover, calling Robert Novak who printed a story identifying her as a CIA agent, to punish an American who brought the truth to this country.

That attitude has got to stop real quick. And we are appreciative that there is now, belatedly, after 2 months, apparently going to be an investigation about this potential crime. But this is not enough.

Let me mention something to you: I do not think the President has done enough on this. I heard him speak today, and I appreciate his interest in it, but his spokesperson says we do not need an internal review of this. In other words, the President is not going to demand of people that he wants to know by 5:00 tomorrow whether he or she was the person who talked to Robert Novak. He is not going to do that. And the reason is, the President's secretary said, quote, on September 29, 2003, "There has been nothing, absolutely nothing brought to our atten-

tion to suggest any White House involvement, and that includes the Vice President's office as well," close quote.

Well, that is very curious. Because the day before that in the Washington Post, which you can buy for 25 cents, it is an incredible deal, maybe 35 cents now in Washington, I am sure they have got it at the White House, which said, quote, yesterday, "A senior administration official said that before Novak's call, two top White House officials called at least six Washington journalists and disclosed the identity and occupation of Wilson's wife."

□ 2340

That senior administration official of the Bush administration went on to say, "Clearly it was meant purely and simply for revenge," the senior official said of the alleged leak.

The President of the United States needs to demand by 5 o'clock tomorrow that his senior people answer to him, not just the Justice Department, to him, whether they had anything to do with this to get this issue resolved. We have got problems in Iraq. We do not need this distraction, and the President needs to get to the bottom of this right now, pronto, so we do not have 2 years of investigations.

Mr. HOFFEL. Madam Speaker, I thank the gentleman from Washington (Mr. INSLEE) for bringing up this very important matter about Mr. WILSON. I assume the gentleman understands about what he was describing. The blowing of a CIA cover is a Federal offense. It is illegal. It is dangerous and wrong and morally reprehensible.

Madam Speaker, I yield to the gentleman from Massachusetts (Mr. DELAHUNT).

Mr. DELAHUNT. Madam Speaker, I want to thank the gentleman from Washington (Mr. INSLEE) for bringing this up.

I would close by saying it is absolutely obligatory for the administration to recognize and to insist, in consultation with Attorney General Ashcroft, to go forward and to appoint a special counsel, because any decision that is reached by the Department of Justice, clearly, will raise questions as to, not just its thoroughness, but whether it was done to protect certain individuals, whomever they may be, in the White House.

Sometime in the near future, if there is no action to appoint a special counsel, I know that the gentleman from Massachusetts (Mr. MEEHAN), and I am sure the gentlewoman from Texas (Ms. JACKSON-LEE) and myself, who serve on the Committee on the Judiciary, will file a resolution expressing the sense of Congress that there ought to be a special counsel in this case.

This is not an administrative matter. This is far more serious than just a simple felony. I agree with the President's father, who uttered these words, this is President George Herbert Walker Bush, "I have nothing but contempt and anger for those who betray the

trust by exposing the names of our agents. They are, in my view, the most insidious of traitors.”

This is about treason. This is not a simple misdemeanor. This is not about having the President take someone into the wood shed and admonish him or her. The American people have to understand that there are no traitors in this administration or in this White House. And that is going to be absolutely a precondition, to have an appointment of a special counsel to maintain the integrity of the Presidency, of the executive branch, and the Department of Justice.

Mr. HOEFFEL. Madam Speaker, I thank the gentleman. I now yield to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Madam Speaker, I say to my colleague, let me give a resounding yes. I believe that the idea of a special counsel is long overdue. And I want to add to both the gentleman's intellectual analysis, but also his passion to the American people. Outing a CIA agent can be a ripple effect to losing many, many lives of patriotic Americans who are helping secure the homeland. That is what the CIA represents. We based a war on the CIA. But it is clearly, I think, our obligation to file a sense of the Congress resolution on this matter.

Mr. HOEFFEL. Madam Speaker, I yield to the gentleman from Hawaii (Mr. ABERCROMBIE).

Mr. ABERCROMBIE. I think our time has concluded, but it is clear to me this evening that we perhaps are going to have to have more time. I am pleased that so many are joining us, and I hope we can take up that issue in the future.

Mr. HOEFFEL. Madam Speaker, I thank the Members here tonight. Iraq Watch will be back next week.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. ESHOO (at the request of Ms. PELOSI) for today on account of family illness.

Mr. REYES (at the request of Ms. PELOSI) for today on account of personal reasons.

Mr. BOEHLERT (at the request of Mr. DELAY) for today on account of attending the funeral of the Hon. Donald J. Mitchell.

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. STUPAK) to revise and extend their remarks and include extraneous material:)

Mr. HINCHEY, for 5 minutes, today.

Mr. BROWN of Ohio, for 5 minutes, today.

Mr. GREEN of Texas, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mr. STUPAK, for 5 minutes, today.

Mr. CONYERS, for 5 minutes, today.

Mr. DAVIS of Illinois, for 5 minutes, today.

Mr. EMANUEL, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

Ms. EDDIE BERNICE JOHNSON of Texas, for 5 minutes, today.

(The following Members (at the request of Mr. JONES of North Carolina) to revise and extend their remarks and include extraneous material:)

Mr. OSBORNE, for 5 minutes, October 1.

Mr. HENSARLING, for 5 minutes, today.

Mr. FEENEY, for 5 minutes, today and October 1.

Mr. BURTON of Indiana, for 5 minutes, today, October 1 and 2.

Mr. MORAN of Kansas, for 5 minutes, today.

Mr. JONES of North Carolina, for 5 minutes, October 1.

Mr. ROHRBACHER, 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. 1244. An act to authorize appropriations for the Federal Maritime Commission for fiscal years 2004 through 2008; to the Committee on Transportation and Infrastructure.

S. 1301. An act to amend title 18, United States Code, to prohibit video voyeurism in the special maritime and territorial jurisdiction of the United States, and for other purposes; the Committee on the Judiciary.

S. 1591. An act to redesignate the facility of the United States Postal Service located at 48 South Broadway, Nyack, New York, as the "Edward O'Grady, Waverly Brown, Peter Paige Post Office Building"; to the Committee on Government Reform.

ENROLLED BILL SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly an enrolled bill of the House of the following title, which was thereupon signed by the Speaker.

H.R. 3146. An act to extend the Temporary Assistance for Needy Families block grant program, and certain tax and trade programs, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Jeff Trandahl, Clerk of the House reports that on September 29, 2003 he presented to the President of the United States, for his approval, the following bills.

H.J. Res. 69. Making continuing appropriations for the fiscal year 2004, and for other purposes.

H.R. 2657. Making appropriations for the Legislative Branch for the fiscal year ending September 30, 2004, and for other purposes.

H.R. 2658. Making appropriations for the Department of Defense for the fiscal year ending September 30, 2004, and for other purposes.

H.R. 3161. To ratify the authority of the Federal Trade Commission to establish a do-not-call registry.

H.R. 3087. To provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century.

ADJOURNMENT

Mr. HOEFFEL. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 45 minutes p.m.), the House adjourned until tomorrow, Wednesday, October 1, 2003, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

4469. A letter from the Principal Deputy, Department of Defense, transmitting a report on the Family Subsistence Supplemental Allowance (FSSA) program, covering the period October 1, 2001, through September 30, 2002, pursuant to 37 U.S.C. 402(a)(f) Public Law 106-398, section 604(a); to the Committee on Armed Services.

4470. A letter from the Attorney, RSPA, Department of Transportation, transmitting the Department's final rule — Hazardous Materials: Approval Program for Certain Persons Performing Visual Requalification of DOT Specification Cylinders; Extension of Compliance Date [Docket No. RSPA-03-10373 (HM-220D)] (RIN: 2137-AD86) received September 23, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4471. A letter from the Attorney Advisor, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

4472. A letter from the Attorney, RSPA, Department of Transportation, transmitting the Department's final rule — Pipeline Safety: Further Regulatory Review: Gas Pipeline Safety Standards [Docket No. RSPA-02-13208; Amdt.192-93] (RIN: 2137-AD01) received September 23, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4473. A letter from the Attorney, RSPA, Department of Transportation, transmitting the Department's final rule — Pipeline Safety: Recommendations To Change Hazardous Liquid Pipeline Safety Standards [Docket No. RSPA-97-2717; Amdt. 195-78] (RIN: 2137-AD10) received September 23, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4474. A letter from the Trial Attorney, FRA, Department of Transportation, transmitting the Department's final rule — Roadway Maintenance Machine Safety [Docket No. FRA-2000-8156, Notice No. 2] (RIN: 2130-AB28) received September 23, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4475. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Robert E. Rust Models DeHavilland DH.C1 Chipmunk 21, 22, and 22A Airplanes [Docket No. 2000-CE-64-AD; Amendment 39-13291; AD 2003-17-16] (RIN: 2120-AA64) received September 23, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4476. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; McDonnell Douglas Model MD-11 and MD-11F Airplanes [Docket No. 2002-NM-74-AD; Amendment 39-13287; AD 2003-17-12] (RIN: 2120-AA64) received September 23, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4477. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A300 B2 and B4; A300-B4-600, A300-B4-600R, and A300 F4-600R (Collectively Called A300-600); A310; A319; A320; A321; A330; and A340 Series Airplanes; Equipped with PPG Aerospace Windshields [Docket No. 2002-NM-50-AD; Amendment 39-13289; AD 2003-17-14] (RIN: 2120-AA64) received September 23, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4478. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Improved Flammability Standards for Thermal/Acoustic Insulation Materials Used in Transport Category Airplanes [Docket No. FAA-2000-7909; Amdt. Nos. 25-110, 91-275, 121-289, 125-43, 135-85] (RIN: 2120-AG91) received September 23, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4479. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Disposition of Comments to Final Rules: Noise Certification Standards for Subsonic Jet and Subsonic Transport Category Large Airplanes; Transition to an All Stage 3 Fleet Operating in the 48 Contiguous United States and the District of Columbia; and, Equivalent Safety Provisions for Fuel Tank System Fault Tolerance Evaluations (SFAR 88) [Docket Nos. FAA-2000-7587, FAA-2002-12771, and FAA-1999-6411] (RIN: 2120-AI01) received September 23, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4480. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Reports by Carriers on Incidents Involving Animals During Air Transport [Docket No. FAA-2002-13378; Amendment No. 119-9] (RIN: 2120-AH69) received September 23, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4481. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Revised Requirements for Material Strength Properties and Design Values for Transport Airplanes [Docket No. FAA-2002-11345; Amdt. No. 25-112] (RIN: 2120-AH36) received September 23, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4482. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Special Air Traffic Rules in the Vicinity of Los Angeles International Airport [Docket No.: FAA-2002-14149; SFAR No. 101] (RIN: 2120-AH92) received September 23, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

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. TAUZIN: Committee on Energy and Commerce. H.R. 1260. A bill to amend the Federal Food, Drug, and Cosmetic Act to establish a program of fees relating to animal drugs (Rept. 108-287). Referred to the Committee of the Whole House on the State of the Union.

Mr. SENSENBRENNER: Committee of Conference. Conference report on S. 3. An act to prohibit the procedure commonly known as partial-birth abortion (Rept. 108-288). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. KENNEDY of Minnesota (for himself, Mr. ROSS, Mr. HOUGHTON, and Mr. SIMMONS):

H.R. 3197. A bill to provide for the reimbursement of air fare costs incurred by members of the United States Armed Forces for domestic travel while on leave from deployment overseas in support of Operation Iraqi Freedom and Operation Enduring Freedom; to the Committee on Armed Services.

By Mr. YOUNG of Alaska (for himself, Mr. OBERSTAR, Mr. LATOURETTE, and Ms. NORTON):

H.R. 3198. A bill to amend the John F. Kennedy Center Act to authorize appropriations for the John F. Kennedy Center for the Performing Arts, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. RAMSTAD:

H.R. 3199. A bill to expand the Rest and Recuperation Leave program for members of the Armed Forces serving in the Iraqi theater of operations in support of Operation Iraqi Freedom to include travel and transportation to the members' permanent station or home; to the Committee on Armed Services.

By Mr. HAYWORTH:

H.R. 3200. A bill to expand the travel and transportation allowances available to members of the Armed Forces granted leave under the Rest and Recuperation Leave program for Operation Iraqi Freedom and Operation Enduring Freedom to cover travel and transportation to the members' permanent station or home of record; to the Committee on Armed Services.

By Mr. ANDREWS (for himself and Mr. MCGOVERN):

H.R. 3201. A bill to amend title 10, United States Code, to provide for the award of a military service medal to members of the Armed Forces who served honorably during the Cold War era; to the Committee on Armed Services.

By Mr. ANDREWS:

H.R. 3202. A bill to amend title 38, United States Code, to require that employers of members of the National Guard and the reserve components of the Armed Forces who are called to active duty continue to offer health care coverage for dependents of such members, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BAKER (for himself, Mr. MCCRERY, Mr. JOHN, Mr. NETHERCUTT, Mr. JEFFERSON, Mrs. MCCARTHY of New York, and Mr. FALEOMAVAEGA):

H.R. 3203. A bill to amend the Public Health Service Act to authorize grants for education, screening, and treatment with the

goal of preventing diabetic foot complications and lower extremity amputations, and for other purposes; to the Committee on Energy and Commerce.

By Mr. CASTLE (for himself and Mr. HOFFFEL):

H.R. 3204. A bill to require the Secretary of the Treasury to mint coins in commemoration of the tercentenary of the birth of Benjamin Franklin, and for other purposes; to the Committee on Financial Services.

By Mrs. JO ANN DAVIS of Virginia:

H.R. 3205. A bill to provide for a report on the parity of pay and benefits among Federal law enforcement officers and to establish an exchange program between Federal law enforcement employees and State and local law enforcement employees; to the Committee on Government Reform.

By Mr. DEFAZIO:

H.R. 3206. A bill to provide for the conveyance of a small parcel of Bureau of Land Management land in Coos County, Oregon, to the Oregon International Port of Coos Bay, and for other purposes; to the Committee on Resources.

By Mr. HASTINGS of Washington:

H.R. 3207. A bill to direct the Secretary of the Interior to conduct a study on the preservation and interpretation of the historic sites of the Manhattan Project for potential inclusion in the National Park System; to the Committee on Resources.

By Mr. HENSARLING (for himself, Mr. SESSIONS, Mr. PORTER, Mr. BARTLETT of Maryland, Mr. TOWNS, Mr. SCOTT of Georgia, Mr. MARKEY, Mr. VITTER, Ms. HOOLEY of Oregon, Mr. GARRETT of New Jersey, Mr. TAYLOR of North Carolina, Mr. SHIMKUS, Mr. MARIO DIAZ-BALART of Florida, Ms. BORDALLO, and Mr. ROGERS of Alabama):

H.R. 3208. A bill to ensure that the travel and transportation allowances provided in connection with rest and recuperative leave granted to a member of the Armed Forces serving in Iraq or Afghanistan cover travel to and from the permanent duty station or home of record of the member, not simply to and from a port of entry in the United States; to the Committee on Armed Services.

By Mr. OSBORNE:

H.R. 3209. A bill to amend the Reclamation Project Authorization Act of 1972 to clarify the acreage for which the North Loup division is authorized to provide irrigation water under the Missouri River Basin project; to the Committee on Resources.

By Mr. WALDEN of Oregon:

H.R. 3210. A bill to authorize the Secretary of the Interior, acting through the Bureau of Reclamation, to conduct a water resource feasibility study for the Little Butte/Bear Creek Subbasins in Oregon; to the Committee on Resources.

By Mr. YOUNG of Alaska (for himself and Mr. OBERSTAR):

H.R. 3211. A bill to amend title 49, United States Code, to provide for stable, productive, and efficient passenger rail service in the United States, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. SHUSTER:

H.R. 3212. A bill to provide additional funds for deployment rotation and other relief for United States troops serving in Iraq; to the Committee on International Relations, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HASTINGS of Florida:

H. Res. 381. A resolution expressing the sense of the House of Representatives that

the United States Postal Service should issue a postage stamp commemorating the Fisk Jubilee Singers; to the Committee on Government Reform.

By Mr. HONDA (for himself, Mr. UDALL of New Mexico, Mr. TAYLOR of North Carolina, Mr. RODRIGUEZ, Mr. FROST, Ms. LOFGREN, Mr. ABERCROMBIE, Mr.

JOHNSON of Illinois, Ms. CARSON of Indiana, Mr. FARR, Mr. SCHIFF, Mr. ROSS, Mr. SANDLIN, Ms. NORTON, Mr. MOORE, Mrs. MCCARTHY of New York, Mr. FRANK of Massachusetts, Mr. MCINTYRE, Mr. MATHESON, Mr. LANTOS, Mr. ENGEL, and Mr. SKELTON):

H. Res. 382. A resolution expressing the sense of the House of Representatives concerning war crimes committed by Japan during World War II and the liability of Japanese companies to former prisoners-of-war used by such companies as slave labor during World War II; to the Committee on International Relations.