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House of Representatives

The House met at 9 a.m.

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

Lord God, Father of us all, You feed Your people from the fruit of this land. You protect Your children from war and from disaster both by government and by military. You are ever faithful and always ready to forgive.

Bless all fathers of this assembly and across this Nation. May they prove their strength in their gentleness and understanding of their children. May they teach by example and be God-fearing men who are strong in virtue, and faithful in marriage and in prayer.

Reward them for the sacrifice of their labor and the time offered to the enjoyment of their families.

May they, their children and their children's children come to know Your everlasting love for them both now and for all eternity. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. LATOURETTE led the Pledge of Allegiance as follows:

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

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to five 1-minute speeches on each side.

DELTA AIRLINES CELEBRATES 75TH ANNIVERSARY OF FIRST PASSENGER FLIGHT

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

Mr. SCOTT of Georgia. Mr. Speaker, I rise this morning on behalf of the entire United States Congress to commend and give special recognition to Delta Airlines on the celebration of its 75th anniversary. Exactly 75 years ago on June 17, 1929 at 8 a.m., Delta's very first passenger flight took off from Dallas Airport in Dallas, Texas, heading for Jackson, Mississippi with intermediate stops in Shreveport and Monroe, Louisiana.

That initial passenger service trip took 5 hours to cover those 471 miles. And today, 75 years later, Delta now has 2,000 flights all across this country and carries a daily load of passengers of 300,000. What a remarkable story of American free enterprise. Delta Airlines, with 75 years of distinguished service, has grown the reputation of being the world's leading airline, but they did not get that way easily. They had to go through many challenges.

Mr. Speaker, to all of the 100,000 individuals that work at Delta, we in the Congress of the United States want to say congratulations on your 75th anniversary.

UNDECLARED DRAFT

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

Mr. MCDERMOTT. Mr. Speaker, in all of the confusion of transition in Iraq, it is easy to forget that people are still dying there. Our troops are dying on a daily basis, and this President has instituted an undeclared draft, but he will not tell Members unless he is reelected.

Do Members think they need proof, last month 20,000 U.S. soldiers were told, not asked, they were not going home after a year in Iraq. Mr. Rumsfeld liked something called the stop-loss policy because the military can conscript soldiers to just keep fighting. More soldiers are staying behind because there are not enough in Iraq to begin with.

From the beginning, professionals in the Armed Forces told this President and the civilians that 300,000 soldiers would be needed in Iraq. The President and his civilians denied it, and they fired anyone who dared to disagree. So now the administration calls the draft a stop-loss order, and they are using it because they need more soldiers.

Mr. Speaker, make no mistake, a draft arrives in 2005 if this President remains in office. They just deny, deny, deny, just another day in the Bush administration.

BUSH ADMINISTRATION CONSISTENTLY WRONG

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

Mr. EMANUEL. Mr. Speaker, just yesterday President Bush in the cabinet room said, ''This administration never said that the 9/11 attacks were orchestrated between Saddam Hussein and al Qaeda.'' Really?

Let me read what National Security Adviser Condoleezza Rice said in September, 2002, ''We clearly know that there were in the past and have been contacts between senior Iraqi officials and members of al Qaeda going back for actually quite a long time.''

Mr. Speaker, 1 year later the National Security Adviser in September 2003 said, ''We have never claimed that Saddam Hussein had either direction or control on 9/11.''

On Monday night, Vice President CHENEY, who has long maintained and

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repeatedly has asserted that a collaborative relationship existed between Iraq and al Qaeda said he, Saddam Hussein, ''was a patron of terrorism'' and that he had ''long-established ties with al Qaeda.'' This is the fourth or fifth time he has asserted this relationship, or members of the administration have. There is at least one thing we know about the Vice President: He is consistent, he is wrong, and he has been consistently wrong on this subject.

CELEBRATING JUNETEENTH

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

Mr. DELAY. Mr. Speaker, 139 years ago tomorrow, the sin of human bondage was ended in the United States. It has been said that the Civil War was the last battle of the American Revolution, and so it was. More than 600,000 Americans died in that conflict to save the Union, preserve the democratic ideals of the Founding, and make those ideals a reality for 4 million slaves.

If it is that the Civil War was indeed the last battle of the Revolution, then so it is that Gordon Granger fired its last shot. On his arrival in Galveston, Texas, on June 19, 1865, Granger, a major general in the United States Army, issued General Order No. 3 to the people of Texas informing them of the end of the war and the emancipation of the slaves. ''This involves an absolute equality of rights and rights of property between former slaves and masters, and the connection heretofore existing between them becomes that between employer and free laborer,'' he said, and in an instant the world changed.

The United States, the first Nation in history ''conceived in liberty and founded on the proposition that all men are created equal,'' was, for the first time, seeing to it that liberty and equality were extended to all its citizens.

Juneteeth, then, reminds us of the first principles of our Nation and of our Nation's special commission in the affairs of men. While Texas may be the only State in the Union that celebrates the anniversary of Juneteenth, the entire country, and indeed all of the civilized world, celebrates its legacy.

Man is born to be free. That is not an idea, it is the truth, absolute and without exception. But like all truths, freedom is almost never easy. It took wars to extricate ourselves from Britain, to free the slaves, to rid the world of fascism, and 40 years on the brink of nuclear holocaust to defeat Soviet communism.

So it takes war now to free the civilized world from the threat of international terror. The price of freedom is internal vigilance, and even a cursory survey of American history shows that price is a bargain.

DEEPLY PARTISAN BIAS ON SUPREME COURT

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

Mr. FRANK of Massachusetts. Mr. Speaker, I am moved this week after the death of President Reagan to quote him, ''There they go again.''

The ''they'' in question are the three extremely conservative members of the U.S. Supreme Court who are, of course, entitled to their extreme conservatism, Justices Scalia, Thomas and Rehnquist; but, they are really not entitled to partisanship. Despite that, they have shown it.

The Colorado Supreme Court, acting in accordance with wrong, uncontroversial constitutional doctrine, interpreted the Colorado Constitution to mean that the Colorado legislature could not reopen redistricting for partisan advantage 2 years after they had originally had redistricting in the State. It is a very strongly held doctrine in America that a State Supreme Court is the final arbiter of its own State Constitution.

The Colorado Republicans, looking for the kind of partisan advantage that the Texas counties were able to get, appealed that decision to the U.S. Supreme Court. No one thought it was much of a serious appeal. Fortunately, six members of the Court held true to constitutional doctrine and voted not to take the case so it was not taken. But three members of that Court, defying long-standing constitutional tradition, voted to take the case. It was a case brought by Colorado Republicans to try to gain partisan political advantage; and surprise, surprise, they got the votes of Scalia, Rehnquist and Thomas.

Mr. Speaker, the worst of it is I am not sure they were being consciously partisan. I think the bias, the deeply partisan bias that has crept into those three is so strong that they, in fact, can do this without realizing it.

Once again we have seen from those three justices a hypocritical preference for partisan advantage over the kind of constitutional purity that they claim to follow but rarely do.

Mr. Speaker, I will include for the RECORD in the Extensions of Remarks an editorial from the New York Times on this subject.

GENERAL LEAVE

Mr. ROGERS of Kentucky. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the further consideration of H.R. 4567, and that I may include tabular and extraneous material.

The SPEAKER pro tempore (Mr. MARIO DIAZ-BALART of Florida). Is there objection to the request of the gentleman from Kentucky?

There was no objection.

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2005

The SPEAKER pro tempore. Pursuant to House Resolution 675 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 4567.

□ 0913

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 4567) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2005, and for other purposes, with Mr. GILLMOR in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole House rose on the legislative day of Thursday, June 17, 2004, amendment No. 3 by the gentleman from New York (Mr. SWEENEY) had been disposed of and the bill was open for amendment from page 22, line 22, through page 25, line 20.

Are there further amendments to this portion of the bill?

AMENDMENT OFFERED BY MS. JACKSON-LEE OF TEXAS

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

The Clerk read as follows:

Amendment offered by Ms. JACKSON-LEE of Texas:

Page 22, line 25, after the dollar amount in each place, insert ''(increased by $20,000,000)''.

Page 29, line 1, after the dollar amount, insert ''(reduced by $20,000,000)''.

□ 0915

Ms. JACKSON-LEE of Texas. Mr. Chairman, I am proposing an opportunity for really securing the homeland and, that is, my amendment proposes to re-fund the Citizen Corps where H.R. 4568 purported to create a shortfall in the amount of almost $19 million. The President of the United States proposed that that amount would be at least $40 million. In order to account for this proposed shortfall, I have increased this appropriation by $20 million.

The Citizen Corps program was launched by President George W. Bush during the 2002 State of the Union address as part of the USA Freedom Corps Initiative to engage Americans in volunteer service. In only 2 years, nearly 1,000 communities around the country encompassing 40 percent of the U.S. population established Citizen Corps Councils to help inform and train citizens in emergency preparedness and to coordinate and expand opportunities for citizen volunteers to participate in homeland security efforts and to make our communities safe. Fifty-two States and territories also formed state-level Citizen Corps Councils to support local efforts.

I would say, Mr. Chairman, that that is not enough. Supporting the Citizen

Corps concept, a recent opinion poll shows that Americans are interested in volunteering to help their local community emergency service providers such as law enforcement, fire, emergency medical services, or with organizations that focus on community safety such as the American Red Cross or Neighborhood Watch. Forty percent of those polled answered that they would be willing to volunteer. In addition, nearly two-thirds of respondents believed it is important for neighborhoods to have a way to work together on emergency preparedness.

Mr. Chairman, in our authorizing committee, the Select Committee on Homeland Security, we have discussed, and I have discussed, and amended several of our legislative initiatives to include reinforcing and expanding our Citizen Corps. If we really want to secure the homeland and if we really believe that the homeland is outside our parameters, going into rural areas, going into villages, going into small communities as well as urban centers, then Citizen Corps is the way to do it. It establishes a base in which to encourage and educate and prepare our citizens for any terrorist act that may occur.

I have heard many individuals say that the way to secure the homeland is to keep the terrorists out, and they are absolutely correct. But no proposition has 100 percent protection and no proposition is 100 percent correct. I certainly agree in securing the homeland by keeping the terrorists out before they even arrive on our shores; but clearly in order to have a truly secure homeland, we must secure our neighbors and neighborhoods. Our families need to be aware of the threats that exist from abroad. Homeland security is a very important issue that we may not think about in our daily lives.

I am reminded of Houston, maybe not unlike many cities in the United States on 9/11, not knowing what might occur, poised for the worst. In the instance of Houston, Texas, for example, there were rumors that planes were headed to the city of Houston because of its refineries. As I called down to the mayor of the city of Houston on that day to find out if the city, in essence, was okay, knowing that my family was there and others of my neighbors and constituents, as other Congress Members were concerned about their neighborhoods and cities and towns, I was told that there was, in essence, confusion as there was in every city, what to do with school children, whether parents should come and get them or not, whether people should stay in place, whether downtown Houston should close down, what should be done in our refinery areas and oil-producing areas.

We need to respect the local needs and what our families need, but we also need to educate our community. I along with fellow Democratic members of the committee worked to introduce a bill entitled Preparing America to Respond Effectively Act of 2003, or the PREPARE Act. This bill was a comprehensive attempt to prepare our local first responders for potential acts of terrorism.

Among the provisions are those that are proposed to improve funding mechanisms, bolster information sharing, enhance threat warnings, communications and equipment interoperability, and to integrate private companies and the public into distinct response plans. The main provisions of the PREPARE Act were incorporated into a larger bill from the entire committee, H.R. 3266, the Faster and Smarter Funding for First Responders Act of 2003, which was reported favorably out of the House select committee and was just reported favorably out of the Committee on the Judiciary today.

Also incorporated in the bill under section 8 is an amendment that I offered that deals with the mobilization and utilization of a Citizen Corps that will allow families to get information and terror threat directives in a timely fashion without having to go through layers of administration. The Houston branch of the Citizen Corps Council is headquartered in Harris County, which is in southeastern Texas. The key element, of course, however, is to ensure that all local communities are safe. My example is due to its close proximity to the Gulf of Mexico; this legislation is needed.

Let me just conclude, Mr. Chairman, by saying that I would hope that we would support securing our citizens by providing these resources for them in this appropriation. I ask my colleagues to support this amendment.

Mr. Chairman, I rise to discuss the base bill, H.R. 4567, and to offer an amendment. I understand that the Department of Homeland Security (DHS), ''in an effort to streamline funding and to enhance the coordination and administration'' of 3 programs that include the Citizen Corps Program, has conglomerated the State Homeland Security Program (SHSP), the Law Enforcement Terrorism Prevention Program (LETPP), and the Citizen Corps Program into one application.

However, I also understand from the committee reports of this Subcommittee (page 70 of report 108–51) that H.R. 4567 proposes to decrease the Citizen Corps Program by $19,764,000. Therefore, it seems that the ''conglomeration'' effort by DHS has facilitated the weakening of a lifeline for our local community forces.

The Jackson-Lee Amendment (JACKSO.224) proposes to re-fund the Citizen Corps where H.R. 4567 purported to create a shortfall from the amounts provided in FY 2004 and $30,000,000 below the President's request.

In order to account for this proposed shortfall, the Jackson-Lee amendment increases the State and Local Programs account found in Title III, Preparedness and Recovery (page 22, line 25) by $20,000,000 and decreases the National Pre-Disaster Mitigation Fund, also found in Title III (page 22, line 25) by the same amount.

The Citizen Corps program was launched by President George W. Bush himself, during the 2002 State of the Union address as part of the USA Freedom Corps initiative to engage Americans in volunteer service.

In only 2 years, nearly 1,000 communities around the country, encompassing 40 percent of the U.S. population established Citizen Corps Councils to help inform and train citizens in emergency preparedness and to coordinate and expand opportunities for citizen volunteers to participate in homeland security efforts and make our communities safer. Fifty-two states and territories also formed State level Citizen Corps Councils to support local efforts.

Supporting the Citizen Corps concept, a recent opinion poll shows that Americans are interested in volunteering to help their local community emergency service providers, such as law enforcement, fire, or emergency medical services, or with organizations that focus on community safety, such as the American Red Cross or Neighborhood Watch. Forty percent of those polled answered that they would be willing to volunteer. In addition, nearly two thirds of respondents (63 percent) believe it is important for neighborhoods to have a way to work together on emergency preparedness.

Our families need to be aware of the threats that exist from abroad. Homeland Security is a very important issue that we may not think about in our daily lives.

With respect to our local needs and what our families need to think about in the very immediate future, I have worked in the House Select Committee on Homeland Security to craft legislation that aims at strengthening the first responders. I, along with my fellow Democrat Members of the Committee, worked to introduce a bill entitled the ''Preparing America To Respond Effectively Act of 2003,'' or the ''PREPARE Act.'' This bill was a comprehensive attempt to prepare our local first responders for potential acts of terrorism. Among the provisions are those that propose to improve funding mechanisms, bolster information sharing, enhance threat warnings, communications, and equipment interoperability, and to integrate private companies and the public into distinct response plans.

The main provisions of the PREPARE Act were incorporated into a larger bill from the entire Committee, H.R. 3266, the ''Faster and Smarter Funding for First Responders Act of 2003,'' which reported favorably out of the House Select Committee and just reported favorably out of the Judiciary Committee today. Also incorporated in the bill under section 8 (page 51, as reported by the Select Committee on Homeland Security) is an amendment that I offered that deals with the mobilization and utilization of a ''Citizens Corps'' that will allow families to get information and terror threat directives in a timely fashion and without having to go through layers of administration.

The Houston branch of the Citizen Corps Council is headquartered in my Congressional District, Harris County, which is in southeastern Texas, comprises 1,779 square miles, and encompasses the city of Houston, 32 additional smaller cities, and is the home for nearly 4,000,000 residents. Harris County is the third most populous county in the United States and one of the most culturally diverse.

Due to its close proximity to the Gulf of Mexico and its topography, Harris County is prone to flooding and ongoing hurricane and tropical storm threats. In June 2001, Harris County was pummeled by tropical storm

Allison's tidal surge and the 20 inches of rain she dropped on Harris and neighboring counties. The storm took 22 lives and caused an estimated $5 billion in damage.

Harris County is also home to numerous potential terrorist targets:

The Port of Houston, which ranks first in the United States in foreign waterborne commerce, is the leading domestic and international center for almost every segment of the oil and gas industry and houses almost half of the Nation's petrochemicals manufacturing capacity;

The Texas Medical Center, with 42 member institutions, provides leading medical care to people from all over the world and is the world's largest medical complex serving more than 70,000 daily;

The Johnson Space Center, home of NASA's manned space program;

The fourth largest airport system in the country, with more than 43,000,000 passengers traveling through its three area airports to domestic and international destinations;

Three national sport arenas hosting thousands of fans for popular events; and

A nuclear power plant located approximately 70 miles from the county.

Due to the early attention to defining roles and responsibilities, the Harris County Citizen Corps Council has the full support of the area's first responders and has expanded their coordination of volunteer and first responder services through the Houston-Galveston Area Council, a 13-county regional planning organization.

As a result of this close collaboration, the Harris County Fire Marshall's Office and the Harris County Health Department were able to plan and execute full-scale disaster response drills that tested the skills and preparedness levels of the entire Harris County emergency medical response community.

The Citizen Corps and the Citizen Corps Council clearly serves a vital role for our local communities. Underfunding it in the appropriations process or cutting it out will serve to impede progress that has been made to make our communities safer and more prepared for terrorist attack.

Mr. ROGERS of Kentucky. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this is simple. It takes $20 million out of a very important program that cannot afford it and gives it to a program that does not need it. The $20 million the gentlewoman would put in the Citizen Corps comes from the Flood Map Modernization Fund, a program that is critical to our communities and our individuals. These moneys are for a 5-year, $1 billion program to update and modernize the 100,000 aging flood maps nationwide which affects hundreds of thousands of people. It is already underfunded. So we cannot afford to take money out of that.

We include in the bill $20 million for the Citizen Corps. However, Mr. Chairman, they have got $51 million laying around unused which is way more than they need. There is $51 million in the pipeline all the way back to 2003 that has not been used, and so there is plenty of money there, and we do not want to take the money from the Flood Map Modernization Fund that is critical to so many people in this country.

I oppose the amendment and urge Members to oppose it.

Mr. SABO. Mr. Chairman, I move to strike the last word. I rise in opposition to the amendment. The amendment is well-intentioned. However, one of the problems we have in this bill constantly is that while we call it homeland security, it incorporates many pre-existing programs that provide very crucial and important services in this country. One of the things that we have been involved with for a long, long time through FEMA is dealing with floods. The mapping program is already reduced from last year's level, and this would be another $20 million reduction in that very important program. I think while the amendment is well-intentioned, where the money comes from does not make sense to me.

Ms. LORETTA SANCHEZ of California. Mr. Chairman, I move to strike the requisite number of words.

Ms. JACKSON-LEE of Texas. Mr. Chairman, will the gentlewoman yield?

Ms. LORETTA SANCHEZ of California. I yield to the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. I thank the distinguished gentlewoman for yielding, and I appreciate the comments of the ranking member and the chairman.

Mr. Chairman, let me just note that the money for flood mapping which is coming from Harris County and coming from Houston to my county governments and my city governments, I am fully aware of the importance. That funding is at $151 million. I would just ask my county and my cities who may be concerned about the $20 million to remember that this request goes to Citizen Corps groups and first responders, to help secure their local areas.

These dollars can be utilized in enhancing volunteer fire-fighting departments and other support services that the Citizen Corps might desire in order to enhance the security. An informed public, an organized public, a ready public is a crucial part of securing the homeland. I truly believe that the mapping question is important. Who better than those who are in the flood areas, if you will, like Houston which is 50 feet below sea level understand those questions. Many jurisdictions are working on those issues on their own. I would encourage the county governments and city governments who may be concerned to work with me on this. But I would just say to my colleagues that this is an important initiative for the Citizen Corps effort and to be able to strengthen this commitment for our neighborhoods.

I would ask my colleagues to support this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON-LEE).

The amendment was rejected.

AMENDMENT OFFERED BY MS. LORETTA SANCHEZ OF CALIFORNIA

Ms. LORETTA SANCHEZ of California. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. LORETTA SANCHEZ of California:

Page 23, line 14, before the semicolon insert the following: ": *Provided further*, That the Office for State and Local Government Coordination and Preparedness shall ensure that States disburse grant funds obligated to a local government by not later than 15 days after receipt of an invoice for an authorized outlay by the local government".

Mr. ROGERS of Kentucky. Mr. Chairman, I reserve a point of order. We have not seen the amendment. We have no idea what this is.

The CHAIRMAN. The gentleman from Kentucky reserves a point of order.

Ms. LORETTA SANCHEZ of California. Mr. Chairman, I rise today to introduce a very important amendment to H.R. 4567. My amendment would make sure that our firefighters, law enforcement officers, and emergency medical personnel or other first responders are actually receiving the terrorism preparedness grant money that the Department of Homeland Security promises to them. The amendment would require States to distribute the already-approved grant money to those first responders no more than 15 days after the States receive the receipts for equipment, training or the other purchases approved under the grants from the local first responders.

The homeland security appropriations bill in its current form would allocate $1.25 billion for formula-based grants. Yet the bill does not spell out the requirements for making sure that the money gets down to our first responders, to our police officers, to our firefighters, to our hospitals and emergency medical personnel.

As we all know, these first responders are not receiving their promised funds to fulfill their mandate to protect our homeland. In some cases, the State is holding tight onto the money. In other cases the local responders do not understand the very complicated process that has been set up for actually receiving those grant dollars from the States. I believe that we need to have a system to verify that critical homeland security money is making its way through the pipeline. That is the biggest criticism that I have heard, that the money is not getting down to the people who have already spent their own money and are supposed to be reimbursed from the Federal Government. My amendment would make such a system possible.

POINT OF ORDER

The CHAIRMAN. Does the gentleman insist upon his point of order?

Mr. ROGERS of Kentucky. I do, Mr. Chairman.

I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill in violation of clause 2 of rule XXI which states, in pertinent part: "An amendment to a general appropriation bill shall not be in order if changing existing law by imposing additional duties."

I ask for a ruling from the Chair.

The CHAIRMAN. Does anyone else wish to be heard on the point of order?

Ms. LORETTA SANCHEZ of California. Mr. Chairman, I am willing to withdraw my amendment, but I think this is a very important point. I just held for all of the membership here about 10 days ago a meeting with first responders. The answer is always the same. The money is taking too long to come down into the local hands.

Mr. ROGERS of Kentucky. Regular order, Mr. Chairman.

The CHAIRMAN. Is there objection to the gentlewoman's withdrawing the amendment? Without objection, the amendment is withdrawn.

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

FIREFIGHTER ASSISTANCE GRANTS

For necessary expenses for programs authorized by section 33 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229), $600,000,000, to remain available until September 30, 2006: *Provided,* That not to exceed 5 percent of this amount shall be available for program administration.

COUNTERTERRORISM FUND

For necessary expenses, as determined by the Secretary of Homeland Security, to reimburse any Federal agency for the costs of providing support to counter, investigate, or respond to unexpected threats or acts of terrorism, including payment of rewards in connection with these activities, $10,000,000, to remain available until expended: *Provided,* That the Secretary shall notify the Committees on Appropriations of the Senate and the House of Representatives 15 days prior to the obligation of any amount of these funds in accordance with section 503 of this Act.

EMERGENCY PREPAREDNESS AND RESPONSE

OFFICE OF THE UNDER SECRETARY FOR EMERGENCY PREPAREDNESS AND RESPONSE

For necessary expenses for the Office of the Under Secretary for Emergency Preparedness and Response, as authorized by section 502 of the Homeland Security Act of 2002 (6 U.S.C. 312), $4,211,000.

PREPAREDNESS, MITIGATION, RESPONSE, AND RECOVERY

For necessary expenses for preparedness, mitigation, response, and recovery activities of the Emergency Preparedness and Response Directorate, $210,499,000, including activities authorized by the National Flood Insurance Act of 1968 (42 U.S.C. 4011 et seq.), the Flood Disaster Protection Act of 1973 (42 U.S.C. 4001 et seq.), the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7701 et seq.), the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2201 et seq.), the Defense Production Act of 1950 (50 U.S.C. App. 2061 et seq.), sections 107 and 303 of the National Security Act of 1947 (50 U.S.C. 404, 405, 411), Reorganization Plan No. 3 of 1978 (5 U.S.C. App.), and the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.).

ADMINISTRATIVE AND REGIONAL OPERATIONS

For necessary expenses for administrative and regional operations of the Emergency Preparedness and Response Directorate, $203,939,000, including activities authorized by the National Flood Insurance Act of 1968 (42 U.S.C. 4011 et seq.), the Flood Disaster Protection Act of 1973 (42 U.S.C. 4001 et seq.), the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7701 et seq.), the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2201 et seq.), the Defense Production Act of 1950 (50 U.S.C. App. 2061 et seq.), sections 107 and 303 of the National Security Act of 1947 (50 U.S.C. 404, 405, 411), Reorganization Plan No. 3 of 1978 (5 U.S.C. App.), and the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.): *Provided,* That not to exceed $4,000 shall be for official reception and representation expenses.

PUBLIC HEALTH PROGRAMS

For necessary expenses for countering potential biological, disease, and chemical threats to civilian populations, $34,000,000.

DISASTER RELIEF

For necessary expenses in carrying out the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), $2,042,380,000, to remain available until expended.

DISASTER ASSISTANCE DIRECT LOAN PROGRAM ACCOUNT

For administrative expenses to carry out the direct loan program, as authorized by section 319 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5162), $567,000: *Provided,* That gross obligations for the principal amount of direct loans shall not exceed $25,000,000: *Provided further*, That the cost of modifying such loans shall be as defined in section 502 of the Congressional Budget Act of 1974 (2 U.S.C. 661a).

FLOOD MAP MODERNIZATION FUND

For necessary expenses pursuant to section 1360 of the National Flood Insurance Act of 1968 (42 U.S.C. 4101), $150,000,000, and such additional sums as may be provided by State and local governments or other political subdivisions for cost-shared mapping activities under section 1360(f)(2) of such Act, to remain available until expended: *Provided,* That total administrative costs shall not exceed 3 percent of the total appropriation.

RADIOLOGICAL EMERGENCY PREPAREDNESS PROGRAM

The aggregate charges assessed during fiscal year 2005, as authorized by the Energy and Water Development Appropriations Act, 2001 (as enacted into law by Public Law 106–377), shall not be less than 100 percent of the amounts anticipated by the Department of Homeland Security necessary for its radiological emergency preparedness program for the next fiscal year: *Provided*, That the methodology for assessment and collection of fees shall be fair and equitable and shall reflect costs of providing such services, including administrative costs of collecting such fees: *Provided further*, That fees received under this heading shall be deposited in this account as offsetting collections and will become available for authorized purposes on October 1, 2005, and remain available until expended.

NATIONAL FLOOD INSURANCE FUND

(INCLUDING TRANSFER OF FUNDS)

For activities under the National Flood Insurance Act of 1968 (42 U.S.C. 4011 et seq.), and the Flood Disaster Protection Act of 1973 (42 U.S.C. 4001 et seq.), not to exceed $33,336,000 for salaries and expenses associated with flood mitigation and flood insurance operations; and not to exceed $79,257,000 for flood hazard mitigation, to remain available until September 30, 2006, including up to $20,000,000 for expenses under section 1366 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104c), which amount shall be available for transfer to the National Flood Mitigation Fund until September 30, 2006, and which amount shall be derived from offsetting collections assessed and collected pursuant to section 1307 of that Act (42 U.S.C. 4014), and shall be retained and used for necessary expenses under this heading: *Provided,* That in fiscal year 2005, no funds in excess of: (1) $55,000,000 for operating expenses; (2) $562,881,000 for agents' commissions and taxes; and (3) $30,000,000 for interest on Treasury borrowings shall be available from the National Flood Insurance Fund.

NATIONAL FLOOD MITIGATION FUND

(INCLUDING TRANSFER OF FUNDS)

Notwithstanding subparagraphs (B) and (C) of subsection (b)(3), and subsection (f), of section 1366 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104c), $20,000,000, to remain available until September 30, 2006, for activities designed to reduce the risk of flood damage to structures pursuant to such Act, of which $20,000,000 shall be derived from the National Flood Insurance Fund.

NATIONAL PRE-DISASTER MITIGATION FUND

For a pre-disaster mitigation grant program pursuant to title II of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5131 et seq.), $100,000,000, to remain available until expended: *Provided,* That grants made for pre-disaster mitigation shall be awarded on a competitive basis subject to the criteria in section 203(g) of such Act (42 U.S.C. 5133(g)): *Provided further*, That, notwithstanding section 203(f) of such Act (42 U.S.C. 5133(f)), grant awards shall be made without reference to State allocations, quotas, or other formula-based allocation of funds: *Provided further,* That total administrative costs shall not exceed 3 percent of the total appropriation.

□ 0930

POINT OF ORDER

Mr. LATOURETTE. Mr. Chairman, I make a point of order.

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

Mr. LATOURETTE. Mr. Chairman, I make a point of order against Page 31, Line 11, beginning with the words ''provided further'' through the word ''funds'' on Line 15.

This section violates clause 2 of rule XXI. It changes existing law, therefore constitutes legislating on an appropriations bill in violation of the House rules.

The CHAIRMAN. Are there other Members wishing to be heard on the point of order?

If not, the Chair is prepared to rule.

The Chair finds that the proviso explicitly supersedes existing law. The proviso, therefore, constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the proviso is stricken from the bill.

The Clerk will read.

The Clerk read as follows:

EMERGENCY FOOD AND SHELTER

To carry out an emergency food and shelter program pursuant to title III of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11331 et seq.), $153,000,000, to remain available until expended: *Provided,* That total administrative costs shall not exceed 3.5 percent of the total appropriation.

TITLE IV—RESEARCH AND DEVELOPMENT, TRAINING, ASSESSMENTS, AND SERVICES

CITIZENSHIP AND IMMIGRATION SERVICES

For necessary expenses for citizenship and immigration services, $160,000,000.

FEDERAL LAW ENFORCEMENT TRAINING CENTER

SALARIES AND EXPENSES

For necessary expenses of the Federal Law Enforcement Training Center, including materials and support costs of Federal law enforcement basic training; purchase of not to exceed 117 vehicles for police-type use and hire of passenger motor vehicles; expenses for student athletic and related activities; the conduct of and participation in firearms matches and presentation of awards; public awareness and enhancement of community support of law enforcement training; room and board for student interns; a flat monthly reimbursement to employees authorized to use personal cell phones for official duties; and services as authorized by section 3109 of title 5, United States Code, $183,440,000, of which up to $36,174,000 for materials and support costs of Federal law enforcement basic training shall remain available until September 30, 2006; and of which not to exceed $12,000 shall be for official reception and representation expenses: *Provided,* That the Center is authorized to obligate funds in anticipation of reimbursements from agencies receiving training sponsored by the Center, except that total obligations at the end of the fiscal year shall not exceed total budgetary resources available at the end of the fiscal year.

ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

For acquisition of necessary additional real property and facilities, construction, and ongoing maintenance, facility improvements, and related expenses of the Federal Law Enforcement Training Center, $37,917,000, to remain available until expended: *Provided,* That the Center is authorized to accept reimbursement to this appropriation from government agencies requesting the construction of special use facilities.

INFORMATION ANALYSIS AND INFRASTRUCTURE PROTECTION

MANAGEMENT AND ADMINISTRATION

For salaries and expenses of the immediate Office of the Under Secretary for Information Analysis and Infrastructure Protection and for management and administration of programs and activities, as authorized by title II of the Homeland Security Act of 2002 (6 U.S.C. 121 et seq.), $132,064,000: *Provided,* That not to exceed $5,000 shall be for official reception and representation expenses.

AMENDMENT OFFERED BY MR. SABO

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

The Clerk read as follows:

Amendment offered by Mr. SABO:

Page 33, line 26, insert before the period the following:

: *Provided further,* That of the total amount provided under this heading, $5,000,000 shall be for the Under Secretary to prepare an analysis of requiring key resources and critical infrastructure to provide information related to actual and potential vulnerabilities to ensure that the Department has timely and efficient access to such information, as authorized by section 201(d) of such Act (6 U.S.C. 121(d))

Mr. SABO (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. SABO. Mr. Chairman, this amendment provides $5 million for the Department of Homeland Security to analyze whether critical infrastructure facilities should be required to provide information about their security vulnerabilities to the Department.

These resources are needed because the Bush administration is not working aggressively enough with the owners of critical infrastructure such as chemical plants to identify and address security issues. This modest amount of money to focus the analysis on vulnerable facilities could save us countless lives and resources in the future.

The Department currently lacks meaningful security information on these facilities and is in no hurry to collect it or require it to be provided. Under its current plan, the Department will take years to gather information for all of the 30,000 entities classified as critical infrastructure. In fact, this year DHS only plans again to gather information on 4,000 such entities.

For one sector of the U.S. critical infrastructure, chemical facilities, the General Accounting Office found that no comprehensive information exists on the industry's security vulnerabilities, and many facilities have neither assessed their vulnerabilities nor improved their security.

This is the state we are in today, despite years of warnings from experts and the FBI having identified chemical facilities as clear terrorist targets. According to GAO, there are 709 chemical facilities in the U.S. where a ''worst case'' release would affect 100,000 or more Americans.

Members may want to take a close look at this map to see where these facilities are located in their States. There are about 2,300 more facilities where a ''worst case'' chemical release could affect over 10,000 people and about 15,000 chemical facilities that use or store at least one of 140 hazardous chemicals.

In an appropriations hearing this spring, the Under Secretary responsible for infrastructure protection described what the Department has been doing to address security concerns. He said: ''When we visited in the first round, we were first about helping them assess the situation . . . we have returned in personal visits or in a conference call and attempted to start to develop plans, what I call operational plans, to truly improve the security of the facility.''

Conference calls to develop security plans? Are we really serious? More than 2½ years after 9/11 the Bush administration still thinks that improved chemical facility and critical infrastructure security can be controlled.

I think that the Department should be reviewing vulnerability assessment, not conducting them. That is the heart of what we are saying here. The Department should be reviewing vulnerability assessments done by the plants, not conducting them. They should be reviewing security plans, not making them. They should be checking on facilities to make sure that the security improvements identified in the plans are made.

Is this something unique, something new? No. The fact is the Federal Government already requires such security measures for ports, water utilities, and, believe it or not, chemical facilities that have water access. So if their chemical plant has water access, the requirements to do vulnerability assessments exists; if they are not on a waterway, then it does not exist. For some reason unknown to me, we do not require them for these other critical infrastructures.

While I prefer to offer an amendment that requires such assessments and security plans to be provided for Department review, it would not be in order. However, at a minimum the Department should seriously evaluate the path it takes in gathering this critical infrastructure information. I urge the Members to support this crucial amendment.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise in support of the Sabo amendment.

Coming from an area where chemical plants and facilities are proliferating and are long-time existing, the whole question of analysis and threat assessment is extremely important, and I would ask my colleagues to support the Sabo amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota (Mr. SABO).

The amendment was agreed to.

AMENDMENT OFFERED BY MS. JACKSON-LEE OF TEXAS

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

The Clerk read as follows:

Amendment offered by Ms. JACKSON-LEE of Texas:

Page 33, line 24, after the dollar amount insert the following: ''(reduced by $10,000,000)''.

Page 34, line 22, after the dollar amount insert the following: ''(increased by $10,000,000)''.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I really hope my colleagues will understand that homeland security is rooted in our communities, and this amendment encompasses universities, colleges, and rural communities where local community colleges are placed.

This bill embraces historically black colleges and Hispanic-serving institutions to be able to be on the frontlines of homeland security. This amendment takes simply $10 million from the Information Analysis and Infrastructure Protection, the IAIP. It adds these moneys to allow historically black colleges and Hispanic-serving institutions to be able to assist their rural and local communities in securing the homeland in training first responders, in training those individuals on the frontline.

As a letter coming from our community college system says, the tragic events of 9/11 have placed a tremendous demand on these institutions to train individuals and to do research as it relates to first responder roles and first

responder responsibilities. The students aspire to serve in this capacity and help to serve their communities by protecting the homeland. Training those first responders as well as researching the area of the homeland security can be valuable to these older students and these students who may not have an opportunity but yet live in poor communities and rural communities.

A letter from the National Association of Historically Black Colleges, NAFEO, says that the Jackson-Lee amendment provides and can help to serve as the epicenter for their communities, many of which are distressed and underserved, and that is historically black colleges. This amendment ''will afford HBCUs, HISs and community colleges an opportunity to play an important and valuable role in the mission to keep America safe.''

This would increase the Research, Development, Acquisition and Operations account, as I indicated, by a very mere amount. To offset this proposed increase, this moneys, as I said, would be taken from an account that deals with salaries and expenses. These colleges then would be able to be on the frontline.

Recently Texas A&M University was awarded a $20 million to fund its National Response and Rescue Training Center under the ''Centers for Excellence'' program. While I believe this is very important, I am also aware that these colleges offer the same opportunity. Research laboratories, training, information technology, publishing and dissemination can be part of the resources utilized for HBCUs and HISs and community college systems to ensure that they too will be able to be a resource for their neighborhoods and their cities and their county government to train and to send students out proficient in the efforts of homeland security.

The community college systems are able to be close to the neighborhoods and close to the cities and close to the population. They can engage in EMT training. They can engage in firefighting training. They can engage in the training for various public health clinics that would then be on the frontlines in case of a smallpox outbreak.

We noticed that older neighborhoods, older communities, poor communities are as vulnerable as would be our large areas. These community colleges and historically black colleges will provide the opportunity in the community to assess threat, to work with our Federal Government on threat assessment and to work with our cities again and our neighborhoods.

In Houston, for example, there are what we call neighborhood organizations that are trying to organize and educate communities about safety. Community colleges placed all over the country would be well placed to train neighborhoods in safety procedures, far more better equipped than doing this in Washington, DC.

So the idea of this amendment is to bring homeland security closer to our communities and ensure that colleges around the Nation, and what we call community colleges, one of the most local systems of education in our Nation, our local community colleges would have the ability to be able to participate in homeland security.

□ 0945

Let me conclude by saying one of the important components to homeland security would be our county officials and our city officials and the officials in our villages and rural areas. This amendment allows those colleges, well-situated throughout the South, for example, throughout the Midwest, to be able to interface with our county and our city officials, helping to devise threat assessment plans, helping to devise training plans, helping to devise research plans and interfacing with our Federal Government, providing more training for our first responders.

This amendment with its small amount puts homeland security on the frontlines with our colleges and our Historically Black Colleges and Hispanic-serving Universities. I ask my colleagues to support the amendment.

Mr. Chairman, I rise to discuss the base bill, H.R. 4567 and to offer an amendment. The Jackson-Lee Amendment would increase the Research, Development, Acquisition and Operations account under Title IV, Research and Development, Training, Assessments, and Services by 10,000,000 to assert the need to give Historically Black Colleges and Universities (HBCU's), Hispanic Serving Institutions (HIS's), and community colleges an opportunity to support and enhance the efforts of the Department of Homeland Security on a more fair scale.

To offset this proposed increase, the Information Analysis and Infrastructure Protection Management and Administration account under the same title (line 24) would be reduced by the same amount.

America's 110 HBCUs, 242 HISs, and 1,166 Nationwide community college systems have a unique and important role in serving our communities, especially in the area of research and development of homeland security-related programs and services.

Recently, Texas A&M University was awarded a $20 million award to fund its National Response and Rescue Training Center under the "Centers for Excellence" program. TAMU is part of the National Domestic Preparedness Consortium which is scheduled to receive $80 million in funding for homeland security programs nationwide under this bill. TAMU will receive one quarter of these total funds!

While I congratulate TAMU on this success, I contrast this with the fact that I have not seen similar awards made to the HBCUs, HISs, and community college systems.

When I visited Doha, Qatar, TAMU opened it's engineering school under the "Education City" umbrella. Unfortunately, no HBCUs, HISs, or community college made it under that umbrella. This amendment today seeks to try to address this problem and to encourage the participation of these schools.

These institutions have unique capabilities designed to serve as local, State and regional centers for the delivery of technical, logical, and support services, including, but not limited to the following:

Training and Conference Facilities—Conference management;

Research Laboratories—Assessment/evaluation, Systems architecture and engineering, Project assessment, Strategic planning;

Information Technology—Wireless connectivity, Software development, Technical, logistical and support services;

Dormitory Facilities—Emergency housing;

Publishing and Dissemination—Materials development, Document preparation.

Regional funding for HBCUs, HISs, and community college systems can ensure equipment compatibility through the development of common standards, provide access to local, State and regional training sites, standardize training material and workshop content, assist with response plan development and updating, create information sharing networks, design or redesign software and related technologies, and assist with the strategic planning process and information dissemination.

In collaboration, with state and local governments, the HBCUs, HISs, and community colleges would establish specific, flexible and measurable terrorism preparedness capabilities. Areas of funding could include examination of the availability and competence of emergency personnel, planning, training and/or equipment.

Example projects could include a rapidly deployable regional wireless pilot system that provides interoperable with existing infrastructures; development of a chain of custody model for our food supply from the grower to the consumer with monitoring technology; and develop a scalable pilot nationwide command control system that can interface with existing public and private infrastructure.

The Houston Community College (HCC) System in Houston, Texas requested $16 million from this Committee to fund the construction of its Houston Community College Public Safety Institute (PSI). That has not been responded to, however this would help with programs at these colleges regarding homeland security. To help meet Houston's Homeland Security needs, HCC currently trains over 250 EMTs, 300 firefighting cadets, and 200 police cadets annually. HCC facilities are currently used to train an additional 1,000 police and firefighters, and the PSI would serve an additional 2,000 local police, firefighter, and EMT personnel. The proposed $40 million, 25-acre complex will represent the cooperative relationship between Federal, State, and local law enforcement needed to ensure the Nation's domestic security.

Houston is currently the only city in America that meets each of the 15 Federal threat criteria for a terrorist attack. Therefore, the model for a coordinated public safety system is extremely important.

In order to further advocate this important cause, I plan to offer a proposal to the Department of Homeland Security (DHS) authorization bill that will put an overall initiative in motion to really utilize the vast resources, skills, energy, and creativity that is to be found in our HBCUs, HISs, and community colleges.

Mr. ROGERS of Kentucky. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I am opposed to this amendment. This amendment earmarks $10 million within the Science

and Technology account for specific institutions of higher learning.

Mr. Chairman, we have studiously and steadfastly avoided all earmarks in this bill. There are none. This would be an earmark. For that reason, I have to oppose it. The University Centers of Excellence awards are made on a competitive basis and should stay that way.

All universities and colleges in the United States can apply, including Historically Black Colleges and Universities, Hispanic-serving institutions and community colleges. Universities and colleges can apply singly or together as part of a consortium, pooling the talents of several higher-learning institutions. The recent Center of Excellence award on agroterrorism to the University of Minnesota includes Tuskegee University, a Historically Black University, as one of its partners.

The S&T university program has been proactive in reaching out to minorities. S&T encourages the Center of Excellence competitors to partner with minority institutions. They are setting up a program for partnering university minority faculty with national labs for fellowships and internships. A new Center of Excellence award on emergency preparedness and response will be targeted to the urban community, with the intent of reaching more institutions with minority populations. This center will focus on training for emergency preparedness.

The competition element, Mr. Chairman, is critical to bring together the Nation's best experts and focus its most talented researchers on science and technology solutions to combat terrorist threats against this Nation from wherever they come.

It is absolutely critical to the security of the country that the Department of Homeland Security is able to utilize the best science that the Nation has to offer, be it private sector technology, national labs, or our great universities and colleges. The best way to identify that talent is through open competition, not earmarks, which this amendment would do. For that reason, I urge Members to reject the amendment.

Mr. SCOTT of Virginia. Mr. Chairman, I move to strike the last word.

Mr. Chairman, having heard the chairman's explanation, I was wondering if the gentlewoman from Texas could respond.

Ms. JACKSON-LEE of Texas. Mr. Chairman, will the gentleman yield?

Mr. SCOTT of Virginia. I yield to the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the distinguished gentleman from Virginia. I am prepared to respond.

I thank the distinguished chairman, because I know that the ranking member and the chairman have worked very hard. But it is well known that it is very difficult for the Historically Black Colleges and Hispanic-serving colleges to be competitive in the process he just enunciated. This is expanding the pot in a very narrow way. Frankly, what it does is it says we all comprehensively are valued in the homeland security effort.

You will note that Historically Black Colleges, 242 of them, are located in heavily rural areas. The impact that they have is far-reaching. I heard a colleague on the House say not to leave out the rural areas as it relates to homeland security, not to leave out the agricultural chain, if you will, in homeland security.

Many of our Historically Black Colleges, such as the colleges in Mississippi and Alabama and Georgia, are located many times in rural areas and deal as their basis of research and training in the agriculture industry. Their participation in an effort to secure the homeland where they can participate in the fullest manner, I think, is not too much to ask of my colleagues on the floor of the House today.

This also impacts Hispanic-serving institutions. One of the issues that is key in securing the homeland is responding to our diverse population. Hispanic-serving institutions would have the better ability by language to be able to communicate with those individuals by training, by research, by investment, those individuals who may speak at this time a different language.

So I would respectfully suggest that the funding that has been placed in this bill, though it is certainly responsible and respectful, it does not go to those who have had a very difficult time competing in the large sphere against major universities and institutions far larger than them.

I think if we look at the grant assessment or the grant awarding and balance it alongside of the major institutions in many of our communities, we are respectful of many of those institutions in our communities. The large ones we are very knowledgeable about. We call them the multiplex or multinational universities. They are by far able to surpass some of these Historically Black Colleges.

I have a letter of support on this amendment from the national association of organizations dealing with black colleges, NAFEO, that welcomes the opportunity to participate, 118 historically and predominantly black colleges, along with the representatives from the community college sector. What they simply say is, we are the little guy.

Let us help out the little guys. The little guys need help. This is not to say that this is a handout, because we know that homeland security is too serious for that, but in fact because it is needed and because these individual colleges, small colleges, Historically Black, Hispanic-serving, can serve in the community, work on homeland security and really do what we are trying to do on the floor of the House today, which is to ensure that we have a strong Citizen Corps, to ensure that we have the first responder system. This can be worked out of this, giving them greater assistance by helping to secure the homeland, by training first responders right in the neighborhood, and working on research opportunities and training opportunities.

I thank the distinguished gentleman for yielding. I ask my colleagues to support this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON-LEE).

The question was taken; and the Chairman announced that the noes appeared to have it.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Texas (Ms. JACKSON-LEE) will be postponed.

The Clerk will read.

The Clerk read as follows:

ASSESSMENTS AND EVALUATIONS

For necessary expenses for information analysis and infrastructure protection, as authorized by title II of the Homeland Security Act of 2002 (6 U.S.C. 121 et seq.), $722,512,000, to remain available until September 30, 2006.

SCIENCE AND TECHNOLOGY

MANAGEMENT AND ADMINISTRATION

For salaries and expenses of the immediate Office of the Under Secretary for Science and Technology and for management and administration of programs and activities, as authorized by title III of the Homeland Security Act of 2002 (6 U.S.C. 181 et seq.), $68,586,000: *Provided*, That not to exceed $3,000 shall be for official reception and representation expenses.

RESEARCH, DEVELOPMENT, ACQUISITION AND OPERATIONS

For necessary expenses for science and technology research, including advanced research projects; development; test and evaluation; acquisition; and operations; as authorized by title III of the Homeland Security Act of 2002 (6 U.S.C. 181 et seq.), $1,063,713,000, to remain available until expended.

TITLE V—GENERAL PROVISIONS

(INCLUDING TRANSFERS OF FUNDS)

SEC. 501. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 502. Subject to the requirements of section 503 of this Act, the unexpended balances of prior appropriations provided for activities in this Act may be transferred to appropriation accounts for such activities established pursuant to this Act: *Provided*, That balances so transferred may be merged with funds in the applicable established accounts and thereafter may be accounted for as one fund for the same time period as originally enacted.

SEC. 503 (a) None of the funds provided by this Act, provided by previous appropriation Acts to the agencies in or transferred to the Department of Homeland Security that remain available for obligation or expenditure in fiscal year 2005, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that: (1)

creates a new program; (2) eliminates a program, project, or activity; (3) increases funds for any program, project, or activity for which funds have been denied or restricted by the Congress; or (4) proposes to use funds directed for a specific activity by either the House or Senate Committees on Appropriations for a different purpose; unless both Committees on Appropriations of the Senate and the House of Representatives are notified 15 days in advance of such reprogramming of funds.

(b) None of the funds provided by this Act, provided by previous appropriation Acts to the agencies in or transferred to the Department of Homeland Security that remain available for obligation or expenditure in fiscal year 2005, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for programs, projects, or activities through a reprogramming of funds in excess of $5,000,000 or 10 percent, whichever is less, that: (1) augments existing programs, projects, or activities; (2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by the Congress; or (3) results from any general savings from a reduction in personnel that would result in a change in existing programs, projects, or activities as approved by the Congress; unless the Committees on Appropriations of the Senate and the House of Representatives are notified 15 days in advance of such reprogramming of funds.

(c) Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Homeland Security by this Act or provided by previous appropriation Acts may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by such transfers: *Provided*, That any transfer under this subsection shall be treated as a reprogramming of funds under subsection (b) and shall not be available for obligation unless the Committees on Appropriations of the Senate and the House of Representatives are notified 15 days in advance of such transfer.

SEC. 504. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2005 from appropriations for salaries and expenses for fiscal year 2005 in this Act shall remain available through September 30, 2006, in the account and for the purposes for which the appropriations were provided: *Provided*, That prior to the obligation of such funds, a request shall be submitted to the Committees on Appropriations of the Senate and the House of Representatives for approval in accordance with section 503 of this Act.

SEC. 505. Funds made available by this Act for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2005 until the enactment of an Act authorizing intelligence activities for fiscal year 2005.

SEC. 506. The Federal Law Enforcement Training Center shall establish an accrediting body, to include representatives from the Federal law enforcement community and non-Federal accreditation experts involved in law enforcement training, to establish standards for measuring and assessing the quality and effectiveness of Federal law enforcement training programs, facilities, and instructors.

SEC. 507. None of the funds in this Act may be used to make a grant unless the Secretary of Homeland Security notifies the Committees on Appropriations of the Senate and the House of Representatives not less than 3 full business days before any grant allocation, discretionary grant award, or letter of intent totaling $1,000,000 or more is announced by the Department or its directorates from: (1) any discretionary or formula-based grant program of the Office for State and Local Government Coordination and Preparedness; (2) any letter of intent from the Transportation Security Administration; (3) any port security grant; or (4) awards for Homeland Security Centers of Excellence: *Provided*, That no notification shall involve funds that are not available for obligation.

SEC. 508. Notwithstanding any other provision of law, no agency shall purchase, construct, or lease any additional facilities, except within or contiguous to existing locations, to be used for the purpose of conducting Federal law enforcement training without the advance approval of the Committees on Appropriations of the Senate and the House of Representatives, except that the Federal Law Enforcement Training Center is authorized to obtain the temporary use of additional facilities by lease, contract, or other agreement for training which cannot be accommodated in existing Center facilities.

SEC. 509. The Director of the Federal Law Enforcement Training Center shall ensure that all training facilities under the control of the Center are operated at optimal capacity throughout the fiscal year.

SEC. 510. None of the funds appropriated or otherwise made available by this Act may be used for expenses of any construction, repair, alteration, and acquisition project for which a prospectus, if required by the Public Buildings Act of 1959, has not been approved, except that necessary funds may be expended for each project for required expenses for the development of a proposed prospectus.

SEC. 511. None of the funds appropriated or otherwise made available by this Act shall be used to pursue or adopt guidelines or regulations requiring airport sponsors to provide to the Transportation Security Administration without cost building construction, maintenance, utilities and expenses, or space in airport sponsor-owned buildings for services relating to aviation security: *Provided*, That the prohibition of funds in this section does not apply to—

(1) negotiations between the agency and airport sponsors to achieve agreement on ''below-market'' rates for these items; or

(2) space for necessary security checkpoints.

SEC. 512. (a) None of the funds in this Act may be used in contravention of the applicable provisions of the Buy American Act (41 U.S.C. 10a et seq.).

(b) None of the funds in this Act may be used to procure articles, materials, or supplies for public use, or to enter into a contract for the construction, alteration, or repair of a public building or public work, pursuant to an exception set forth in section 2 of section 3 of the Buy American Act (41 U.S.C. 10a et seq.) until—

(1) a notification of the intent to apply such exception is submitted to the Committees on Appropriations of the Senate and the House of Representatives; and

(2) a period of 15 days has expired after the date on which such notification is so submitted.

(c) The Inspector General of the Department of Homeland Security shall conduct audits of contracts entered into by the Department of Homeland Security during a fiscal year for purposes of determining compliance with the Buy American Act (41 U.S.C. 10a et seq.). The Inspector General shall submit to the Committees on Appropriations of the Senate and the House of Representatives an annual report on the results of the audit. The report shall be submitted at the same time the President submits to Congress the budget for a fiscal year and shall cover the same fiscal year. The first report under this subsection shall be submitted with for fiscal year 2006.

SEC. 513. The Secretary of Homeland Security is directed to research, develop, and procure certified systems to inspect and screen air cargo on passenger aircraft at the earliest date possible: *Provided*, That until such technology is procured and installed, the Secretary shall take all possible actions to enhance the known shipper program to prohibit high-risk cargo from being transported on passenger aircraft: *Provided further*, That the Secretary shall amend Security Directives and programs in effect on the date of enactment of this Act to, at a minimum, double the percentage of cargo inspected on passenger aircraft.

SEC. 514. Notwithstanding sections 524, 571, and 572 of title 40, United States Code, the Secretary of Homeland Security may sell the Bolingbrook family housing area in Bolingbrook, Illinois, the Prairie View family housing area in Prairie View, Illinois, the Chapel Hill Rear Range Light in Leonardo, New Jersey, and the Richmond Heights housing complex in Miami, Florida: *Provided*, That to the extent the sale proceeds exceed the 10 year statistical average of proceeds from Coast Guard property sales as determined by the Office of Management and Budget, the sale proceeds in excess of that average shall be credited to an account of the Coast Guard and be available for the Coast Guard.

SEC. 515. (a) ESTABLISHMENT OF CHIEF PROCUREMENT OFFICER.—The Homeland Security Act of 2002 is amended as follows:

(1) In section 103(d) (6 U.S.C. 113(d)), by redesignating paragraph (5) as paragraph (6) and inserting after paragraph (4) the following:

''(5) A Chief Procurement Officer.''.

(2) By redesignating sections 705 through 706 (6 U.S.C. 345–346) in order as sections 706 through 707, and by inserting after section 704 the following:

''SEC. 705. CHIEF PROCUREMENT OFFICER.

''The Chief Procurement Officer appointed under section 103(d)(5) shall report to the Secretary.''.

(3) In the table of contents in section 1(b), by striking the items relating to sections 705 through 706 and inserting the following:

''Sec. 705. Chief Procurement Officer.
''Sec. 706. Establishment of Officer for Civil Rights and Civil Liberties.
''Sec. 707. Consolidation and co-location of offices.''.

(b) REPORTING BY CHIEF FINANCIAL OFFICER AND CHIEF INFORMATION OFFICER.—Sections 702 and 703 of the Homeland Security Act of 2002 (6 U.S.C. 342, 343) are amended by striking '', or to another official of the Department, as the Secretary may direct'' each place it appears.

SEC. 516. The Commandant of the Coast Guard shall provide to the Congress each year, at the time that the President's budget is submitted under section 1105(a) of title 31, United States Code, a list of approved but unfunded Coast Guard priorities and the funds needed for each such priority in the same manner and with the same contents as the unfunded priorities lists submitted by the chiefs of other Armed Services.

SEC. 517. (a) IN GENERAL.—Chapter 449 of title 49, United States Code, is amended by inserting after section 44944 the following new section:

''§ 44945. Disposition of unclaimed money

''Notwithstanding section 3302 of title 31, unclaimed money recovered at any airport

security checkpoint shall be retained by the Transportation Security Administration and shall remain available until expended for the purpose of providing civil aviation security as required in this chapter.''.

(b) ANNUAL REPORT.—Not later than 180 days after the date of enactment of this Act and annually thereafter, the Administrator of the Transportation Security Administration shall transmit to the Committee on Transportation and Infrastructure of the House of Representatives, the Committee on Appropriations of the House of Representatives, the Committee on Commerce, Science and Transportation of the Senate and the Committee on Appropriations of the Senate, a report that contains a detailed description of the amount of unclaimed money recovered in total and at each individual airport, and specifically how the unclaimed money is being used to provide civil aviation security.

(c) CLERICAL AMENDMENT.—The analysis for chapter 449 of title 49, United States Code, is amended by adding the following new item after the item relating to section 44944:

''44945. Disposition of unclaimed money.''.

SEC. 518. Notwithstanding section 3302 of title 31, United States Code, the Administrator of the Transportation Security Administration may impose a reasonable charge for the lease of real and personal property to Transportation Security Administration employees and for the lease of real and personal property for use by Transportation Security Administration employees and may credit amounts received to the appropriation or fund initially charged for operating and maintaining the property, which amounts shall be available, without fiscal year limitation, for expenditure for property management, operation, protection, construction, repair, alteration, and related activities.

SEC. 519. The acquisition management system of the Transportation Security Administration shall apply to the acquisition of services, as well as equipment, supplies, and materials.

SEC. 520. Notwithstanding any other provision of law, the authority of the Office of Personnel Management to conduct personnel security and suitability background investigations, update investigations, and periodic reinvestigations of applicants for, or appointees in, competitive service positions within the Department of Homeland Security is transferred to the Department of Homeland Security: *Provided,* That on request of the Department of Homeland Security, the Office of Personnel Management shall cooperate with and assist the Department in any investigation or reinvestigation under this section.

SEC. 521. Section 312(g) of the Homeland Security Act of 2002 (6 U.S.C. 192(g)) is amended to read as follows:

''(g) TERMINATION.—The Homeland Security Institute shall terminate 5 years after its establishment.''.

SEC. 522. Section 311(c)(2) of the Homeland Security Act of 2002 (6 U.S.C. 191(c)(2)) is amended to read as follows:

''(2) ORIGINAL APPOINTMENTS.—The original members of the Advisory Committee shall be appointed to three classes. One class of six shall have a term of 1 year, one class of seven a term of 2 years, and one class of seven a term of 3 years.''.

SEC. 523. Notwithstanding any other provision of law, funds appropriated under paragraphs (1) and (2) of the State and Local Programs heading under title III of this Act are exempt from section 6503(a) of title 31, United States Code.

SEC. 524. None of the funds in this or previous Appropriations Acts may be obligated for deployment or implementation, on other than a test basis, of the Computer Assisted Passenger Prescreening System (CAPPS II) until the Secretary of Homeland Security has certified that the requirements of paragraphs (1) through (8) of subsection (a), and the requirements of subsection (b), of section 519 of Public Law 108–90 have been met and the General Accounting Office has reviewed such certification: *Provided,* That the Secretarial certification and General Accounting Office review shall explicitly include the efficacy and accuracy of any algorithms contained within CAPPS II to predict the likelihood of a passenger's association with terrorists: *Provided further,* That the Secretarial certification is not delegable.

SEC. 525. None of the funds appropriated in this or any other Act may be used by the Undersecretary for Management, the Chief Financial Officer, or the Office of Management and Budget for the purpose of reviewing or altering any report directed to be submitted to the Committees on Appropriations in this Act and its accompanying report. This section shall only apply to those reports related to the operations, programs, and activities of the Department of Homeland Security.

Mr. ROGERS of Kentucky (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 47, line 22, be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The CHAIRMAN. Are there any points of order to this portion of the bill?

POINT OF ORDER

Mr. MICA. Mr. Chairman, I raise a point of order against section 524.

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

Mr. MICA. Mr. Chairman, I raise a point of order against page 47, line 6, beginning with ''and the'' through line 13.

This provision violates clause 2 of rule XXI . It changes existing law, and therefore constitutes legislating on an appropriations bill in violation of House rules.

The CHAIRMAN. Are there other Members desiring to be heard on the point of order?

Mr. SABO. Mr. Chairman, this is a provision that fundamentally continues what is existing law that is applied for this. I think it is unfortunate that the point of order is raised. I think this amendment deals with some of the most sensitive privacy issues that are involved with the Department of Homeland Security. On the other hand, I understand that this is legislation in the bill, and, unfortunately, it is being struck.

The CHAIRMAN. Is there further discussion on the point of order?

If not, the Chair is prepared to rule.

The Chair finds that the specified portion of the section imposes new duties and therefore constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and that portion of the section is stricken from the bill.

POINT OF ORDER

Mr. TOM DAVIS of Virginia. Mr. Chairman, I raise points of order against section 512, subsections (b) and (c), section 514 and section 525 on the grounds that these provisions change existing law in violation of clause 2(b) of House rule XXI and therefore are legislation included in a general appropriation bill.

The CHAIRMAN. Is there further discussion on the points of order?

Mr. ROGERS of Kentucky. Mr. Chairman, I will only make a brief statement in regards to the gentleman from Tennessee (Mr. WAMP), who serves on our subcommittee, who has been so active on this issue. He has been a leader in the whole Congress on Buy-America issues through diligent efforts on his part to make sure that companies that manufacture goods and supplies must comply with the Buy-America Act.

I regret that this provision is being probably stricken from the bill, but the work of the gentleman from Tennessee (Mr. WAMP) on this issue must go as noted, because it certainly has been a labor of love on his part, and a very effective one.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I have discussed this with the gentleman from Tennessee. We are uncomfortable, as the gentleman knows, with the reporting requirements just through appropriations. We would want to include the committee which has jurisdiction over Buy-America, which is ours. We cannot rewrite this, but I pledge to work with the gentleman as we move forward on these issues.

The CHAIRMAN. Is there further discussion on the point of order?

If not, the Chair is prepared to rule.

The Chair finds that sections 512(b) and (c) impose new duties on the Inspector General of the Department of Homeland Security, that section 514 explicitly supersedes existing law, and that section 525 addresses funds in other acts. Therefore, each of the provisions constitutes legislation in violation of clause 2 of rule XXI. The points of order are sustained and the provisions are stricken from the bill.

The Clerk will read.

The Clerk read as follows:

SEC. 526. (a) CLARIFICATION OF PROHIBITION ON CONTRACTING WITH FOREIGN INCORPORATED ENTITIES.—Section 835 of the Homeland Security Act of 2002 (Public Law 107–296; 6 U.S.C. 395) is amended—

(1) in subsection (a), by inserting before the period '', or any subsidiary of such an entity'';

(2) in subsection (b)(1), by inserting ''before, on, or'' after the ''completes'';

(3) in subsection (c)(1)(B), by striking ''which is after the date of enactment of this Act and''; and

(4) in subsection (d), by striking ''homeland'' and inserting ''national''.

(b) PROHIBITION ON ORDERS UNDER TASK AND DELIVERY ORDER CONTRACTS.—Section 835 of the Homeland Security Act of 2002 (Public Law 107–296; 6 U.S.C. 395) is further amended by adding at the end the following new subsection:

''(e) TASK AND DELIVERY ORDERS.—After the date of the enactment of this subsection,

no order may be issued under a task and delivery order contract entered into by the Department of Homeland Security before, on, or after the date of the enactment of this Act if the contractor for such contract is treated as an inverted domestic corporation under subsection (b).''.

POINT OF ORDER

Mr. TOM DAVIS of Virginia. Mr. Chairman, I raise a point of order against section 526(b) of H.R. 4567 on the grounds that this provision changes existing law in violation of clause 2(b) of House rule XXI, and therefore is legislation included in a general appropriations bill.

The CHAIRMAN. Is there further discussion on the point of order?

If not, the Chair is prepared to rule.

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Mr. TOM DAVIS of Virginia. Mr. Chairman, it is section 526(b).

The CHAIRMAN. Is there any further discussion on the point of order?

If not, the Chair is prepared to rule.

The Chair finds that the subsection directly amends the Homeland Security Act of 2002. The subsection, therefore, constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the subsection is stricken from the bill.

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

Mr. Chairman, I greatly regret the action that has just taken place. Both political parties are posing for political holy pictures on the issue of exporting jobs, and both parties have done it for quite some time.

This language that was just stricken represents the second attempt over a 2-year period for a number of us on this side of the aisle to try to eliminate rewards that our government provides to corporations who, for tax purposes, decide to claim citizenship of another country, thereby adding to the tax burden of the American citizens who remain in this country.

This language was meant to prevent Accenture from getting a contract from the Homeland Security Department that could be worth up to $10 billion.

Now, I do not think that the American public minds spending any money that we need to appropriate to protect the homeland, but I do think they feel it is particularly absurd in this case, because this contract involves a contract to establish a process by which we track the activities of people as they cross our borders. And it is ironic that the company who will be given that juicy contract is a company that in itself has determined that it would rather locate for tax purposes in Bermuda rather than the United States.

Now, what was stricken, or as a result of the language that was stricken, the prohibition on future contracts remains, as I understand it, but the countermanding of the contract to Accenture is eliminated by the action just taken. I just find that amazing. I recognize that the gentleman had the technical right to do so.

We will hear that oh, Accenture pays a higher rate of taxes than the other companies that were competitive for this contract. But that is measuring only the percentage of taxes that they pay on reported income, and a large portion of that company's income is exempt under the way they have it structured. If we take a look at the filings of that company with the Federal Trade Commission, we will see by their own admission that they decided to locate in Bermuda in order to escape tax burden. Now, by definition, that means they are shoving that tax burden on the remaining taxpayers who stay in this country and do not try to engage in these clever games.

This is the second year in a row that language like this has been eliminated after it was adopted on a bipartisan basis by a 2-to-1 vote in our committee. It seems to me that rather than eliminating this language, this Congress should have taken action to strengthen it across the board. Until we do, with a great many taxpayers, Uncle Sam is going to be known as Uncle Sucker.

Mr. FRANK of Massachusetts. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I appreciate the action by the gentleman from Virginia, the chairman of the Committee on Government Reform, in raising a point of order against section 514 in which the Coast Guard would have been granted authority to waive certain provisions of the McKinney-Vento Homelessness Act, but I want to make clear, and I think this is the case for all of us who had a jurisdictional problem here, part of that amendment would allow the Coast Guard to keep the proceeds of any sale it is able to make, rather than having it put in the general fund. That is not an authorizing matter, that is an appropriations matter. If that is all it said, I would not have had any objection, and I do not know that anyone else would. What we objected to, I believe, was the provision that would have waived the substantive rules regarding a right of first refusal for groups interested in housing.

So I would just say to my colleagues on the Committee on Appropriations, if in fact this bill comes back from further points in the process with language simply making clear that the Coast Guard can keep the proceeds rather than putting them in the general fund, I certainly would have no objection as the ranking member of the authorizing committee. The important point is to preserve the policy involved in not selling off the property until we first see whether it is available for housing.

Now, it was appropriate to do what the gentleman from Virginia did and strike the whole section, because these were intermingled in the wording, but if it came back simply dealing with what happens to the funding after the properties are sold, I do not think that would be a problem.

Mr. TOM DAVIS of Virginia. Mr. Chairman, will the gentleman yield?

Mr. FRANK of Massachusetts. I yield to the gentleman from Virginia.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I appreciate the gentleman's remarks, and I agree with them.

Mr. FRANK of Massachusetts. Mr. Chairman, I thank the gentleman from Virginia.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I move to strike the last word.

Let me just respond to my friend from Wisconsin who has raised this issue.

I have struck for the second year in a row these so-called corporate inversion amendments. The appropriate time to take this up in my opinion would have been before the procurement moved forward. Several committees of this House held hearings on the US-VISIT contract. I think if this had been part of the initial contract, then we would not have gone through this process, companies would not have spent millions of dollars, and we could have addressed this earlier in the process.

The difficulty now is that we would delay this process up to 2 years further, and I think it is a needed program.

We have kept the language in section (a) under this going forward for future contracts in the spirit of compromise with the gentleman, but I understand his concerns. I have other substantive concerns with what the gentleman has said, but I think in the spirit of compromise we have tried to get an appropriate balance and allow the contract to move forward.

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

Mr. TOM DAVIS of Virginia. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, I greatly respect the gentleman and understand the argument that he makes. I would simply say that this Congress has had a long time. If the Congress had not eliminated the language that we offered last year, that was stricken by a point of order, we would not be in this situation of having to look back.

Mr. TOM DAVIS of Virginia. Mr. Chairman, reclaiming my time, I understand the gentleman's concern. The issue has been addressed in other tax laws, but I understand the gentleman's concerns on this and I look forward to working with him.

Ms. MILLENDER-McDONALD. Mr. Chairman, I ask unanimous consent to offer an amendment to a section that has passed.

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

There was no objection.

AMENDMENT OFFERED BY MS. MILLENDER-MCDONALD

Ms. MILLENDER-McDONALD. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. MILLENDER-McDONALD:

At the end of title III add the following:

ALTERATION OF DOLLAR AMOUNTS

The amounts otherwise provided by this title are revised by increasing the amount

made available for ''Office for State and Local Government Coordination and Preparedness—State and local programs'', by increasing the amount allocated under that heading for port security grants, and by reducing the amount made available for ''Emergency Preparedness and Response—disaster relief'', by $275,000,000, respectively.

Ms. MILLENDER-McDONALD. Mr. Chairman, I rise to offer this amendment that has strong bipartisan support. This amendment will provide more funding for our Nation's seaports. This is a measure that is long overdue.

I will put it simply: my amendment will transfer $275 million from the Disaster Relief program to the Port Security Grant program, which will provide a total of $400 million for fiscal year 2005 funding for our Nation's seaports.

The choices that we have to make in light of this budget are very difficult. Our needs are much greater than our resources. Therefore, transferring funds from the Disaster Relief program seems to be a way of providing more funding for a very critical issue and a national security issue.

This year, the Disaster Relief program is being funded at $2 million, a $242 million increase from the fiscal year 2004 level of $1.8 million. There is $500 million of unexpended funding from last year's Disaster Relief program. Combine the two and we have an excess of $742 million. Subtract $275 million from the $742 million access in Disaster Relief, and the program still has a surplus of $467 million, while the Port Security Grant program will be funded at $400 million, the very minimum that the Coast Guard has recommended to secure our ports.

The question has to be asked, can we use some of this access funding to secure our Nation's ports and address a very important homeland security issue? This additional funding will help secure our Nation's 361 ports and the many, many communities that surround them. Our Nation's coastline is our longest border, which is a 95,000-mile coast that includes the Great Lakes and inland waterways.

Protecting America's seaports is also critical to the Nation's economic growth, vitality, and security. Whether my colleagues have a seaport in their district or not, our Nation's seaports touch communities across this country and fuel our national economy. Seaports handle 95 percent of our Nation's overseas trade by volume, support the mobilization and deployment of U.S. armed forces, and serve as a transit point for millions of cruise and ferry passengers. Maritime industries contribute $742 billion per year to the U.S. Gross National Product.

By supporting this amendment, my colleagues will be providing the minimum amount that the Coast Guard has recommended. For example, the Coast Guard has recommended that the minimum investment in securing our Nation's seaports are $1.1 billion first-year investment, $5.4 billion over the next 10 years, and that is a total of upwards of $6.5 billion. These recommendations were made over 2 years ago. The price will only go up if we wait any longer. To date, only $517 million has been allocated for port security funding.

In contrast, this Congress provided upwards of $11 billion to aviation security after 9/11. We have acted as a unified body in the past in addressing our Nation's overarching security needs. We need to do that again in port security. My amendment will address some of our Nation's most glaring vulnerabilities instead of after the fact.

We have a Coast Guard recommendation. We have the blueprint of how to secure our seaports. Now we must make a concerted effort to get the most out of how we invest the people's money. My amendment does just that.

Finally, we have a precedent of the impact our ports have on our economy if they were to be shut down. As we remember, back in 2002, during the West Coast lockout, our western ports were closed for 10 days. The impact to the national economy was estimated at $1 billion per day. That is a total of $10 billion.

I am passionate about this issue. Today we have an opportunity to provide leadership and guidance for the present and future security of our Nation and our economy. The administration has only put in $47 million. That is underfunding our ports, which are critically vulnerable at this state.

Mr. Chairman, we have an opportunity before us to assure the American people that we as Members of Congress are addressing the security needs of our Nation.

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We have created the Department of Homeland Security to shepherd us into the post-9/11 era. Although Congress and the administration have provided resources, they are too little to address this homeland security threat. This funding is still woefully inadequate. Now we must provide guidance and leadership on this national security issue.

Let us use the tools that we have to focus on a very important national security issue. We owe it to our communities to lead and not react.

Mr. FERGUSON. Mr. Chairman, I rise in strong support of this amendment. I understand that the sponsor has said that she may withdraw this amendment, but it is an important issue to draw attention to. I rise as a co-chair and a co-founder of the Port Security Caucus in this House.

I come from the State of New Jersey, and we have one of the major shipping ports in our Nation just outside the reaches of my congressional district in New Jersey. I had an opportunity to visit there about a month ago, and I spent the day with the Coast Guard traveling around the harbor. I had an opportunity to walk through the screening procedures with the customs agents and others who are charged with the enormous task of screening and making sure that the millions of cargo containers that come in through Port Elizabeth/Port Newark, through that particular port, are safe and are not going to put our families and communities in danger.

It is clear if you travel and are familiar with the ports of our country, like that major port in New Jersey, that our ports are open doors to world commerce. Ports create jobs, they facilitate trade, and they are absolutely vital to our economy. That is why port security is critically important to the security of our Nation and to the overall health of our economy. Port security and economic security are tied together hand in hand. They are one and the same.

The horrific events of 9/11 have shown us how vulnerable we are to terrorists who are bent on disrupting and destroying our way of life in America. Unfortunately, our ports, a gateway to commerce into our country, can also be seen as open doors into our Nation by these terrorists and those who seek to do us harm.

The U.S. Coast Guard estimates that a 1-month closure of a major port in our country will cost our national economy $60 billion. That is why we must fund the Port Security Grants Program to at least the $400 million level prescribed by the American Association of Port Authorities. The Coast Guard estimates that addressing terrorist threats at port facilities will cost $5.4 billion over the course of the next 10 years, with $1.125 billion of that amount required in the first year for purchasing equipment and hiring and training security officers and preparing paperwork.

Without significant Federal support in fiscal year 2005, these new Federal requirements are likely to become unfunded Federal mandates and large financial burdens on our port facilities all across the country. Significant homeland security funds are needed to speed the protection of our open doors of commerce. Even though Congress has provided funding for port security in past appropriation cycles, this year is especially critical because this is the year when the new mandates will go into effect.

The U.S. Coast Guard's first year cost estimate of over a billion dollars is consistent with the amount of need shown in each of the application rounds for the grants. Port facilities have requested nearly a billion dollars in each round for the Port Security Grant Program. Federal funds have been available to pay for only 13 to 17 percent of these needs. We need the Port Security Grants Program to be funded at the $400 million level next year.

While this is significantly higher than last year's appropriations, it represents only 36 percent of the projected cost of facilities improvements. Compared to the billions allocated to airports and first responders and science

and technology, this is a modest investment in our Nation's security infrastructure.

Mr. Chairman, the FBI testified earlier this year that ports are a key vulnerability that has attracted interest from terrorist and terrorist organizations. We must do all we can to support securing our Nation's ports. Communities, neighboring ports, as well as the entire Nation depend on the steady and uninterrupted flow of commerce via our ports. It would be a mistake to ignore this threat any longer.

I will close by just reiterating that I serve as the chairman of the Port Security Caucus in this body. We have learned an enormous amount about our vulnerabilities in the post-9/11 world; and clearly, port security is one of the areas where we are still at great risk and at great vulnerability.

I ask the chairman of the subcommittee and the ranking member of the subcommittee as they go to conference to please look to see if there are ways to bump up the level of funding that has been included in the bill, and I certainly appreciate their hard and very dedicated efforts.

As I said last night, this is perhaps one of the most important bills we will pass this year, and I thank the chairman for his great work on this bill.

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

Mr. Chairman, I rise to support the Millender-McDonald/Ferguson/Pascrell/Nadler amendment to increase funding for port security. This amendment will transfer $275 million from the Disaster Relief Program to the Port Security Grant Program, which will then provide a total of $400 million for our Nation's seaports. Of course, I support increasing funding by much more than this $400 million, but this amendment is an extremely modest approach to begin doing something feasible right now to protect our Nation, and I firmly support the amendment.

The Coast Guard has said the amount in this amendment is the absolute minimum that is needed. Remember, we are at war. It is time to begin acting like it. We all know an attack can come at any time, and we must do all that we can do to stop it. That means investing more money in port security.

Frankly, this is a drop in the ocean. The fact is 2 percent of the containers of the 6 million containers that come into our ports every year are inspected; 98 percent could have an atomic bomb in them, or radiological bomb, or anything else, and we do not know about it. The fact is we should insist, and this amendment does not do it but it is a step in the right direction, and an amendment to do the right thing would be ruled out of order, the right thing would be to insist that no container gets put on a ship bound for the United States in a foreign port until that container is inspected by an American team in the foreign port. It is a little late to be discovering in New York or Los Angeles that there is a nuclear weapon in a container. And if a foreign country does not want an American team in their port, that is fine, they are sovereign, but they do not ship anything to the United States. That ought to be our policy.

We ought to spend the several billion dollars a year. If we are serious about protecting our people, we ought to spend the several billion dollars a year to inspect every container before it is put on a ship in a foreign port. We are at war, and this is serious business.

Last year on this floor I engaged in a colloquy on this subject, and a distinguished gentleman on the other side of the aisle said well, we will inspect the high-risk containers. And I said, so, well, the terrorists will put the weapons in the low-risk containers.

Mr. ROGERS of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. NADLER. I yield to the gentleman from Kentucky.

Mr. ROGERS of Kentucky. Mr. Chairman, the gentleman may be referring to another section of the bill. This is about port security, not container or cargo security. It is about the security of the port itself.

Mr. NADLER. Mr. Chairman, reclaiming my time, I am aware of that. And I am aware that if I offered an amendment to do what we ought to do, it would be ruled out of order, as it was last year, so I am using this opportunity to talk about this amendment, to talk about what we really ought to do, which the majority would rule out of order if we attempted to do it.

So the fact is what we really ought to do is inspect every container in a foreign port. We cannot do that because the administration does not take the war being waged against us seriously enough. They think the tax cuts are more important for the American people. They will not let us spend that money; the majority will not let us spend that kind of money, so we are reduced to doing what we are talking about in this amendment, which is a very modest step to increase to $400 million the total for port security because maybe we will catch in our ports here what we elect to put in containers abroad because we did not inspect them when they should be inspected.

So I support the Millender-McDonald amendment as a very modest first step. The vote on this amendment will tell whether the Members voting take the security of the American people seriously or not. I urge Members to take the security of the American people seriously and vote for this amendment as a very modest first step.

Mr. SCOTT of Virginia. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the amendment. My colleagues, the gentleman from Virginia (Mr. SCHROCK), the gentlewoman from Virginia (Mrs. JO ANN DAVIS), the gentleman from Virginia (Mr. FORBES), the gentleman from Virginia (Mr. CANTOR) and I represent the Richmond and Hampton Roads area of Virginia. Richmond is the home of the Port of Richmond. Hampton Roads is not only the home of the Port of Hampton Roads, but also the home of the world's largest Navy base and other strategic military installations, a nuclear power plant, and an oil refinery. It is considered one of the most target-rich areas of the Nation for terrorist attack. Each year over 2,500 commercial vessels enter the Port of Hampton Roads alone, so adequate funding for port security is a significant issue for those of us who live in Richmond and Hampton Roads.

To guard against vulnerabilities, such as cargo containers being used to smuggle chemical, biological or nuclear weapons, or the ships themselves being used as weapons, the Coast Guard has estimated it will cost approximately $1.1 billion to properly protect our ports from terrorism.

Congress has taken the lead in supporting port security grants by appropriating a little over $500 million since 9/11. This bill contains another $125 million but still leaves us almost $500 million short of the Coast Guard analysis. The amendment offered by the gentlewoman from California (Ms. MILLENDER-MCDONALD) would close the gap by an additional $275 million. These funds will ensure that ports will be able to pay for adequate security measures to protect all Americans against terrorist attacks from our seaports.

Finally, Mr. Chairman, I want to thank the gentlewoman from California (Ms. MILLENDER-MCDONALD) for her detailed analysis that she has provided us which shows that even after the transfer, FEMA will have more money than it had last year even though it ran a surplus last year of over $500 million.

Furthermore, I want to thank the gentlewoman for pointing out that the $400 million is a small portion of the $16 billion in customs fees generated by the maritime industry. This bipartisan amendment is supported by the American Association of Port Authorities and the Port Security Council of America. I ask that we support the amendment.

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

Mr. SCOTT of Virginia. I yield to the gentleman from California.

Mr. FILNER. Mr. Chairman, the gentleman speaks from the East Coast, I would like to add support for the gentleman's remarks from the West Coast. And thank the gentlewoman from California (Ms. MILLENDER-MCDONALD) for her leadership on this amendment.

I represent San Diego, California—a large Navy port. I used to say we are the biggest Navy port in the world, but the gentleman says it is in Virginia, so we will have to fight over that later.

We have three nuclear reactor aircraft carriers sitting in our harbor and a nuclear submarine base right there. I think it is generally acknowledged that port security is the weakest link

that we have in our system right now and where the lowest amount of resources relative to need has been put. We simply have got to do a better job.

The gentleman from New York was talking about containers, and the chairman of the subcommittee said we are talking about port security. I would note that in most of the ports of the United States there are millions of empty containers sitting around and we have no idea what is really in them. We call them empties because they supposedly have been unloaded, but according to the experts on this, and that is the dock workers and the longshoremen of America, the potential for these containers to be security risks are very great. It seems to me that we should incorporate the inspection of these into our notion of port security and give the power to do this to our Coast Guard or other port security officials.

Mr. ROGERS of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. SCOTT of Virginia. I yield to the gentleman from Kentucky.

Mr. ROGERS of Kentucky. Mr. Speaker, we can talk about container security if Members want, but this amendment is about port security. We have a great container security program. Every high-risk container is searched offshore. We are going to be in 47 foreign ports doing that.

□ 1030

But please, can we talk about port security? If we want to talk about container security, we can do that, but not on this amendment.

Mr. FILNER. I understand what the chairman is saying. I would argue with great respect that the so-called empty containers lying around the ports are part of our port weakness. Container security is port security. Longshoremen have shown that the way that we inspect, for example, ''an empty container'' is through an optical system that leaves almost one-third of the container completely invisible to the so-called inspection. In addition, most of the inspection techniques do not allow us to really know what is inside.

I was going to do a press conference that would show, after an inspection of an empty container, a longshoreman jumping out with an Uzi and showing that we can actually bring in weapons of mass destruction in these seemingly empty, innocent things.

So we have got to do a better job. The amendment of the gentlewoman from California (Ms. MILLENDER-MCDONALD) ought to be supported, and I appreciate the comments of the gentleman from Virginia.

Mr. ROGERS of Kentucky. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, port security obviously is terribly important, and that is why we have provided in this bill $125 million, which is $79 million more than was requested and more than the 2004 level. So we are putting heavy emphasis on port security in the country.

Is that enough money? Of course not. There is not enough money in the world to perfectly protect everything in America, but we think we have on balance provided plenty of money in the bill for port security.

Number two, I have to oppose this amendment for a second reason, and that is probably the most important one. And that is that this would dangerously deplete the disaster relief fund, which concerns me greatly, and we are just now getting into the heavy part of the disaster season. So if there were another offset, this might be more attractive to me, but to take the money out of disaster relief is just a dangerous thing.

So I oppose the amendment. I would hope the gentlewoman from California (Ms. MILLENDER-MCDONALD) would consider withdrawing the amendment, and we will address this issue, I guarantee in the conference with the Senate, the other body, as we go along during the year. But I appreciate very much the gentlewoman from California (Ms. MILLENDER-MCDONALD), and those who have been speaking with her, in bringing up this very, very important issue, and I assure them it is on my mind and on the mind of the subcommittee.

Mr. OBEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I will not take the 5 minutes, but I do want to challenge something my friend, the gentleman from Kentucky (Mr. ROGERS) just said. He indicated that every container in foreign ports was inspected. That, as I understand it, is far from the facts.

Mr. ROGERS of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. OBEY. I yield to the gentleman from Kentucky.

Mr. ROGERS of Kentucky. I did not say every container. I said every high-risk container.

Mr. OBEY. Let me simply suggest that that gives me no comfort. The fact is that we have two basic problems with container inspection. The idea behind the new system that the administration is talking about is to see to it that cargo is inspected before it ever leaves the foreign port headed for this country. The problem is that of the major ports that are considered potentially dangerous, we are covering only half of those ports right now with our own inspection personnel in any effective program.

And I would point out further that the personnel that we have in these ports are assigned largely on the basis of 6-month temporary duty jobs. That means that just about the time they get to understand the ports that they are working in, they go home. No foreign country is going to waste any time, invest any effort getting to set up a working relationship with people who are going to be gone in 6 months. It would be like us hiring somebody on our staffs and then firing them every 6 months and having to break in a new person. It is a pretty dumb way to do business.

So while I have great misgivings about the source of money of the gentlewoman from California (Ms. MILLENDER-MCDONALD) and I agree with the chairman on that point, I do believe that we need to understand there are massive problems associated with port security, and if we do not do a whole lot more than the budget resolution allows us to do, some day we are going to regret it very much.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I recognize the comments of the distinguished chairman, but I appreciate the comments made by the ranking member, the gentleman from Wisconsin (Mr. OBEY).

I would just commend my colleagues to visualizing ports. For those of us who have ports in our communities, and those of us who serve on the Select Committee on Homeland Security had an opportunity to see a number of working ports around the country, the acreage is huge, and I will not upset the chairman. I will not mention containers, because this is a question of securing ports.

The acreage, in and of itself, is massive; and I know that the good work that has been done by many of our ports, along with the Coast Guard, there have been great strides toward homeland security.

I would like to cite the Houston Port Authority for its improvement on securing its acreage.

But the gentleman from Wisconsin (Mr. OBEY) is right. The employees in many instances are temporary. In many instances, they are from many foreign ports. Sometimes they come on shore and are not able to leave the area. We think mostly of ports from the water side, if you will, but in many ways, there is a lot of influx of traffic, trucking traffic that may not be regulated.

This investment is minor compared to the largeness of the question. The gentlewoman takes $400 million from a $2 billion allotment. This, of course, responds to the fact that $500 million were unexpended in disaster relief. I know that you cannot predict a disaster and a disaster may occur at any time. But in viewing ports from very different perspectives and different regions of our country, I can assure my colleagues that there is nothing probably more important and more forgotten even in the good work that the ranking member of this appropriations subcommittee and the chairman have done than seeing what is going on in our ports. We face a situation in our community where the key was not so much the water side of the port; but it was a dry side, if I might, the exit and entry of people coming on the grounds for a variety of reasons. There was a private security company, and there was not the kind of tight security that was necessary. Much havoc can be done

on the port on dry land as there is a large degree of unloading and containers remain on the dry side, if you will, for a period of time until they are sent off the grounds. There is a lot of ingress and egress problems.

I would just simply say that the Coast Guard who we asked to rise to the occasion after 9/11 did that without the immediate resources by being in our waterways both in terms of their civilian work and their military work. We just lost our first Coast Guard personnel in the Iraq war just recently, a couple of weeks ago, a couple of months ago maybe; but this amendment, I think, responds to the fact that it is a great challenge to secure these ports. I would ask my colleagues to consider this, but I also would hope that the chairman and ranking member would consider this amendment in conference.

Mr. PASCRELL. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, as a member of the Select Committee on Homeland Security, I am very proud to cosponsor this port security amendment which would more than triple the Federal funding for security enhancements in our ports. I believe that the chairman, I do not say this in a condescending way at all, and the ranking member of the subcommittee have done an outstanding job with insufficient allocation. That is my position. When everything is a priority, nothing is a priority. We have to establish priorities based upon assessment, risk assessment.

Mr. Chairman, we do not have a national assessment of our most vulnerable areas. We have asked for this 2 years ago, we asked for this 1 year ago, because I think this amendment would not be on the floor. Our assessment as laymen indicates that this should be a priority. It is our weakest point. One glaring need in this bill begs for more resources and that is port security. I fear that providing the same level as last year will not suffice. There is a legitimate threat that maritime transportation will be used to smuggle people, to smuggle weapons or other materials into the United States for the purpose of terrorist attacks. We know that. We know that from the intelligence. The FBI testified earlier this year that ports suffer from an acute vulnerability. How could we allow this to continue in a time of heightened risk?

In the wake of 9/11, Congress passed the Maritime Transportation and Security Act. That act required, among other things, the establishment of a maritime security committee and security plans for facilities and vessels. The deadline of July 1 for this mandate is only a few weeks off. I hope everyone in the Chamber understands that in 2 weeks that mandate about our port security must go into effect. Or shall it be like all the other mandates we have had, for instance, dealing with airlines?

To meet these mandates, the MTSA authorized a grant program to help pay for security investments and enhancements. While the committee improved upon the disturbingly insufficient funds requested by this administration, here we go again, Democrats and Republicans from both sides of the aisle are not accepting what the administration has put forth. Thank goodness. We talk about security out of one side of our mouth, and then we provide the proposals that do not meet these priorities. That is a fact of life. The Coast Guard estimates that the first year of cost compliance with the Maritime Transportation Security Act will be $1.2 billion. Demand from the ports is far outweighing the supply of assistance. The Coast Guard, remember that forgotten branch of our service, is now a prominent part of security in America.

In the first 3 rounds of grant awards, and I would ask the gentleman from Kentucky to please heed this, this is a priority, this is serious business, and I know he takes it seriously, the DHS funded less than 20 percent of the submitted applications. How can we stand on the floor of the House and say that this is now sufficient money to deal with what we have all considered to be and deemed such a priority when only 20 percent of the applications have been responded to? Many deserving applications to help install access controls to our ports, surveillance equipment, communications upgrades, really lacking, and physical enhancement at ports around the Nation had to be denied because of a lack of funds.

We are not asking to put more money into this particular part of the budget. We are saying, let us shift some dollars from this part of the budget to that part of the budget. When everything is a priority, nothing is a priority.

The Port of New York and New Jersey, the largest on the east coast, generates 229,000 jobs and $14.6 billion in gross domestic product. It is a major economic driver for the metropolitan area. I would say that we could obviously duplicate this throughout the entire country.

I ask the chairman to please address this. I appreciate all that he and the ranking member have done in this area.

Ms. MILLENDER-McDONALD. Mr. Chairman, I am withdrawing this amendment. I thank the indulgence of the chairman and the ranking member and do urge them to try to find funding for this very critical national security issue.

The CHAIRMAN pro tempore (Mr. SHIMKUS). Without objection, the amendment is withdrawn.

There was no objection.

□ 1045

AMENDMENT OFFERED BY MS. DELAURO

Ms. DELAURO. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. DELAURO:

At the end of the bill (before the short title), insert the following new section:

SEC. ____. None of the funds appropriated by this Act may be used to issue an order under a task and delivery order contract to entities not in compliance with section 835 of Public Law 107–296.

Ms. DELAURO. Mr. Chairman, the American people should be outraged by the actions on this floor just a short time ago, actions that would allow the Department of Homeland Security to move forward with a $10 billion contract for a corporate expatriate. A corporate expatriate, a company that goes offshore, Bermuda, Cayman Islands, other places, sets up a shell corporation all for the purpose of diminishing their tax liability; that is, not paying the taxes that they should be paying to the United States of America.

The Republican leadership has finally after 18 months relented on their opposition to closing the loopholes in the ban on Department of Homeland Security contracts to corporate expatriates, but as so often happens with the Republican House leadership, they have said yes on the one hand and no on the other. They agree that it is wrong for the government to contract with companies who go offshore in order to avoid their tax liability, but at the first possible chance they grant an exemption to this ban by allowing the largest Homeland Security contract to date to go to one of the worst offenders, Accenture of Bermuda.

That is why I am offering this amendment with the gentleman from Arkansas (Mr. BERRY), the gentleman from Texas (Mr. DOGGETT), the gentleman from Massachusetts (Mr. NEAL), and the gentlewoman from New York (Ms. SLAUGHTER).

Our amendment will prohibit the Department of Homeland Security from spending any appropriated funds to carry out any contracts with an entity which qualifies as an inverted company or partnership under the law. The underlying bill will close loopholes that allow companies which have already incorporated in Bermuda and their domestic subsidiaries to receive contracts, loopholes that essentially gutted a ban that this House passed in July of 2002 by a vote of 318 to 100. But at the same time, without this amendment we will allow the Department of Homeland Security to move forward on a $10 billion contract to just such a company.

Accenture claims they were never an American company. Let us look at the facts. They were a part of Arthur Andersen until 2000. They incorporated in Bermuda in 2001. Their chief executive officer is based in Dallas, Texas. Their stock is traded on the New York Stock Exchange.

More importantly, let us look at numbers. Even as Accenture reported that its American earnings increased by over $319 million in 2003, its U.S. tax liability decreased by almost $240 million. Simply stated, their revenues are going up; their tax liability is going down. Accenture, this is a company which has set up an elaborate corporate structure ranging from Bermuda to Luxembourg to Switzerland so

that they can shift income overseas and reduce their overall U.S. tax burden.

What is the result? Good corporate citizens loyal to the United States, companies that live up to their responsibilities like the two who were underbid in this contract, they are put at a competitive disadvantage. These are other bidders, and it has been said that we would not be able to move quickly. There were two other bidders in this effort. We can move quickly on getting this task done.

Stanley Works is a Connecticut company, which considered incorporated in Bermuda, reconsidered, and they have said: Not only are we disadvantaged against our foreign competitors, but two of our major U.S. competitors have a significant advantage over Stanley Works because they are already incorporated in Bermuda.

Our Tax Code should not reward companies for moving overseas. It should reward them for staying here, for contributing to our economy, for creating good jobs. And by giving lucrative government contracts to companies setting up a post office box in Bermuda, Mr. Chairman, we are making matters worse.

The fact is we are in a time of war. We have troops serving overseas. They are in harm's way every single day to protect this great country. We are struggling to fully equip, as this bill points out, our first responders, ensure the safety of our ports and our air transit. We simply cannot afford to reward companies that accept the benefits of American citizenship without living up to their responsibilities. We are talking about $5 billion in revenues. Such behavior is wrong. It offends our values as Americans.

Very quickly, I might add, some will say that we are going to be wound up in lawsuits if we do not go forward. Not true. It is untrue. All of the legal research has concluded that the government would have little liability beyond the $10 billion contract minimum even if that work has been performed. So do not let them get up and talk about spurious argument. The fact of the matter is this is a company that has gone offshore not to pay its taxes, and they are getting a $10 billion reward. We should level the playing field and help good corporate citizens.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I rise in opposition to the amendment.

The gentlewoman is entitled to her strong opinion but not her own facts. She notes that troops overseas need help. The reality is if her amendment passes, this will have to be recompeted and it will push back protecting our borders another 2 years.

A lot of companies invested money in this. Homeland Security invested money in going through these. This will have to start again. The bids of the losers in this particular case will be made public. Everyone will have a starting place. This pushes the outcome to protect our homeland 2 years. So this does not do anything to protect the homeland, number one.

Number two, Accenture, to my understanding, pays an effective tax rate for fiscal year 2004 of 34.8 percent. The two competitors in this pay, in their recent 10–K filings, 31.3 percent and 28 percent respectively.

I ask the gentlewoman where is the tax advantage if they are paying a higher percentage of their taxes? Does she know?

There is no tax advantage.

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

Mr. TOM DAVIS of Virginia. I yield to the gentleman from Texas.

Mr. DOGGETT. Mr. Chairman, what the gentleman from Virginia (Mr. TOM DAVIS) is saying is that they pay that effective tax rate on their profits. Right?

Mr. TOM DAVIS of Virginia. Yes.

Mr. DOGGETT. Mr. Chairman, so does the gentleman know how much of their income has been stripped out by their use of this foreign approach of setting up their corporation abroad? In other words, he is just talking about their tax rate on the little bit of income they leave here, not on the $100 million that they shifted out on which they pay practically nothing.

Mr. TOM DAVIS of Virginia. Mr. Chairman, reclaiming my time, obviously it is the usual subterfuge on this. As a primer, they pay taxes on profits. They do not pay taxes on their losses.

But we are talking here about an effective tax rate, not the tax rate itself, which of course would be equal for U.S. income.

All work performed on this contract is performed in the United States. They were awarded this contract and the experts, the career civil servants who looked at this, decided this was the best procurement to protect the homeland. What they would have us do, the author of this would say let us not take the best defense we can get for the homeland, let us take something else. Let us pay a little more, let us get a little bit less because we want to settle the score because the parent company of the U.S.-based company that won this procurement somehow should be punished, even though all the work will be performed in the United States. And Accenture LLP led the SMART Border Alliance, which represents 31 U.S. companies employing 330,000 people in 50 States. Again, the US-VISIT program led the source of selection process here and chose this as the most effective means, not just cost effective but technically effective means, to protect the homeland, and they want to throw that out the window and say we will take second best for some other reason.

The time to address this, frankly, was at the time of the procurement. Congress held hearings on this. We had an opportunity on this procurement before it was let to do something on that in the hearings.

As I noted before, they do not receive a competitive advantage on this. Accenture is not a corporate inversion. This was a global partnership and all of their U.S.-based work of course they pay taxes on in the United States.

The thing I worry about most, though, is retaliation. Right now in information technology we are running an $8 billion trade surplus. This jeopardizes that surplus by inviting retaliation from other countries in the globe where we currently maintain a trade surplus with retaliation against U.S. companies doing business in those different countries, and I think that would be a disaster for the U.S. economy, something that my district in Northern Virginia knows something about, being one of the leaders in this. I do not think we should reduce the safety and security of the U.S. to settle a political score in this particular case.

Why should U.S. taxpayers pay more money and take, in the opinion of the career civil servants, a secondary technical solution to protect our homeland?

I also want to note no jobs are being outsourced. All the work on this contract is being performed in the United States. Accenture I do not even believe has any employees in Bermuda. Every cent of taxes that is earned on this will be paid here. The CEO of Accenture lives in Texas. Their Chief Financial Officer lives in Texas. And the idea that somehow they are not employing Americans or these jobs are going offshore or any intimation of that is patently false.

Let us take a look at the procurement itself because I think it is important. It is creating a nationwide entry and exit tracking system for foreign nationals visiting the United States. This amendment delays that for 2 years. I do not think our homeland needs that. I do not think the security in this country needs that. I urge defeating the amendment.

Mr. LATHAM. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 40 minutes and that the time be equally divided.

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

Mr. OBEY. Mr. Chairman, reserving the right to object, let me explain to the Members what is happening here.

We have been in negotiations about overall budget issues for the last day and a half trying to reach accommodation between both sides. Until agreement was reached or until it appeared that agreement would be reached, we have been unable to agree to any time limits. Now it appears there is some progress being made, and we would like to facilitate that by trying to take measures which would enable us to finish this bill today so that Members can go home before 10 o'clock tonight. So we checked to find out how many speakers were on each side, and I thought that with this 20 minutes on each side, there would be enough for every speaker who had indicated a desire to speak.

So the gentleman is making a good-faith effort to limit the timetable based on discussions that he has had with us. And unless someone has real heartburn about it, I would appreciate if the gentleman's motion would be agreed to.

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

Mr. OBEY. I yield to the gentleman from Iowa.

Mr. LATHAM. Mr. Chairman, I think we could expedite, also, time limits. I think there is a paper that we are waiting for over here, and if we could expedite that, I think we can come to an agreement.

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

Mr. OBEY. I yield to the gentleman from Minnesota.

Mr. SABO. Mr. Chairman, it is clear that 20 minutes would be controlled by the gentlewoman from Connecticut (Ms. DELAURO) and 20 minutes by someone else on the other side.

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

Mr. OBEY. I yield to the gentleman from Iowa.

Mr. LATHAM. Mr. Chairman, the gentleman from Virginia (Mr. TOM DAVIS), yes.

Mr. OBEY. Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN pro tempore. Let me restate the unanimous consent request by the gentleman from Iowa (Mr. LATHAM). Forty minutes equally divided by a proponent and opponent, divided and controlled, and on this amendment the time will be controlled by the gentlewoman from Connecticut (Ms. DELAURO) and the gentleman from Virginia (Mr. TOM DAVIS).

Is there objection to the request of the gentleman from Iowa?

Mr. DOGGETT. Mr. Chairman, reserving the right to object, and subject to my reservation, if I could just ask for clarification. This will be 20 minutes per side on this amendment. The gentleman does not envision any other amendments to the amendment being offered? Is that correct?

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

Mr. DOGGETT. I yield to the gentleman from Iowa.

Mr. LATHAM. Mr. Chairman, this unanimous consent would say this amendment and all amendments thereto.

Mr. DOGGETT. Mr. Chairman, further reserving the right to object, does the gentleman anticipate any amendments to this amendment?

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

Mr. DOGGETT. I yield to the gentleman from Iowa.

Mr. LATHAM. No, Mr. Chairman. We do not at this time anticipate any further amendments to this amendment.

Mr. DOGGETT. Mr. Chairman, would the gentleman be willing to modify his 20 minutes to a side then on this amendment, 20 minutes to a side? Because if someone were to come forward with an amendment to this amendment, I am confident it would require additional time on our part.

□ 1100

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

Mr. DOGGETT. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, I thank the gentleman for yielding. Perhaps we could handle it by simply saying that if after the assurances of the gentleman that no additional amendment would be offered, if one is offered, there will be no further agreements on time limits today.

Mr. DOGGETT. Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN pro tempore (Mr. SHIMKUS). Without objection, the request of the gentleman from Iowa (Mr. LATHAM) is agreed to.

There was no objection.

The CHAIRMAN pro tempore. The Chair recognizes the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Chairman, I yield 5 minutes to the gentleman from Arkansas (Mr. BERRY).

Mr. BERRY. Mr. Chairman, we can handle this quicker than 20 minutes. Just accept the amendment. Just do a unanimous consent and accept this amendment, and we are out of here.

I cannot believe the discussion I have heard on homeland security funding. Anybody watching this debate would have to conclude that the integrity and the honor and what America stands for throughout the world and throughout history is all about money. That is all that matters. Nothing else matters.

We are talking about giving to a company that has renounced its U.S. citizenship a $10 billion contract and putting them in charge of border security. What a ridiculous idea. A foreign company in charge of our borders, rewarding a company that said, We don't want to be an American company anymore. That is not important to us. What is important to us is money. Give us more money.

This company has a great history of just being interested in money. They have demonstrated throughout the time that they have been in existence all they care about is money. Being an American is not important.

I think this absolutely desecrates the Declaration of Independence and those great men and women, or the great men that signed it, women would have if they had been allowed to, and especially that last sentence that says: "In support of this declaration, we mutually pledge to each other our lives, our fortunes and our sacred honor."

Is the security of this Nation and the future of this country not any more important to those that would vote against this amendment than to say it is about money? Throughout history this country has been willing to pay any price, we have been willing to sacrifice whatever we had, to keep this country great, to keep it strong, to do what was necessary to preserve freedom and liberty and the pursuit of happiness and opportunity for everybody.

Yet, you come to this floor, and I hope I would get to be there for those of you who will vote against this amendment, so you can explain to your children and grandchildren, Son, granddaughter, it is not about being an American, it is not in your heart, it is not about what you have to do to make this place what it is. It is about money. And we failed. We failed because we did not want anybody to have to sacrifice just a little bit. We made it possible for companies to put themselves together, move offshore and cheat good, honest, hard-working taxpayers, and take advantage of them.

How can you face those men and women that are going to come back from the Middle East and that put their lives on the line, and they are going to have to go to work and pay taxes? How are you going to face them when you say, Well, I thought it was a good idea to take care of this bunch of shysters that put this company together and went offshore and cheated you out of a few hundred million dollars. I think that is a great idea, and I wanted to support that.

If you want to support it, that is the thing for you to do. Stand up today and be counted. Say it is not about integrity, it is not about honor, it is not about that great spirit that lives in the hearts of all Americans. It is about money, and we are going to make sure that all of the rich people we can find, we are going to give them all the money they can get.

You are going to keep doing this, and you are going to destroy this great Nation. Anybody that could watch this debate can only conclude that the people that are in charge of this House care about only one thing, making their rich friends richer. And if you can vote for this, God help you.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, let me just say this is about the best technology to defend the borders. I have a letter from the Chamber of Commerce of the United States made up of American companies in opposition to this amendment. I have a letter from the Professional Services Council made up of American companies in opposition to this amendment.

Mr. Chairman, I yield 3 minutes to the gentleman from Arizona (Mr. KOLBE).

Mr. KOLBE. Mr. Chairman, I thank the gentleman for yielding me time, and I rise in strong opposition to this amendment offered by the gentlewoman from Connecticut, as I did the other day in the committee.

Let me say, first of all, as the gentleman from Virginia has indicated, this is about a 2-year delay in awarding the contract. So when the gentleman from Arkansas asks how are you going

to explain to American soldiers coming back, I am going to tell them it is about their security, it is about getting a contract out there so we can get this program in place. It is about security, and that is what this issue is really about.

The gentleman also talked about honor and integrity. Yes, it is about honor and integrity. We happen to enter into lawful agreements with other countries, it is called the World Trade Organization, they are called trade agreements, and we are the biggest beneficiaries of the government procurement part of those agreements.

The United States has a huge trade surplus in the services sector thanks in part to U.S. firms winning government procurement overseeas.

What the gentlewoman is talking about on this amendment is cutting off our nose to spite ourselves, because, of course, there would be retaliation against U.S. firms and workers who export services overseas.

Is the gentlewoman suggesting that Daimler-Chrysler should not be allowed to bid on any contracts here in the United States? Similarly, should we not want to be able to bid on contracts for building an airport in Paris or in Tokyo or some other place? Of course we want to. We have to abide by our agreements, and you do not just do it by doing it this way.

Let me just say about the issue of Accenture itself, all this talk about the taxes here. Those charges are erroneous. The effective rate of taxation paid by Accenture is 34.8 percent. The other companies that bid on this pay much less taxes. In fact, Lockheed Martin paid 31.3 percent effective tax, and Computer Sciences Corporation, the other bidder on this, paid 28 percent. So this is a company paying its taxes in the United States on the business it does here in the United States.

That is what this really is all about. All the work is being done in this country; all the jobs are going to be here; and all the taxes are going to be paid on the business here.

This is one of those things that comes up on the floor every once in a while, where people want to feel good, beat their breast, go home to their constituents. But it is bad public policy, it is terrible public policy, it violates all of our agreements, it is bad policy; and we ought to defeat this bill.

Mr. TOM DAVIS of Virginia. Mr. Chairman, will the gentleman yield?

Mr. KOLBE. I yield to the gentleman from Virginia.

Mr. TOM DAVIS of Virginia. Mr. Chairman, there are 330,000 American jobs in the contract that is currently being let to Accenture and its American corporate subsidiaries. But the other side would just delay those jobs at least 2 years and the creation of those jobs as they rebid this contract and recompete this contract and keep our borders less safe.

Mr. KOLBE. Mr. Chairman, reclaiming my time, the gentleman is correct, and that is why we should not delay that.

Ms. DELAURO. Mr. Chairman, I yield 5 minutes to the gentleman from Massachusetts (Mr. NEAL), who has been battling on this issue for the last several years.

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

Mr. NEAL of Massachusetts. I yield to the gentleman from Texas.

Mr. DOGGETT. Mr. Chairman, this last bizarre argument that was made that this amendment would somehow violate our world trade obligations, does the gentleman understand that argument to be that we are forced to outsource our national security and our homeland security to China or France, which are WTO members? That seemed to be the logical extension of this bizarre new argument.

Mr. NEAL of Massachusetts. Mr. Chairman, reclaiming my time, there are two things to remember: Bermuda is not part of the WTO; and, secondly, President Bush said he would never check with another country before deciding about American national security.

Mr. Chairman, I want to say something to the gentleman who spoke a moment ago about the ''beating on your chest'' about this issue. I have brought this issue up now in the Committee on Ways and Means consistently for 3 years. We cannot even get a vote on it. This is not an appropriations issue in the end; this is really a tax issue.

The gentleman from Virginia said a moment ago there are no employees from Accenture in Bermuda. That is the point. That is precisely the point. It is merely a post office box rented for $27,000. Does anybody believe that Tyco is a Bermuda-based company?

Why are we here today debating this issue? Joint Tax has said, and listen to this carefully, $5 billion would come to the American Treasury if we would simply send these folks their tax bill.

I want to ask Members of this body today this question as you vote: What would the IRS do to you next Monday if you renounced your citizenship and said you were really a citizen of Bermuda?

This is not an argument about patriotism. This is an argument about that woman on Wall Street who said, ''Maybe it is time that patriotism took a back seat to profits.'' Tell that to the moms and dads of 134,000 kids in Iraq, 20,000 kids in Afghanistan, troops committed to Haiti and Bosnia as well. And these people do not want to pay their corporate taxes? They are protected by these men and women, these soldiers who serve honorably and with distinction every day.

You know what this argument is about, because the American people know what this argument is about, it is about money. That is all it is about, money.

Then the argument becomes, well, let us give those who left, went to Bermuda, moved money to the Cayman Islands, and Luxembourg, let us give them a permanent advantage competitively over those who have chosen to stay, like Stanley Works in Connecticut, and ask them to compete in a bidding process where one side does not have to worry about corporate taxes.

This is indeed an argument about patriotism, and it is an argument about the fact that these companies do not have, and I repeat, do not have employees in Bermuda. They have instead a post office box. $27,000 is what it costs to open a post office box in Bermuda and avoid millions in U.S. taxes. It is indeed about money.

We ought to have the backbone here to stand up and say, once and for all, very simply, like the American people who send their sons and daughters off to war, either you are in or you are out. That is what this argument is about. It is not about the WTO and the bidding process. Bermuda is not in the WTO.

But I know this: when the sun sets on this argument today, the Committee on Ways and Means still will not take this issue up. And I would say this to the people that are on the other side on this issue, put this question in front of this body in an open, fair vote with an opportunity for all of us to express ourselves, and I will tell you what: I will eat the piece of paper it is on if we do not get 350 votes to end this practice. And you know it, and you stop it from coming to the floor time and again.

You can do something about this today with a small start and then do something about it permanently.

When I hear these folks say this is not about patriotism, tell that to the moms and dads of those kids who are over in Afghanistan and Iraq that these companies do not want to pay their corporate taxes to support them and give them the best equipment they need.

Ms. JACKSON-LEE of Texas. Mr. Chairman, will the gentleman yield?

Mr. NEAL of Massachusetts. I yield to the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Chairman, the gentleman has been very eloquent, but let me just say this to him: make it clear, this is not about the people of Bermuda, probably friends of ours, probably people who served with us, working very hard, working in the corporate structure. This is about homeland security.

I serve on the Subcommittee on Immigration. Let me tell you, we have the opportunity to delay this for 2 years, to rebid this for American companies that will create those same 330,000 jobs. I just want the gentleman, if he would, to accede to that point, that we can recreate these jobs by rebidding.

Mr. NEAL of Massachusetts. Mr. Chairman, reclaiming my time, there is no question. This is about the failure of Congress.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, let me correct a couple of statements made. First of all, this is not a company that ever left America. This is a global partnership at one point that as they looked at the new business model, they looked at a place globally in the partnership that had worked across the world.

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

Mr. TOM DAVIS of Virginia. I will yield on your time. Do you have the time, or are you just trying to interrupt me so I cannot get a stream of thought? You have ample opportunity to rebut me on the time allotted to you.

So they were never an American company, and this is not a corporate inversion under the current law, and the gentleman knows that, and the author of this amendment knows that.

Secondly, Bermuda is a British territory. Britain is a member of the World Trade Organization. To say they are not is fallacious, and I think we ought to at least keep this on a factual level. We have differing opinions, which I respect on this; but let us at least argue from the same basis of facts.

Mr. Chairman, I am happy to yield 4 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

□ 1115

Mr. BLUMENAUER. Mr. Chairman, I listened to my friends who are advancing this amendment, and there are a number of things that I agree with them on. I would be happy to have a debate on this floor about corporate inversion and about tax policy. I am troubled by some of the outsourcing of our activities in this country. I think that there are a number of valid points that have been raised. I am concerned, though, about how we are mixing them.

First of all, this is not, as has been referenced, a Stanley Works; this is a spin-off. I have been following this for a number of years, because the gentleman that I started in the political process with some 30 years ago founded the Arthur Andersen office in Portland, Oregon. He has been a close friend. He has not been associated with Arthur Andersen for some 20 years, but we have had many discussions about the travail of that once great accounting firm.

Accenture is a result of a spin-off that was brewing between the consulting wing and the accounting wing, and this finally was formalized in 1987.

Accenture has never been a United States corporation, a United States partnership. Never, not once. I have had this conversation with my friend, I have exchanged documents, I have requested information from them, and I have yet to receive, and I will welcome clarification on my colleague's time, anything that suggests what we are saying is not true. Never a United States corporation, not a United States partnership, spun off 15 years ago. I will enter into the RECORD the Notes To Consolidated Financial Statements from Accenture, LTD, that talks about the amount of tax that this entity pays on United States income.

My friend, the gentleman from Arizona, pointed out the effective tax rate was actually higher than that of the competitors that were involved here. We are talking about almost a third of 1 million American jobs, including some in many of our districts. I am troubled that we mix apples and oranges here, that we are having a rhetorical flourish and driving home some important points and mixing it in the only vehicle that is available. I think my friends on the majority side actually invite this sort of debate because we so seldom have a chance to kick it around in an open and honest and direct way, but this is not the vehicle.

Let me give one example in my community where I had to push back with friends on both sides of the aisle. I have the most productive truck manufacturing company in the world, Freightliner, headquartered in Portland, Oregon. There were people who wanted to push back against the purchase of the finest trucks in the world for our troops in Iraq because the ownership of this company that has been headquartered in my community for 50 years, employing union machinists, union teamsters and painters, was purchased by Daimler-Benz, a German company, and the Germans were not our friends in Iraq for a while. Now the Germans are our friends, because people find out we need them. But there was an attempt to punish a foreign corporation by making it impossible for my employees in my district to be able to bid on a contract.

I would suggest the analogy is exactly the same. I pushed back to protect those jobs. I think we err if we mix apples and oranges and try and throw this contract out.

ACCENTURE LTD—NOTES TO CONSOLIDATED FINANCIAL STATEMENTS

[In thousands of U.S. dollars except share and per share amounts or as otherwise disclose]

	2003	2002	2001
Current taxes:			
U.S. federal	$191,464	$98,193	$300,000
U.S. state and local	142,941	241,228	382,690
Non-U.S.	20,420	34,461	66,080
Total current tax expense	322,971	358,055	330,590
	486,332	633,744	779,360
Deferred taxes:			
U.S. federal	48,523	(143,035)	(85,520)
U.S. state and local	6,932	(20,434)	(19,612)
Non-U.S.	24,312	20,796	(171,612)
Total deferred tax expense (benefit)	79,767	(142,673)	(276,744)
Total	566,099	491,071	502,616

Deferred income tax expenses (benefits) related to the additional minimum pension liability were ($71,920) in fiscal 2003 and were recorded in Accumulated other comprehensive income in the Consolidated Balance Sheet.

Income before taxes from U.S. sources was $566,896 and $247,271 in fiscal 2003 and fiscal 2002, respectively. Income before taxes from non-U.S. sources was $1,045,921 and $820,287 in fiscal 2003 and fiscal 2002, respectively.

A reconciliation of the U.S. federal statutory income tax rate to Accenture's effective income tax rate is set forth below:

[In percent]

	2003	2002	2001
U.S. federal statutory income tax rate	35.0	35.0	35.0
U.S. state and local taxes, net	1.6	1.2	1.0
Non-deductible investment losses		11.7	0.2
Non-U.S. operations	(2.0)	0.4	1.6
Rate benefit for partnership period			(49.0)
Revaluation of deferred tax liabilities [1]			13.6
Cost of transition to a corporate structure			59.6
Other	0.5	(2.3)	1.2
Effective income tax rate	35.1	46.0	63.2

[1] The revaluation of deferred tax liabilities upon change in tax status is a deferred tax expense recognized upon Accenture's change in tax status from partnership to corporate form.

Ms. DELAURO. Mr. Chairman, I yield 5 minutes to the gentlewoman from New York (Ms. SLAUGHTER).

Ms. SLAUGHTER. Mr. Chairman, before I begin, I just want to say I am perplexed by the notion that we should leave this contract in place because Accenture will hire Americans to do the work. My assumption is that the two American companies who stay here and pay taxes would do the very same.

I thank the gentlewoman from Connecticut (Ms. DELAURO) for offering this amendment to stop this $10 billion government contract to Accenture. I do not have to explain to anybody in this room why this practice that we have here I think makes no sense at all. A lot of the American companies have decided to evade their Federal tax responsibilities. If you follow this debate, maybe they should all go. It seems it is trying to give us some idea that that is better for us.

But adding insult to injury, this Federal Government turns around and gives billions of dollars worth of contracts to those very companies who will not pay their share.

Corporate expatriates, as my colleagues know, cost us the $5 billion. And when they got this contract, as a member of the Committee on Homeland Security, I was both outraged and flabbergasted to learn that they were going to be responsible for launching the US-VISIT program at our 50 busiest land borders. One of them is just outside my district, in Buffalo, the Peace Bridge.

What do you think my constituents said to me when they learned the company responsible for securing the border, a company funded by their tax dollars, does not pay taxes itself? That the very company that was going to have the important responsibility of tracking foreign visitors is in itself a foreign visitor?

Not only is the contract an insult, it flew in the face of congressional intent. In July of 2002, the House passed an amendment sponsored by the gentlewoman from Connecticut (Ms. DELAURO) to prohibit the Department from awarding contracts to corporate expatriates. Unfortunately, it could not block the companies already moving to Bermuda, but we have been trying to close those loopholes.

Last year, I offered an amendment to Project BioShield that would have barred expatriate corporations from receiving $5 billion worth of contracts with the Department of Homeland Security, but it was voted down along party lines. But this week we achieve a partial victory.

The House Committee on Rules of which I am a member granted protection to part of the amendment offered by the gentlewoman from Connecticut (Ms. DELAURO) and the gentleman from Arkansas (Mr. BERRY) that would close the loopholes in homeland security contracting ban, and the amendment easily passed the Committee on Appropriations.

As a long-time member of the Committee on Rules, I can tell my colleagues that is no small feat. As many of us joke, we should probably put a sign above the door to the Committee on Rules room like that hung above the gates of hell in ''Dante's Inferno'' that says, ''All hope abandon, ye who enter here!''

It is no secret that the Committee on Rules is used by the Republicans to kill amendments before they can reach the floor for debate and to substantially restrict debate on legislation having a vast impact on this public.

But 2 days ago a miracle occurred, and we were able to protect the loophole provision on the Delauro-Berry amendment, but this fight is not over.

It does not make any sense, and America knows it. What in the world are we doing here? We are reading every day of the giveaway contract, the no-bid contract to Halliburton that is causing us so much harm and delivering no goods in Iraq, and then we sit here in this Congress and protect the giving of a contract to a corporation that has refused to pay its American taxes. Will my colleagues think about that? They bid against two companies staying here, good corporate American citizens who are at a disadvantage because the company who got the contract does not have to pay those taxes.

It is an outrage, and I think that today we will show that this House of Representatives believes that it is an outrage. I agree with what my colleagues said before: if this bill would ever be allowed by the Committee on Rules to come here for a full debate and vote, we would really show America that most people in this Congress do not like what the leadership is foisting on us.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I yield 4 minutes to the gentleman from Virginia (Mr. MORAN).

(Mr. MORAN of Virginia asked and was given permission to revise and extend his remarks.)

Mr. MORAN of Virginia. Mr. Chairman, I agree in principle with my good friends on the other side of this issue. I agree with my good friend, the gentlewoman from Connecticut (Ms. DELAURO), that it was wrong what Stanley Works did to leave Connecticut, to save some tax money, and to relocate their corporate headquarters in Bermuda, and move much of its production operations overseas. I agree that we ought to amend the Tax Code to punish firms that deliberately relocate to take advantage of foreign tax shelters.

But while I agree in principle with what is driving this discussion, I think we all understand that while we are entitled to our own opinions, we are not entitled to our own set of facts. And I would say to my friends on the other side, it is the facts that get in the way of this debate.

The facts are that Accenture is not a corporate inversion. The General Accounting Office said that. In fact, Accenture is a U.S. business. It is a partnership in Illinois; it employs more than 25,000 people, virtually all of them are Americans. The fact is that this is an American team of companies that we are talking about. It is a good team of major American firms, firms like Raytheon, Dell, AT&T, Sprint. Mr. Chairman, 330,000 U.S. jobs are involved in this team, 35,000 in Texas, 30,000 in California, 16,000 in Virginia, 14,000 in Florida, 13,000 in Massachusetts, I would tell my very good friend from Massachusetts. These are American jobs, and all of the work is going to be done in the United States. All of the profit is going to be subject to Federal income taxes. Thirty-eight percent is going to go to small businesses. The same kind of small businesses that we have been trying to help.

Mr. Chairman, all we are talking about is the executive branch trying to do what we required them to do. We required them by law to go ahead and to find a way to secure the 50 largest border entries by the end of this year, and to secure the ports by the end of next year. And they found that there were three of the very best teams who could accomplish this objective by being willing to hire the best American employees and invest millions of dollars to do it right.

Lockheed and CSC are terrific teams. They are not complaining about this, because they know it was completely legitimate, this competitive bidding process. They are not complaining because they know they lost fair and square. The reason why this team won is because they had the ability to best match what the Congress required them to do. They spent millions, they pulled together the best technical people, and they came up with the most innovative concept, the best price, the best quality, the best likelihood of performance in meeting the Congress' requirements. That is why they got the contract. Steve Pearlstein of the Washington Post described how they legitimately won this contract.

Now, imagine the precedent. DHS awarded this contract completely legitimately, the Congress comes in and says, oh, wait a minute, we are going to pull it back. We are not going to let them get this contract. Obviously we are going to get sued. Obviously it is going to take months in the courts. Obviously, we cannot have a fair bidding process now because the other two competitors now know exactly what the Federal Government was looking for, they know exactly what the cost structure needs to be, they know exactly all the innovative concepts that the company put together.

The fact is, this is good for the United States and its workforce. These are American firms. Now, sure, we live in a global environment, but this is an American business. They are doing good work. If we set this precedent, it will come back to haunt us for generations.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. DREIER).

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

Mr. DREIER. Mr. Chairman, I rise in strong opposition to this amendment.

We have had facts put out by my friend from Virginia, both of my friends from Virginia and others, and I would like to take a moment to look philosophically at this. Building on what the gentleman from Virginia (Mr. MORAN) just said, this really is about the cause of freedom and ensuring that we have access to the best quality product at the lowest possible price. We just this week passed the American Jobs Creation Act. One of the reasons I was so proud of that measure is that rather than constantly pointing the finger outward, it led us to look at ourselves. What is it that encourages the flow of capital and products and services across borders?

The fact of the matter is, we in the United States of America have a tax and a regulatory burden which creates great challenges. I believe that we need to realize that as Americans. The patriotic thing to do, I would say to my friend from Massachusetts (Mr. NEAL), the patriotic thing that we should do is to continue to do everything that we can to encourage greater freedom. That is why this measure which counters, counters completely a decision that was made, hurts the United States of America, hurts the cause of our homeland security by, in fact, saying to the American taxpayer, you cannot have access to the best possible quality at the lowest possible price.

□ 1130

I urge a ''no'' vote on the DeLauro amendment.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. DOOLEY).

(Mr. DOOLEY of California asked and was given permission to revise and extend his remarks.)

Mr. DOOLEY of California. Mr. Chairman, I rise in strong opposition to this amendment, and I want to once again restate some of the facts because I think there has been a lot of false allegations here.

Accenture is a U.S.-based partnership. Accenture was never an inversion corporation that moved from the U.S. to offshore. Accenture will be paying taxes on all the income that is going to be generated by this contract. And, in fact, if you look at recent history at the tax rate, the Federal tax rate that Accenture has paid in the past few years has been greater than that of the other competitors on this. Accenture is a U.S. partnership that employs 25,000 U.S. employees. All those employees that are going to be benefiting in this contract with a team and a partnership that will comprise 330,000 U.S. workers will be paying U.S. income taxes.

I am very concerned about the precedent we will be setting if we adopt an amendment that is being offered today that a company has to be solely incorporated in the United States in order to compete for a government contract. If we adopt that standard and that standard was adopted by the European countries of Germany and France or Japan or China, we would be saying to the workers of IBM in the United States, the workers of Boeing, the workers of Cisco, the workers in Microsoft that you cannot compete for a contract that is being offered by the governments of Japan, Germany, France, Italy, Great Britain. That would be an injustice, and it would ensure that we would be adopting a policy emulated by those other countries which would hurt U.S. companies and would hurt U.S. workers.

This is a precedent that could cause great harm to this country, and I hope we reject it.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I yield 1 minute to the gentleman from Colorado (Mr. TANCREDO).

Mr. TANCREDO. Mr. Chairman, this is a debate on the provision of the Department of Homeland Security. That is what we are supposed to be talking about here, the security of the Nation.

The tax obligations of this company are really irrelevant to whether or not this contract provides for the United States of America some greater degree of security. No one has argued, in fact, that it does not. No one has argued that it is not the best company, Accenture in this case, to provide the service we need and the technology behind it. No one has denied the fact that if we do not do this, if we change the rules at this point in time, that in fact now we will have to go back to the drawing board. It will be another couple of years before we can help secure the borders now, the U.S. VISIT program, and implement it.

So because this is a national security issue debated in the homeland security bill, I urge that this amendment be defeated.

Mr. TOM DAVIS of Virginia. Mr. Chairman, although I am defending the committee's position in this particular case, my understanding is I do not have the right to close because I am not a member of the committee.

The CHAIRMAN pro tempore (Mr. SHIMKUS). The gentlewoman from Connecticut (Ms. DELAURO), because she is a member of committee, has the right to close.

Mr. TOM DAVIS of Virginia. Mr. Chairman, does the gentlewoman have any additional speakers?

Ms. DELAURO. Mr. Chairman, I have one additional speaker to close.

Mr. TOM DAVIS of Virginia. Mr. Chairman, how much time do I have remaining?

The CHAIRMAN pro tempore. The gentleman from Virginia (Mr. TOM DAVIS) has 3½ minutes remaining.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I think this amendment is unfortunate. First of all, you are picking on only one homeland security contract where there are literally dozens, more than that, that go to companies that are foreign based. They have singled out one. Perhaps there is a bidder in their State that did not get it. But retaliation on Federal contracting is really not a good thing to be doing on the House floor.

Secondly, we need to be aware that this will cost the government additional money in termination costs, and they are likely to go through this, and delay implementation of this procurement for up to 2 years which means that securing our border and getting the U.S. VISIT program up and running will be delayed. This is a homeland security bill. This is an anti-homeland security amendment in that case.

It is important, once again, to note that the winner of the contract is an American corporation, but their parent is a global company that has a headquarters in Bermuda. They were a global partnership prior to doing that. Although the majority of their stock, I understand, is American-owned, certainly the bulk of their employees are here. But they are global in nature as are so many companies in a changing global economic world, a fact of the matter that some of my colleagues do not want to face up to.

Mr. MORAN of Virginia. Mr. Chairman, will the gentleman yield?

Mr. TOM DAVIS of Virginia. I yield to the gentleman from Virginia.

Mr. MORAN of Virginia. Mr. Chairman, may I ask the gentleman, he was a counsel to a contractor at one point in his life. Can he imagine how we would ever rebid this to either of the other two bidders now that they know all of the specifications that the government was looking for?

Mr. TOM DAVIS of Virginia. Well, this throws the procurement basically up in the air and out the window and delays it, I think, at a minimum a couple of years. Worst of all, we know under this contract, Texas gets 35,000 jobs. Those jobs, if this amendment becomes law, are out the window. They may get some back. They may not get any back. We know, for example, in Massachusetts 13,000 jobs come under this. Those jobs are out the windows if this is it. Maybe they will get it under some other bidding, but there is no assurance of that at all.

We know for example in Florida, 14,000 jobs; California, 30,000 jobs; Illinois, 11,000; Arizona, 12,000, on and on; 330,000 jobs at a time when people profess to want job creation. Basically what they are saying is let us put these jobs off 2 years because we do not like the headquarters where the parent company that is putting this together of the winning company, which is an American company, lives. Even though all of the jobs will be performed in the United States, appropriate security clearances will be cleared by American citizens to perform this work.

I would note once again, there are literally dozens, if not hundreds, of

companies around the globe that are doing business with the Defense Department, Department of Homeland Security, that are foreign based. If we cut this off, we are indeed, as one speaker noted, cutting off our nose to spite our face. Because, after all, this is a global economy; and after all, in this particular area we are running an $8 billion trade surplus, trade surplus. And what the proponents of this amendment would do is say, we do not care about a trade surplus in this particular area. We want to settle some other scores. We do not like the global economy. We want to use American dollars only to compete with American companies, only to use American companies even if it may be an inferior technology, even if it may cost taxpayers more.

That is what they are saying, and it is very poor precedent, in my opinion, for protecting the homeland.

Mr. MORAN of Virginia. Mr. Chairman, will the gentleman yield?

Mr. TOM DAVIS of Virginia. I yield to the gentleman from Virginia.

Mr. MORAN of Virginia. If, for example, this amendment passed, can the gentleman see any legal way that you can turn around and award the bid to either of the other two competitor companies?

Mr. TOM DAVIS of Virginia. It clearly has to be recompeted, and we will be wrought with protests.

I urge that this amendment be soundly defeated and we send the signal here that we want to protect the homeland first. This is a homeland security bill. It ought to stay that way.

Ms. DELAURO. Mr. Chairman, how much time do I have remaining?

The CHAIRMAN pro tempore. The gentlewoman from Connecticut (Ms. DELAURO) has 6½ minutes remaining.

Ms. DELAURO. Mr. Chairman, I yield the balance of my time to the gentleman from Texas (Mr. DOGGETT).

Mr. NEAL of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. DOGGETT. I yield to the gentleman from Massachusetts.

Mr. NEAL of Massachusetts. Mr. Chairman, the gentleman from Virginia (Mr. MORAN) was the mayor of Alexandria, Virginia. Did the gentleman ever void a contract that had been competitively bid?

Mr. MORAN of Virginia. Not after it was competitively bid when all of the factors were legitimately considered.

Mr. NEAL of Massachusetts. How about when they were not all legitimately considered?

Mr. MORAN of Virginia. There is no question that it was not legitimate. This was a legal bid.

Mr. NEAL of Massachusetts. Across this country every day mayors void contracts.

Mr. DOGGETT. Reclaiming my time, Mr. Chairman, the indifference of the Administration to the outsourcing of American jobs is well known to the American people. But now as incredible as it will seem to most Americans, the Administration and House Republican leadership are intent on actually outsourcing our national security. A foreign-controlled corporation has received a $10 billion contract, billion with a ''B'', to implement a major element of the Administration's border security initiative. And that is what this debate is about.

As usual, the House Republican leadership has this week blessed this outsourcing of our national security, even though this action is directly in defiance of the will of a strong bipartisan majority of this House. With Accenture, the accent is on tax dodging; and with this Republican leadership, since the first time we offered an amendment to deal with this, the accent has been on protecting and enabling abusive corporate tax dodgers.

Now, the Republican leadership wants to reward those like Accenture. It wants to reward those who flee America to fleece America. Not only saying, do not worry about paying your fair share of taxes, but it is okay to come and get your competitors' share of taxes too. The money hardworking people pay in to the Treasury, their money is going to be taken and given to a corporation that has fled America.

What makes this Republican leadership's actions particularly shameful is their refusal to hold the wealthy tax-dodging few accountable while others sacrifice so very much, sometimes everything that they have.

We know about the young American men and women around the globe who are dying for America. We know of the billions of dollars that American taxpayers must expend when this Administration calls on Americans to do most all the paying for its adventures around the world. The sacrifice that our military is making is measured in blood and the sacrifice of the middle-class taxpayers is measured in dollars. But some corporations have decided that they do not have to pay their fair share of our security.

Through this amendment we now can demand that they pay their fair share. This is a fair-share amendment. When this measure came up under the leadership of the gentlewoman from Connecticut (Ms. DELAURO) in July of 2002, 318 Members of this House voted to impose the same restrictions that we are asking for today. And Accenture began hiring lobbyists right and left to weaken that amendment. So the gentlewoman from Connecticut (Ms. DELAURO) came back with a bipartisan majority 35 to 17 in the Committee on Appropriations to approve this restriction.

Then the Committee on Rules, recognizing that it was violating the will of the House, has approved language in this bill that says Accenture, despite all these wonderful arguments we have heard this morning, is not going to get any more contracts. We are just going to give it a $10 billion contract. We are going to give it the big pie it has already been rewarded, but it will just not get any crumbs down the way. This is an admission that there is strong merit to the arguments in favor of the gentlewoman's amendment.

Let us go through one by one the arguments that have been advanced. It is difficult to do that because they can talk about getting their facts straight, then not get their argument straight. One of those who opposes this amendment has been at this podium declaring that Accenture has never been a U.S. company, followed by another speaker who insists that Accenture is a U.S. company with jobs all over America.

Well, on that I have to yield to Accenture. If you turn to their Web site, you will see that they declare they have never been a U.S. company. The Department of Homeland Security has outsourced this contract to a foreign company. But what of the argument that they did not leave America after they formed here? No, the answer is they got there first and they have set an example for other corporations about incorporating abroad. Indeed, this month's issues of Corporate Executive Magazine has an ad from Accenture: ''To accomplish more, sometimes you need to receive less.''

And, in fact, in their case, pay less in taxes. And they offer advice on, among other things, outsourcing jobs.

What of the argument that Accenture pays its taxes, everything that is legally due? They claim that they pay a higher tax rate than their American competitors. Well, I guess it all depends on whether you are paying taxes on all your income or part of your income because you are able to send some of your income abroad. Indeed, the name Accenture will be new to many people because it is a new name. The name Accenture did not exist a few years ago. The name Accenture, strangely enough, is owned by a foreign corporation and the U.S. company pays hefty royalties to this foreign company to use that name in the U.S. What Accenture has done is to strip its U.S. earnings out of the country so that it can say, we pay taxes on our earnings more than our competitors. We just do not pay U.S. taxes on about $200 million of our other earnings.

Let me just say that it used to be that, if you cleaned out a bank vault, you would be put on the government's ''most wanted'' list and imprisoned. But under this Administration, when you drain the Federal Treasury by dodging taxes, you are placed on a ''most wanted'' list for government contractors.

This is wrong. The American people know it is wrong. It is indefensible, and there is no good argument in favor of doing this. Vote for the DeLauro amendment.

Ms. HARMAN. Mr. Chairman, I rise to explain my "no" vote on the amendment offered by Ms. DELAURO. I support the principle embodied in the amendment: to deny the benefit of large government contracts to U.S. companies that purposefully locate offshore to avoid U.S. taxes.

But in this case, Accenture did not do this. Accenture is a combination of foreign and U.S. companies and claims it chose Bermuda, in 2001, as a neutral location.

The USVISIT contract is with the U.S. subsidiaries of Accenture, and with many other U.S.-located companies, all of whom employ Americans and pay U.S. taxes. We should not interfere with it and disrupt this important program.

□ 1145

The CHAIRMAN pro tempore (Mr. SHIMKUS). All time having expired, the question is on the amendment offered by the gentlewoman from Connecticut (Ms. DELAURO).

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

Ms. DELAURO. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN pro tempore. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Connecticut (Ms. DELAURO) will be postponed.

The point of no quorum is considered withdrawn.

AMENDMENT NO. 1 OFFERED BY MS. ROYBAL-ALLARD

Ms. ROYBAL-ALLARD. Mr. Chairman, I offer an amendment.

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

The text of the amendment is as follows:

Amendment No. 1 offered by Ms. ROYBAL-ALLARD:

At the end of the bill (before the short title), insert the following new section:

SEC. ____. None of the funds appropriated by this Act may be used to process or approve a competition under Office of Management and Budget Circular A–76 for services provided as of June 1, 2004, by employees (including employees serving on a temporary or term basis) of the Bureau of Citizenship and Immigration Services of the Department of Homeland Security who are known as of that date as Immigration Information Officers, Contact Representatives, or Investigative Assistants.

Ms. ROYBAL-ALLARD. Mr. Chairman, let me begin by thanking the gentleman from Kentucky (Chairman ROGERS) and the gentleman from Minnesota (Ranking Member SABO) for their hard work on this very important bill.

Mr. Chairman, my amendment would prohibit the Citizenship and Immigration Service under the Department of Homeland Security from needlessly and dangerously contracting out work that is inherently governmental in nature and essential to maintaining our national security. This work is performed by immigration information officers, contact representatives and investigative assistants who are well-trained to understand our country's complex immigration laws and regulations. In the course of performing their duties, they often use highly classified information to prevent immigration fraud and ensure terrorists do not exploit our immigration laws.

The Office of Management and Budget, OMB, will argue that privatizing immigration officers will save taxpayers and the Federal Government money. The General Accounting Office, however, has challenged OMB's estimated savings derived from privatization. The Comptroller General recently stated that GAO cannot verify OMB's claims because government agencies do not have accounting systems to provide reliable tracking of costs and savings, but even if savings could be realized, the fact remains that the bottom line should never take precedent over our national security.

We need to have reliable, well-trained and experienced immigration personnel, employees who are directly accountable to the Department of Homeland Security and not motivated by production quotas set by profit-oriented contract employers with an historically high rate of turnover.

Of greater concern, however, is the Department of Homeland Security's inability to protect sensitive information and maintain quality control of contract workers. This danger is highlighted in a July 2003 GAO report that found that the Immigration Service did not have the basic infrastructure, including the oversight information and workforce, to ensure that its contracting activities were effective.

Furthermore, in a December 2003 report and in a March 2004 follow-up report, the Inspector General of the Department of Homeland Security listed contracting procedures as a major management challenge for the Department.

Of equal concern is information in memos from the Department of Homeland Security that I received from Senator LIEBERMAN's office. These memos contain evidence that Immigration Service management tried for months to discourage Homeland Security leadership from implementing the privatization review.

Let me quote two passages from a document prepared by consultants from Grant Thornton and PEC Solutions for Immigration Service officials. The first passage reads, ''Accomplishing the A–76 study under present scope will not achieve the A–76 program's overarching operational efficiency objectives, and also will not address the current extensive customer service problems.''

The second passage reads, ''Moving forward with an A–76 competition based on business processes limits the agency's ability to implement substantial organizational and operational improvements.''

Clearly, Mr. Chairman, contracting out of immigration provisions has every potential of endangering our country's ability to meet our goals of having a Department of Homeland Security that is well-armed to protect our country from those who would do it harm.

In closing, Mr. Chairman, my amendment does not attempt to address the overall issue of contracting out Federal jobs. My amendment is narrowly drafted to ensure that the work of immigration officers, which is inherently governmental in nature and critical to our national security, continues to remain the responsibility of trained and experienced Federal employees directly accountable to the Department of Homeland Security and not to the bottom line of a private company.

I urge my colleagues to support this very important national security amendment.

Mr. ROGERS of Kentucky. Mr. Chairman, I rise in opposition to this amendment. I agree with the gentlewoman from California, who by the way is a very hardworking member of our subcommittee and a very valued member. I agree with her that CIS should meet the highest standards in evaluating petitions for naturalization or immigration benefits, but I do not believe her proposal is justified.

CIS is in the midst of a critical effort to reduce its very large case backlog, while ensuring that it screens applicants for the privilege of living here or acquiring citizenship. Our bill demands a high degree of accountability from this agency, and we will exercise significant oversight into how it achieves the elimination of its backlog.

In the meantime, I believe that the Department deserves some latitude to explore new ways of getting this job done and the backlog reduced, to include privatizing some functions that may be just as easily performed outside of the government, and allows the agency to concentrate internally on its core government functions.

The argument that the positions up for competition are ''governmental'' begs the question: Immigrants need information and help getting through this system, but such service is not inherently governmental; and, two, the requirement to have specialized subject matter expertise also does not uniquely limit the work to government officials.

So I think the amendment is not necessary. I believe the Department should have some leeway in getting this backlog reduced, and so I, therefore, ask my colleagues to support us in rejecting this amendment.

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

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

Mr. ANDREWS. Mr. Chairman, I rise in strong support of the amendment offered by my friend from California. One of the most important functions of any sovereign nation is determining who can enter the country and who cannot.

In our country we balance many important values in making this decision. We have always been an open society that has been enriched by new citizens, by visitors and by those who come here to contribute to the great dynamism of the American economy.

At the same time, we cannot be a country that has a welcome mat out

for everyone in the world because it would suffocate the very dynamism of that economy. There obviously are security concerns. Most people in the world are very welcome in America because they are people who love peace and contribute. There are a few who are most definitely not welcome in America because they are security risks.

Just as our country has to sort this problem out every day, on individual cases this problem must be sorted out every day. The people who begin the process of sorting this balance out are immigration information officers. I can think of no more public function, no more core public function than exercising the constitutional responsibility of controlling our borders, and the idea that this function would be delegated to someone who works for a for-profit firm strikes me as well beyond the realm of reason.

When someone presents his or her papers to begin the process of getting into the country, all kinds of questions have to be asked. Are the papers true or fraudulent? This is what these officers deal with every day. Are the intentions of the person trying to enter the country munificent or harmful? This is a judgment that these officers have to make every day.

The information people present to gain access to the country is very often private and important only to them, and respecting the privacy of the person who tries to get into the country is an important value that has to be protected every day.

If questions arise about the veracity of someone's application, the officer needs to go to law enforcement or to intelligence agencies to figure out whether the person is whom he or she says they are. Are these functions we want performed by someone who is hired out?

Can we exercise the degree of accountability for control of our borders that we need to exercise if the people who are exercising these functions are here this year but may not be here next year when a new contract is let? Can we be sure that the training that is necessary to balance these many competing concerns is going to be adequately given to officers who are not sworn employees of the United States? I do not think so.

I understand the debate on privatization is over whether something is a core government function or not. I can scarcely think of a function that is more an example of a core governmental function than controlling access to our borders. Frankly, if controlling access to our borders is not a core governmental function, then running the Navy is not a core governmental function or conducting foreign intelligence is not a core governmental function or perhaps we should privatize diplomats, and instead of having ambassadors appointed by the President we should hire diplomatic arbitration services because it seems to me to be equally the case that it is a core governmental function.

One could argue all one wants about efficiency, but there is a higher value here than efficiency, and that value is accountability in the discharge of our constitutional function in controlling our borders. This is not an area where the managers of the Department should have discretion because this is a clear case.

The constitutional responsibility of controlling our borders is a pure public function, and it should be carried out by sworn employees who are men and women who are responsible to the public voters, responsible to this Congress and responsible for the future discharge of their responsibilities.

So I thank my friend from California for offering her amendment. I think it is an excellent idea. I would urge Members from both sides to enthusiastically support the amendment.

Mr. ROGERS of Kentucky. Mr. Chairman, in the interest of attempting to save time and to get us out of here today on this bill, I want to engage my ranking member and ask his and others unanimous consent that all debate on this amendment and all amendments thereto be limited to 40 minutes, the time to be equally divided between myself and the gentleman from Minnesota (Mr. SABO).

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

Mr. KUCINICH. Mr. Chairman, reserving the right to object.

Mr. SABO. Mr. Chairman, I have no problem with that, with the exception that the time on our side should be controlled by the gentlewoman from California (Ms. ROYBAL-ALLARD), who is authoring the amendment.

Mr. ROGERS of Kentucky. I so amend my request.

The CHAIRMAN pro tempore. If the gentlemen will suspend, the gentleman from Ohio (Mr. KUCINICH) raised a point of objection and needs to be heard on his reserving his right to object.

Mr. KUCINICH. Mr. Chairman, reserving the right to object, it seems that there are a number of people on our side here who are prepared to speak to this, and I think that before we agree to a unanimous consent, it would be good to poll to see how many Members we have so we are not going to be denied an opportunity to present our concerns about this and our support for this amendment.

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

Mr. KUCINICH. I yield to the gentleman from Minnesota.

Mr. SABO. I think that has been done.

□ 1200

Mr. SABO. Mr. Chairman, we have a growing list of Members who want to give speeches, and I ask the gentleman to withdraw the request for 1 minute.

Mr. ROGERS of Kentucky. Mr. Chairman, I would point out there is a growing list of Members who want to get out of here tonight.

Mr. Chairman, I withdraw the unanimous consent request.

The CHAIRMAN pro tempore (Mr. SHIMKUS). The unanimous consent request is withdrawn.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I wish we could decipher our commitment to creating jobs from the important responsibility of homeland security. Whenever we see these two goals hitting up against each other, the idea of privatizing and creating jobs in America versus taking jobs away from the government, we would think that job creation has a truly bipartisan premise, but my good friends keep utilizing it in the wrong way.

Homeland security needs accountability. Homeland security clearly dictates, if you will, assuredness, preciseness and oversight. It is very difficult to ever see homeland security being privatized. In this instance many of these employees, although they are dealing with the benefits side of homeland security under the immigration benefits section, they often use highly classified information to prevent immigration fraud and to ensure that terrorists do not exploit the immigration laws.

More importantly, there are people who are standing in line, thousands of them for years, who count on Federal employees with the kind of interest and commitment and integrity to ensure that the process works. Yes, we have a backlog and in fact our committee, the Subcommittee on Immigration and Claims of the Committee on the Judiciary, just heard from the Director of the Bureau of Citizens and Immigration Services that in fact he is presenting the President's plan on decreasing that backlog.

There was nothing in that representation that would suggest that it could not be done without the employees present other than the fact that I raised the question that we might need more resources to add Federal employees who are under oath, who are hired under certain conditions to do the job. I cannot imagine that we would argue to privatize this very serious and very important task of the Department of Homeland Security. It does not make sense. For the Office of Management and Budget whose only responsibility is to crunch the numbers and find where they can allegedly save money and not make the good judgments what is responsible legislation, which is to provide secure employees to do secured work, the General Accounting Office could not even document that what OMB represents to be a saving would be true. The General Accounting Office challenged the OMB's estimated savings derived from privatization, and the Comptroller General recently stated that GAO cannot verify OMB's claims because government agencies do

not have those kinds of reliable accounting systems.

I say to the chairman and the ranking member, and I again cite them for their good work, there is no documentation that we can save work, but there is documentation that if we privatize this we have no oversight into the mishaps, confusion and the absolute inability to help us bring down the backlog, at least with adding the resources necessary to those Federal hires, those Federal employees, and I thank the gentlewoman for this excellent amendment, and for pinpointing a weak point, and that is privatization of important services utilized by the Department of Homeland Security.

I would argue vigorously in support of this amendment, but I caution my colleagues to realize that these are important and secure matters: One, on behalf of those who are standing in line to access legalization, which we want them to do; and two, indicating and securing the fact that no one can abuse the service; and lastly, I would say the oversight of this Congress would be undermined by privatizing this very important responsibility. I ask my colleagues to support the amendment.

Mr. ROGERS of Kentucky. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto be limited to 30 minutes, that the time be equally divided between myself and the gentlewoman from California (Ms. ROYBAL-ALLARD).

Mr. BERRY. Mr. Chairman, I object.

The CHAIRMAN pro tempore. Objection is heard.

Mr. BERRY. Mr. Chairman, I move to strike the requisite number of words.

Mr. ROGERS of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. BERRY. I yield to the gentleman from Kentucky.

Mr. ROGERS of Kentucky. Mr. Chairman, could we not have agreement on the limitation? I think it is agreed to by the ranking member and all parties on the subcommittee of which the gentleman is a member. Could we not have a unanimous consent to limit the debate time?

Mr. BERRY. Mr. Chairman, with all due respect, I do not think there is anything more important than the debate we are having today. I think that those that have something more important to do, I think it is perfectly all right for them to go ahead and do it.

Mr. Chairman, we are having this debate. We are making decisions that are going to affect the future of this country. This is a very serious matter. We have gotten ourselves, this administration has gotten this country in a terrible mess, and one of the things they have done to cause this to happen is to outsource, to take jobs that belong, that should be done by the government and contract them to somebody else.

I am beginning to wonder if we are going to see a resolution on this floor that says all government functions will be contracted to Halliburton with a sole source contract agreement, and to ask this House to approve such a ridiculous thing.

We have a serious problem on our borders. It needs to be handled by serious people. We have gotten in trouble in Iraq because we have hired people to do what should have been a military function or a function of the government and turned it over to something else, to somebody that had no accountability, somebody that does not have to prove that they have done it right. We need to have this debate.

This administration just simply does not understand the difference in getting the job done for the American people and a good excuse when they fail. That is where we are right now. And the generations that come after us are going to have a terrible mess on their hands to deal with. It is all because we have not been responsible in seeing that the job got done, and it is time for this body to uphold its responsibility and hold these people that are running the government accountable. This amendment will make it possible for us to do that.

I urge the Members of this House to take this bill and what it means in this amendment very seriously. We know that when Americans are given the task that they will do the job and do it well. When we start contracting out these responsibilities of our agencies like this amendment prohibits, we do not have any way of knowing what is going to happen. We are going to just turn it out. My goodness alive, I cannot imagine what kind of ridiculous things might pop up after what we have already seen that this administration is willing to do. It is time for this body to exercise oversight that we are responsible for using.

Mr. MORAN of Kansas. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am not going to take 5 minutes and I trust my colleagues are not going to either, but I do want to express my support for this amendment. It is a very important issue, a principle upon which I could not agree more with the author of the amendment because the functions that are going to be contracted out, if this amendment does not pass, are in fact inherently governmental.

We are talking about approximately 1,400 professionals, experienced people, who have to apply judgment. They need to determine whether law enforcement agencies need to be notified, they need to determine who should come into this country, who should be deported, who should be arrested. This is not something you want to contract out to private firms who may be very well intentioned, but the fact is that ultimately it is a profit incentive that motivates them to compete for this contract.

These are governmental jobs that need to continue to be governmental. If this goes through, it is like contracting out income tax collection. I cannot imagine many more jobs that could be more important that could not be more inherently governmental than this. If this amendment does not pass, it jeopardizes the safety and security of the American people; and certainly it is a slap in the face of the extraordinarily good, professional work that is done by the vast, vast majority of people working for the Customs and Immigration Services.

Please support the Roybal-Allard amendment, and let us do the right thing by a government that we have every reason to be proud of.

Mr. OBEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I take this time to try to ask the indulgence of all Members on both sides. We had extended debate yesterday on the Interior bill, and we have a lot of amendments on this bill. We have been negotiating for 2 days trying to reach an overall understanding between the parties about how we will proceed on all of the remaining appropriation bills between now and August. We are trying to work out an arrangement which will allow those bills to proceed in an orderly civil manner with minimum of ying and yang, leaving full room for Members to offer whatever amendments they want to offer.

To facilitate that, we are trying to help move this bill along. We are getting calls from Members from both sides of the aisle every 10 to 15 minutes asking when they are going to be able to go home today. I do not want to shut off any Member. Every Member has a perfect right to address whatever issue concerns them, but I would ask if we do have offers of unanimous consent to reach time limits on some of these amendments, I would appreciate it if Members would talk to the gentleman from Minnesota (Mr. SABO) or the gentleman from Kentucky (Mr. ROGERS), depending on which party, to at least talk with us so we understand what your concerns are and Members understand what the committee is trying to do because we cannot do opposite things at the same time.

If we are to facilitate Members getting out of here today, we need to have reasonable limits on time. Nobody is trying to be arbitrary. The gentleman from Kentucky (Mr. ROGERS) has been most cooperative, as has been the gentleman from Minnesota (Mr. SABO). I would ask Members to please give us the benefit of the doubt. If we cannot reach reasonable time agreement, there is not a prayer that we will get out of here before 7 or 8 tonight. Knowing the way this place works, some of the very same people who object to time limits at 3:00 will be squawking at us at 7:00 because they have not been able to get out of here. I would ask Members to work with us. We are trying not to surprise people, and we would appreciate the same from other Members.

Mr. CROWLEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I thank the gentlewoman from California (Ms. ROYBAL-ALLARD) for offering this amendment.

□ 1215

The amendment prevents the Department of Homeland Security Citizenship and Immigration Services from outsourcing work to contractors. The work performed by immigration information officers and their colleagues is not only a critical responsibility; it is a critical governmental responsibility.

Our Nation depends on CIS to review immigration applications in a timely and judicious manner. Our Nation depends on CIS to discern questionable applications and possible threats to our public safety. Our Nation depends on CIS to protect our immigration process and to be accountable.

In fact, the General Accounting Office has argued that INS does not currently have the infrastructure to contract its work out and still be able to ensure success. INS has such a tremendous backlog that full entitlements through citizenship are being denied to hundreds of thousands of people in this country today because of that backlog. Let us give the INS the resources they need to accomplish their tasks, as opposed to outsourcing their jobs.

This work is too important to our government, to the people of our Nation. It is too important to all of us to not be done well and not to be done properly.

Clearly, such a governmental responsibility must remain with the government. I urge an ''aye'' vote on this amendment.

Mr. KUCINICH. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the amendment of the gentlewoman from California (Ms. ROYBAL-ALLARD). The Department of Homeland Security should be prevented from undertaking its privatization review of the investigation and adjudication of applications for immigration rights and benefits. It is simplistic to assume that privatization automatically leads to savings and efficiency. Sometimes it does not, and this case is one that clearly does not. Consider that.

The Department of Homeland Security, that part of the Department of Homeland Security which is formally known as the Immigration and Naturalization Service, does not keep track of its existing contractors, according to the General Accounting Office.

Specifically, GAO said the INS, which is now the Department of Homeland Security Citizenship and Immigration Services, does not have the basic infrastructure, including oversight, information and an acquisition workforce in place to ensure that its contracting activity is effective. INS has not consistently ensured that acquisition personnel are adequately trained to do their jobs, and this is from a GAO report less than a year ago.

Number two, independent parties report that the Department's recent contract for similar, but much simpler, work has had disastrous results. According to dozens of civil rights advocates, recent experience with the national customer service center offers another example of the negative impacts of contracting out immigration functions and the differences that result from using an outside contractor rather than a trained CIS employee. The contrast has been profound, and the resulting problems ranging from the frustrating and time-wasting, to truly damaging errors.

Before the June changeover, existing government personnel readily solved the majority of these problems. Operators who now answer the calls know nothing about the subject of the call and rarely provide assistance. So much for contracting out. These operators who work from scripts frequently cannot even identify which script they should be using and are rarely able to provide meaningful assistance. In fact, they often provide answers that convey a clear misunderstanding of the subject matter with which they are dealing.

Number three, the Department, according to internal documents, has failed to heed warnings from its own staff and consultants that this particular privatization review is ill advised, because it is poorly structured, unlikely to generate efficiencies, and inspired in order to meet a privatization quota that has been prohibited by Congress and repudiated by the administration.

I have some familiarity with an example of privatization through the A–76 process and would like to share it with my colleagues. During 2000, the Defense Finance and Accounting Service conducted an A–76 competition for its Military Retired and Annuitant Pay functions, most of which are performed in my district in Cleveland. A private contractor, ACS Government Solutions Group, was awarded the contract on the basis of a very small cost advantage, over $1.9 million over the entire 10-year contract period.

In March of 2003, the Inspector General of the Department of Defense reviewed this A–76 award. It determined that the award to a private contractor in 2001 was erroneous. According to the IG, an error committed by the private company hired by DFAS to prepare its in-house bid resulted in an erroneous high bid by the government. The error was compounded by the audit division of the DoD IG, which served as the independent review officer and which failed to discover the error. As a result, the higher bidder actually won the competition.

Now, in spite of these findings, DFAS has renewed its contract in each succeeding year with the higher bidder. Now, what is the lesson we should learn?

First, privatization does not necessarily equal efficiency. Second, privatization does not necessarily lead to savings in cost, and third, privatization wastes taxpayers' funds and degrades the performance of government work. Vote ''yes'' on the amendment of the gentlewoman from California (Ms. ROYBAL-ALLARD) and prevent a waste of taxpayer funds.

Mr. TURNER of Texas. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the Roybal-Allard amendment to stop the privatization of immigration information officer positions. As the ranking member on the Select Committee on Homeland Security, I have serious concerns about the impact this privatization initiative will have on our Nation's security. Immigration information officers and contact representatives interview immigrants, they review their documents for fraudulent and illegal activities, and they perform criminal background checks.

In order to do their jobs, these employees must acquire a large body of information and knowledge about our ever-changing and incredibly complicated immigration laws. To abandon the years of accumulated expertise of this group of Federal employees places our Nation at risk. In the war on terror, there is no room for error.

At a time when we must be focusing on security at our borders, we should not create the turmoil that is inherent in competition for these security-related jobs. After September 11, this Congress determined that giving the critical task of securing passengers and their baggage at airports should not be awarded to the lowest bidder, and we federalized the TSA screening force. Why would we give an even more critical and complex task of reviewing whether a passenger may be a terrorist to the lowest bidder? I urge adoption of the amendment of the gentlewoman from California.

Mr. BEREUTER. Mr. Chairman, this Member wishes to express his support for the Roybal-Allard Amendment to prevent the A–76 privatization attempt of the Bureau of Citizenship and Immigration Services (BCIS) at the Department of Homeland Security (DHS).

The Department of Homeland Security mission statement reads as follows: "We will lead the unified national effort to secure America. We will prevent and deter terrorist attacks and protect against and respond to threats and hazards to the nation. We will ensure safe and secure borders, welcome lawful immigrants and visitors, and promote the free-flow of commerce."

The outsourcing of the positions of Immigration Information Officers (IIO), Contact Representatives (CR), and Investigative Assistants (IA) is harmful to the DHS mission because these jobs and their functions are inherently governmental and vital to national security. Any job that requires the officer's knowledge and application of U.S. immigration laws and regulations is inherently governmental and crucial in determining who is eligible for immigration benefits, as well as identifying potential terrorists and national security threats. Therefore, these jobs should not be offered to contract providers outside of the Federal Government.

One of my constituents recently wrote to this Member, voicing his opposition to the outsourcing plan. This constituent is an Investigative Assistant within the BCIS. He writes, "Given the current political climate of heightened security among all federal law enforcement agencies, any decision to outsource CIS positions would be detrimental to the country. It is imperative for Americans to have faith in our government's ability to protect our country. Having government workers doing a job of such significance gives the people of this nation the confidence and sense of security that is needed in these volatile times."

He is absolutely right, and this constituent certainly is not alone in his views. In the state of Nebraska, the jobs of 115 full-time employees within the BCIS are at risk. This number is only behind those projected statistics in California and New York. In this Member's district alone, 112 jobs are inappropriately at risk due to the A–76 proposal.

Now, this Member does not in concept or principle oppose A–76 privatization. Indeed, this Member has accepted the legitimacy of applying A–76 for various other Federal employment positions in his District. But obviously this process is badly flawed with suggested applications of this procedure in the kind of job positions addressed by the Amendment of the distinguished gentlewoman from California, Mrs. Roybal-Allard. Its application to described positions in DHS jeopardize national security and the proper accomplishments of the mission of the agency.

In closing, Mr. Chairman this Member encourages his colleagues to support this Amendment.

The CHAIRMAN pro tempore (Mr. SHIMKUS). The question is on the amendment offered by the gentlewoman from California (Ms. ROYBAL-ALLARD).

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

Ms. ROYBAL-ALLARD. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from California (Ms. ROYBAL-ALLARD) will be postponed.

AMENDMENT NO. 23 OFFERED BY MR. RYUN OF KANSAS

Mr. RYUN of Kansas. Mr. Chairman, I offer an amendment.

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

The text of the amendment is as follows:

Amendment No. 23 offered by Mr. RYUN of Kansas:

At the end of the bill (before the short title) insert the following new section:

SEC. ____. None of the funds made available in this Act may be used to amend the oath of allegiance required by section 337 of the Immigration and Nationality Act (8 U.S.C. 1448).

Mr. RYUN of Kansas. Mr. Chairman, the oath of allegiance has served as the gateway to American citizenship for over 200 years. When immigrants speak its forceful words, they pledge their unfettered allegiance to America, to the Constitution, and to our laws. This important symbol of American citizenship is not specified by law, however; and it can be changed on the whim of a government agency. In fact, such a change has recently been attempted and would transform the absolute commitment to our Constitution into a conditional statement, thereby weakening our citizenship.

The proposed changes would eliminate certain forceful words and phrases, substantially weakening the charge to uphold and be faithful to the Constitution and the laws of the United States. Specifically, it eliminates the call to bear true faith and allegiance to the Constitution. In addition, the oath of allegiance currently calls on Americans to renounce and abjure all allegiance and fidelity to any foreign prince, potentate, state, or sovereignty while the proposed oath renounces allegiance only to foreign states.

We should continue to welcome legal immigrants into our country. Yet as we continue to fight the war on terror, we must maintain a forceful and uncompromising oath of allegiance. Many of our terror threats are not from organized geopolitical states, but rather from groups like al Qaeda led by the likes of Osama bin Laden. On March 11 in Madrid, we were reminded of the very real presence of organized, nonstate-sponsored terrorism aimed at the United States and our allies who are committed to eliminating global terrorism.

The threat of terror and the attempts to infiltrate American society have not passed, nor has the need for a strong renunciation against any foreign sovereignty. Now is not the time to water down the words of commitment necessary to becoming a citizen of the United States. That is why I am offering this amendment, which would restrict the U.S. Citizenship and Immigration Services from using funds to change the oath of allegiance.

Throughout our history, our Nation has been strengthened by immigrants who came here to pursue the American dream. Keeping the strong, meaningful text of the oath would remind all Americans that pursuing that dream also requires a full-time commitment to citizenship, a commitment not unlike what Thomas Paine once called the summer soldier and the sunshine patriot, that shrank from the service of his country in times of crisis. The oath should continue to support freedom, democracy, and our constitutional rights. I encourage my colleagues to vote for this amendment.

Mr. Chairman, I would ask the gentleman from Kentucky if he has any reservation about my amendment.

Mr. ROGERS of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. RYUN of Kansas. I yield to the gentleman from Kentucky.

Mr. ROGERS of Kentucky. If there are no further speakers on the amendment, I will agree to it. If there are further speakers, I will oppose it.

I think it is a wonderful amendment.

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. TANCREDO

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

The Clerk read as follows:

Amendment offered by Mr. TANCREDO:

At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available in this Act may be used in contravention of section 642(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373(a)).

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

The CHAIRMAN pro tempore. A point of order is reserved.

Mr. ROGERS of Kentucky. Mr. Chairman, in the interest of time, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 24 minutes and that the time be equally divided between me and the gentleman from Minnesota (Mr. SABO).

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

There was no objection.

Mr. ROGERS of Kentucky. Mr. Chairman, I yield 5 minutes to the gentleman from Colorado (Mr. TANCREDO).

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

Mr. Chairman, the purpose of the amendment is to prevent the use of Federal funds by governments who adopt sanctuary policies. These are laws that prohibit State or local government entities or officials from sending to or receiving from the Bureau of Immigration and Customs Enforcement information regarding an individual's citizenship or immigration status.

I assume considering the fact that we have had this amendment on the floor before and I recall the kind of debate that we had, a great amount of that debate will center around the actual law that is on the books and not my amendment. I want to stress the fact that there is a law. It has been on the books for 10 years. It is section 642(a) of the Illegal Immigration Reform and Immigration Responsibility Act of 1996. That law is there.

This amendment does not change the law, it does not repeal the law, it does not add anything to the law. That is the law that is on the books. It says States and local governments essentially cannot impede the flow of information to the Department and/or stop the flow from the Department.

The problem, of course, is that States and localities around the country, a relatively small number but nonetheless a growing number, are disregarding that provision of the law. They do not care. They are, in fact, adopting things that we consider to be certainly problematic and certainly fly in the face of the law. By enacting

these misguided and illegal sanctuary policies, a handful of local governments have put the rest of the country at risk.

□ 1230

In addition, the refusal of these governments to share information with Federal immigration authorities inevitably results in a local law enforcement arresting and then releasing criminal aliens who may then move on to commit other crimes in the country rather than being deported. The Washington Times, for example, reported in June of last year that in December there was a rape of a woman in New York, a particularly brutal rape and battery. Four of the five men charged in the case were illegal immigrants, and three had are prior convictions that, in keeping with Federal law, would have allowed their deportation had that information been originally provided to the Federal authorities.

As a result of the great amount of public clamor about this particular incident, the City of New York has, as I understand it, repealed that particular provision of their law so that that is what needs to happen, of course, I think, throughout the country.

In order to prevent these kinds of resolving-door injustices from occurring, we must create a financial disincentive for cities and States that choose to violate the law. Since September 11 Members of both sides of the aisle have bestowed the virtues of intergovernmental cooperation between State, local, and Federal law enforcement authorities to prevent future terrorist attacks. State and local governments should not be able to unilaterally prevent this kind of cooperation by disregarding the Federal law and jeopardizing antiterrorism efforts.

A message that continued subversion of Federal immigration law will not be tolerated must be sent loud and clear, and the prohibition on the expenditure of those funds will prevent this.

We have a very difficult time. The Federal Government has an enormously challenging responsibility in trying to both adopt and enforce immigration policy. It is made even more difficult, the problems are exacerbated a thousand times, when cities and localities and States around the Nation decide to enter into this arena and decide to begin adopting their own immigration policies. We cannot have hundreds of immigration policies developing throughout the country, State by State, city by city.

Once again, I reiterate, my amendment has nothing to do with the law that is presently on the books, and I know that there will be a lot of discussion about the law, and if someone wants to introduce legislation to repeal that law, that is of course their right to do so. But that is not what this is about. This is about essentially trying to provide some sort of disincentive for people who do violate that law.

POINT OF ORDER

Mr. SABO. Mr. Chairman, continuing to reserve a point of order against the amendment.

The CHAIRMAN pro tempore (Mr. SHIMKUS). The gentleman is recognized.

Mr. SABO. Mr. Chairman, I am trying to find out whether I should pursue the point of order or not, and I get different interpretations of the gentleman's amendment and what it is intended to do. If it does not do much or anything, then I think the amendment is in order. On the other hand, the rules say we cannot legislate on an appropriation bill, and if it does something, then it seems to me it may not be in order.

Mr. ROGERS of Kentucky. Mr. Chairman, if I could speak on the point of order, as I read the amendment, it says no funds may be used to violate the law, and I am prepared to accept that.

Mr. SABO. Mr. Chairman, so the gentleman's judgment is the amendment does not do anything?

Mr. ROGERS of Kentucky. Mr. Chairman, it says Federal funds cannot be used to violate the law. I agree with that. Does the gentleman not?

Mr. SABO. Mr. Chairman, I know we have Members' concerned and who want to discuss this issue. But the amendment has left me confused. But I do recall a year ago I was confused by an amendment and after some discussion, the House voted the amendment down. And so I am still trying to sort out if it does something or does not do something.

Mr. ROGERS of Kentucky. Mr. Chairman, that amendment last year was altogether different. As I read this amendment, it is fairly simple. It has been modified, obviously, and now just says no funds may be used in contravention of section 642(a) of the Act, and I find it to be innocuous, frankly.

Mr. SABO. Mr. Chairman, would the gentleman from Colorado agree?

Mr. TANCREDO. Mr. Chairman, I would agree with the gentleman from Kentucky's (Chairman ROGERS) definition of an analysis of this amendment.

Mr. SABO. Mr. Chairman, I withdraw my reservation of a point of order and reserve my time.

Mr. Chairman, I yield 3 minutes to the gentleman from New Jersey (Mr. MENENDEZ).

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

Mr. MENENDEZ. Mr. Chairman, as the late Ronald Reagan said, here we go again. The gentleman from Colorado (Mr. TANCREDO) offered this ill-conceived amendment last year, and it was soundly defeated by a vote of 322 to 102 with all Democrats who voted voting against and a majority of the Republican conference also voting against.

And if I were to listen to the gentleman from Colorado (Mr. TANCREDO), he says, well, this does not really do anything to the law. Then why do we need it? The reality is the words may be modified, but the purpose is the same.

Number one, this says none of the funds, no funds, will go to any municipality, any State entity, any governmental entity for any homeland security purpose if they have chosen in a totally legitimate way not to violate the privacy laws, not to give information about someone's citizenship, like mine, or anyone else's, because that is the way the gentleman's amendment originally read. He just scratched it out. And that is in essence what he is seeking to do, and it is in essence what it does.

We all know the gentleman from Colorado's (Mr. TANCREDO) stated intention. He wants all of us who look a certain way, who have certain names and speak a certain way to have Big Brother filter us out.

Secondly, this is a coercive action against any State, municipality, or other entity to say to that State, municipality, or other entity they must do a series of things, including giving information on a person's citizenship status, like my citizenship, which I was born in this country, to the INS.

So much for State rights. So much for the local municipalities know best. So much for all I have listened to in the last decade from my Republican colleagues speaking of State rights, of local rules, of States knowing best. And imagine denying critical dollars to protect all citizens of a State, county, or local government of homeland security funds, funds for police, fire, emergency management and preparedness. Not only would that public entity be directly hurt, but the Nation itself might be hurt if that State, city, or country is a portal, a gateway, into America and having had the funds denied, not being able to protect itself and that portal into the rest of the country.

The gentleman from Colorado's (Mr. TANCREDO) obsession could very well risk the national security of the United States, and this is an unfunded mandate on all of those government entities trying to be make it an extension of what is the INS. This is the real intent, to make every police department, every sheriff, and every law enforcement entity an arm of the INS. They have rejected those views. That is why we keep hearing this as Hispanic outreach. We do not need it. Reject the amendment.

POINT OF ORDER

Mr. ROHRABACHER. Mr. Chairman, I make a point of order.

I would like to inquire of whether or not if someone makes an allegation against a former Member that race is being taken into consideration by his decisions, whether or not that is, in fact, calling another Member a racist and whether or not that is just what our colleague just did to the gentleman from Colorado (Mr. TANCREDO).

The CHAIRMAN pro tempore. The Chair would respond that it is against the House rules to engage in personality toward other Members.

Mr. ROHRABACHER. Mr. Chairman, so if our colleague just indicated to

that the gentleman from Colorado's (Mr. TANCREDO) consideration was because of the way people look and their race, that is a reason to have our colleague's words taken down? Is that right?

The CHAIRMAN pro tempore. The Chair would advise all Members to refrain from impugning the motives of other Members in the debate and discussions on amendments and legislation.

Mr. ROGERS of Kentucky. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Arizona (Mr. HAYWORTH).

Mr. HAYWORTH. Mr. Chairman, I thank the chairman of the Subcommittee on Homeland Security of the Committee on Appropriations for yielding me this time.

Mr. Chairman, I rise in support of the Tancredo amendment because facts are stubborn things. Allegations, no matter how offensive, no matter how predictable from some in this House, have a way of being displaced by facts. The fact is federalism is dynamic because constitutionally there are responsibilities reserved to the States and localities, but more importantly, there are responsibilities constitutionally delineated to the Congress of the United States.

I would remind my colleagues and specifically the preceding speaker that Congress, not States or cities, has the sole authority to draft and enact immigration policies. By permitting States and localities to flaunt Federal law enacting sanctionary policies, Congress is effectively allowing local governments to set up their own patchwork of individual immigration systems.

Mr. Chairman, national security is synonymous with border security. Congress must act to put an end to these policies that allow this patchwork of different immigration policies based on whatever the whim of a certain locality or a certain State may be. We must do that if we are to maintain an orderly immigration system and to ensure that Federal antiterrorism efforts are successful.

In contrast to those who would come with tiresome and objectionable notions that this is based on race, this is nothing of the sort. This is based on national security and understanding that we must know who comes into the country. Certainly there should be effective, consistent enforcement across the board. That is why I rise in support of this amendment and ask the Members to join me in this support.

Mr. SABO. Mr. Chairman, I yield 3 minutes to the gentleman from Texas (Mr. HINOJOSA).

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

Mr. HINOJOSA. Mr. Chairman, I rise today, as I did a year ago, in strong opposition to the gentleman from Colorado's (Mr. TANCREDO) amendment. I hope that the Tancredo amendment will be ruled nongermane.

I felt obligated as an American to come to the House floor to remind this body of what America stands for as well as to question why anyone in the House of Representatives is offering such an amendment instead of focusing on the immigration reform measures such as ''The SOLVE Act,'' H.R. 4262, the brainchild of the gentleman from Chicago, Illinois (Mr. GUTIERREZ). The SOLVE Act would provide for earned adjustment to reward hard work, reunify families, establish a temporary worker program that protects the United States and foreign workers and strengthens national security under the immigration laws of the United States.

The Gutierrez legislation is constructive while, on the other hand, the gentleman from Colorado's (Mr. TANCREDO) amendment fails to promote improvement or development.

As is inscribed in the Statue of Liberty, we need to remember here in Congress the generous invitation that the United States has always sent to the world. I quote from that inscription.

''Give me your tired, your poor, your huddled masses yearning to breathe free, the wretched refuse of your teeming shore. Send these, the homeless, tempest-tossed to me. I lift my lamp beside the golden door.''

□ 1245

It does not ask to shut our doors completely from the outside world and become an insular, protectionist, racist Nation. This amendment, as well as the other one that the gentleman from Colorado (Mr. TANCREDO) might offer, are contrary to American values.

Here we truly have forgotten the all-American dream inscribed on the Statue of Liberty. We need a responsible immigration policy that enhances our security. This Tancredo amendment is decisive and will actually endanger our communities. Law enforcement officials throughout the country oppose it, and I urge my colleagues to also oppose the Tancredo amendment.

Mr. ROGERS of Kentucky. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. ROHRABACHER).

Mr. ROHRABACHER. Mr. Chairman, we have a monstrous threat to our well-being, and it is not just the terrorism that comes in forms of people flying airplanes into buildings. We have millions, millions of people crossing our borders illegally; and if we do not come to grips with this challenge, with this threat to our people, it will dramatically decrease and hurt the standard of living of our own American people. We know that. There is no doubt about it.

We are proud to be a Nation where we allow more legal immigration into our society than all the other nations of the world combined. But illegal immigration in the form of millions of people coming into our society, consuming resources for education and health care, making a mockery of our judicial system and tearing down the police protection that we have got for our own citizens is damaging the well-being of the people of the United States. It is out of control; and unless we do something about it, our people are going to suffer. They are suffering right now in California. Their children are not getting as good an education and health care available.

This amendment simply says that the law needs to be enforced, and that all Americans, all Americans, especially those in law enforcement in local communities and throughout the country, have an obligation to enforce the law.

This has nothing to do with legal immigrants. It has everything to do with people who have broken the law. If people were robbing stores throughout the country and the police were not enforcing the law because local city councils were in league with the criminals, we would say that the local police have to enforce the law.

I will tell you this much: the billions of dollars being drained out of our health care system, the billions of dollars being drained out of our education system to take care of people who have not contributed, not contributed because they come over and in the same year they are on those social benefit programs, this is the same kind of crime; and it is a crime against the people of the United States. All people involved in law enforcement should be enforcing that law.

Mr. Chairman, I support the Tancredo amendment.

Mr. SABO. Mr. Chairman, I yield 3 minutes to the gentleman from New York (Mr. CROWLEY).

Mr. CROWLEY. Mr. Chairman, I rise in strong opposition to the amendment being offered by the gentleman from Colorado (Mr. TANCREDO).

These amendments, in my opinion, are not only mean-spirited, but I believe they are also dangerous to America's national security. These amendments, all of them, force State and local police officers into positions of Federal immigration agents. If they do not assume this responsibility, America's cities and towns will lose their anti-terror Federal dollars.

This is an amendment, in my opinion, that would make Osama bin Laden proud. It weakens our national security, further burdens our overworked police departments * * *

Mr. TANCREDO. Mr. Chairman, my colleague has been warned about that kind of language in the past. I ask that my colleague's words be taken down.

Mr. CROWLEY. Mr. Chairman, I am talking about people who may be Irish. I am not talking about people of any race.

Mr. TANCREDO. Mr. Chairman, I request that my colleague's words be taken down.

The CHAIRMAN pro tempore (Mr. SHIMKUS). The Clerk will report the words.

□ 1255

Mr. CROWLEY. Mr. Chairman, I withdraw my words, and I would state for the RECORD it was never my intention to impugn the sponsor of this amendment in any way, shape, or form.

The CHAIRMAN pro tempore (Mr. SHIMKUS). Is there objection?

Without objection, the words are withdrawn. The gentleman from New York (Mr. CROWLEY) is now recognized on the remainder of his time, 2 minutes remaining.

Mr. CROWLEY. Mr. Chairman. I would, though, draw the attention to the amendment itself, which does not take into account the fact that many people who are immigrants in this country come in different shapes, sizes, colors, and races, and this bill does not take that into account.

The amendment would take away any State and local government's ability to decide which policies allow them to best serve and protect our communities. Yet, that is precisely what all of us desperately need them to do.

State and local police officers are often our first responders in times of terrorist attacks. Their jobs are already incredibly difficult and incredibly critical. To threaten them with reduced resources is not only offensive to the work that they do, it is also dangerous to the communities that they strive to protect.

I find it interesting that the Republican Party is always out there praising America's police department, especially New York City's Police Department after 9/11. But in a Dear Colleague that was sent around, an example of New York City was used as a place that would lose police funding if this amendment passed. Yes, it is actually advocating slashing Federal dollars for New York City Police Department.

This amendment is not only wrongheaded, I just think it is wrong. First the Republicans try to slam a bill down our throats to make doctors INS agents, now they are doing it with our local police forces.

This amendment is a direct slap at the New York City Police Department, and I believe it is demonstrated in this Dear Colleague. I urge everyone to not only vote against this Draconian amendment that will leave our cities even more vulnerable to al Qaeda and other terrorists, but to actively speak out against this amendment in their constituencies.

I am also told that the GOP is reaching out to Latinos and other groups for political benefits. I say to those Latino communities to examine that the Republicans say one thing, but their mean-spirited legislation speaks louder than any of their words.

Mr. SABO. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Chairman, over a century ago, my great-grandfather came from Sweden to chop sugarcane in Louisiana. He came for the same reason that so many people come to this country from Mexico today—to take on some of our society's most difficult jobs, to create a better life. And when an illegal entry occurs, it is not the result of the policy of the City of Pharr, Roma or McAllen, but they have to cope with the consequences of a Federal policy they do not control. If undocumented workers, who are too often the victims of crime, hesitate to report crime because they fear the police, then our entire community loses.

Austin Assistant Police Chief Rudy Landeros has made the Austin Police Department a leader in building confidence with immigrants and working with them, giving them the respect crime victims deserve, because the Austin Police Department and so many others recognize it is essential to fulfilling the mission of public safety.

The Tancredo amendment would destroy such pragmatic local initiatives and would endanger all of our families. It must be rejected.

Our police departments have a difficult mission, and we do not need congressional interference at this critical time as they fulfill that mission.

Mr. ROGERS of Kentucky. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey (Mr. GARRETT).

Mr. GARRETT of New Jersey. Mr. Chairman, I rise in support of this amendment. I agree with the position made from the other side of the aisle when they make reference to a statement on the Statue of Liberty that we are a nation of immigrants and we have an obligation to welcome immigrants to this Nation in the past, in the present, and in the future. But this amendment does not change that at all.

I would ask the other side who says that we should not be thwarting municipalities, counties, or State governments with their own decisions and their own prerogatives on these areas when it is under the Constitution the prerogative of Congress to set immigration policy.

Would the other side of the aisle say that we should allow the municipalities to do the reverse? Some municipalities want to set up sanctuaries. Should we allow other municipalities to thwart all immigration into their town altogether? If we are going to let municipalities rule immigration, I guess you would say that they should have that authority.

What rule of law then should we allow municipalities to decide on their own where Congress has the obligation? Should we allow the Civil Rights Act of the 1960s to be decided by the municipalities and be rewarded by the municipalities if they were to thwart those, even though Congress has clearly set down what the delineations of the Civil Rights Act is? I say no.

The Constitution clearly says immigration is the authority of Congress to set forth. We have set forth in the past, and we shall in the future, and the municipalities shall not thwart them.

Mr. SABO. Mr. Chairman, I yield the balance of the time, which I think is 30 seconds, to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the distinguished ranking member. I rise to vigorously oppose this amendment. This would create a torturous relationship between communities, police, and the immigrant community that has often been the key to solving crime problems as well as problems that may impact the security of this Nation. How would you like to live in a community where your local police were charged with the responsibility of raiding your community? We need to let Federal laws impact Federal laws. We need not have local individuals dealing with Federal laws. The laws are right as they are, and we should not deny those who are protecting the community needed resources that they need to have.

Let us oppose this amendment. This is a torturous and destructive relationship for our cities and the people that live there.

Mr. Chairman, I rise in opposition to Representative TOM TANCREDO's amendment to the Homeland Security Appropriations Act, H.R. 4567. The effect of this amendment would be to enact a provision from the CLEAR Act (H.R. 2671) and its Senate counterpart (S. 1906). These bills compel state and local police officers to become federal immigration agents by denying them access to federal funds they are already receiving if they refuse these additional duties. Specifically, the Tancredo amendment would deny funds to any state or local government that limits disclosure of immigration status.

We count on state and local governments and law enforcement authorities as first responders when national security is threatened. Since 9/11, they have taken on significant new duties and are facing dwindling resources. Further cutting their resources is not going to help enhance national security, and, in fact, the Tancredo provision could make our communities less safe.

In immigrant communities, it is particularly difficult for the police to establish the relationships that are the foundations for successful police work. Many immigrants come from countries in which people are afraid of police, who may be corrupt or even violent, and the prospect of being reported to the immigration service would be further reason for distrusting the police.

In some cities, criminals have exploited the fear that immigrant communities have of all law enforcement officials. For instance in Durham, North Carolina, thieves told their victims—in a community of migrant workers and new immigrants—that if they called the police they would be deported. Local police officers have found that people are being robbed multiple times and are not reporting the crimes because of such fear instilled by robbers. These immigrants are left vulnerable to crimes of all sorts, not just robbery.

Many communities find it difficult financially to support a police force with the personnel and equipment necessary to perform regular police work. Having state and local police forces report immigration status to the Bureau of Immigration and Customs Enforcement

(ICE) would be a misuse of these limited resources.

ICE also has limited resources. It does not have the resources it needs to deport dangerous criminal aliens, prevent persons from unlawfully entering or remaining in the United States, and enforce immigration laws in the interior of the country. Responding to every state and local police officer's report of someone who appears to be an illegal alien would prevent ICE from properly prioritizing its efforts.

Local police can and should report immigrants to the immigration service in some situations. The decision to contact the immigration service, however, should be a matter of police discretion.

I urge you to vote against this amendment.

Mr. ROGERS of Kentucky. Mr. Chairman, I yield the balance of the time to the sponsor of the amendment, the gentleman from Colorado (Mr. TANCREDO).

Mr. TANCREDO. Mr. Chairman, I thank the gentleman for yielding me this time.

I have oftentimes of course been on this floor in the debate revolving around immigration issues. We have tried desperately to keep that debate focused on the issue itself and away from innuendo and slur. That was the purpose I had in originally asking that the gentleman's words be taken down, to avoid that kind of thing, and I appreciate that the gentleman, in fact, withdrew his remarks. Remarks like those are not only an insult to the people to whom they are made, they are demeaning to the maker.

It is also important to understand that this debate has gone on now and has been centered on the other side on whether or not we should, in fact, uphold the law. Again, what a peculiar thing to be talking about here. It certainly has nothing to do with the Statue of Liberty or anything that is written on it.

The fact is there is a law. It is on the books. It has been there for 10 years. It says that cities must provide information about immigration and they cannot stop the flow of information from the Bureau of Immigration and Customs Enforcement. That is what it says. They are doing it.

Now, if we do not like the law, then, of course, as I said in my opening remarks, introduce a bill to repeal it. But it is there. And to stand on the floor of the House of Representatives and suggest that people should, in fact, disregard it, that cities and localities should ignore it, and that we should even reward them for doing so by providing them Federal dollars does seem, to say the least, peculiar. But that is the debate here. It has nothing to do with immigrants, with people from various countries, with the help that they can provide in various services. We are talking about simply not providing some disincentive for cities and localities who break the law.

I ask my colleagues to please think beyond the rhetoric. All of it is used to obfuscate the issue. It is just about the law. I ask for the adoption of the amendment.

The CHAIRMAN pro tempore (Mr. HASTINGS of Washington). All time for debate has expired.

The question is on the amendment offered by the gentleman from Colorado (Mr. TANCREDO).

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

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

The CHAIRMAN pro tempore. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Colorado (Mr. TANCREDO) will be postponed.

Are there further amendments?

AMENDMENT NO. 9 OFFERED BY MRS. MALONEY

Mrs. MALONEY. Mr. Chairman, I offer an amendment.

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

The text of the amendment is as follows:

Amendment No. 9 offered by Mrs. MALONEY:

At the end of the bill (before the short title) add the following:

SEC. ____. None of the funds made available in title III for discretionary grants for use in high-threat, high density urban areas and for rail and transit security, under the heading ''Office for State and Local Government Coordination and Preparedness__State and local programs'', may be used for more than 80 grants.

Mrs. MALONEY. Mr. Chairman, I thank the chairman and the ranking member for all of their hard work on this truly important bill.

The Maloney-Rangel-Weiner amendment would limit the number of grants made under the Urban Area Security Initiative to 80 total grants. This is the same number of grants that were distributed by the Department of Homeland Security this year.

Since the Sweeney amendment was not adopted that would increase funding to the high-threat level the President requested, capping the number of grants to this year's number is the best way to ensure that the same places that are targeted by terrorists are targeted by the aid. This amendment will ensure that high-threat money goes to high-threat communities.

As every terrorist expert will tell us, we need to secure the high-profile areas targeted by terrorists. Yet, it seems that since the program started, we are more concerned with expanding the number of grants than securing the most vulnerable areas.

We first started with 7 grants to cities. We then grew to 30. Now we are at 80 total grants, 50 to cities and 30 to transit authorities. We are in danger of losing our focus on the core mission of most effectively protecting ourselves with the limited resources we have.

Over the first 2 years of the program, we have seen an increase in the number of grants, but we have cut the funding levels from $800 million in 2003 to $725 million in 2004. The result of the rapidly expanding list of entities eligible for high-threat monies was a dramatic cut for some of the highest threat cities.

For example, last year, New York got $150 million of Federal high-threat aid. This year, it shrunk by 69 percent to $47 million. The DC area suffered a reduction of 52 percent of high-threat money. Chicago was cut by 17 percent of their funding. But believe me, DC, Chicago, New York, Houston, Seattle, they have not seen a decrease in their threat levels or a decrease in the amount of money that their local governments are forced to spend on the protection of their people.

One positive step that this bill takes today is a general increase in high-threat money, from $725 million this year to $1 billion. But I am concerned that if this trend continues, the number of grants will continue to increase, and the aid to the areas under the greatest threat will continue to see their aid decrease.

At a time when the administration tells us terrorists are eager to attack, we need to make sure that high-threat grants actually go to where the high threat is. That is what this amendment attempts to do.

This high-threat grant program and list cannot become another pipeline for general spending for other needs. We have to uphold it as one way to actually give the cities at risk the help that they need.

Targeting money to these high-threat areas is not sending money to prevent some hypothetical threat. The cities on the high-threat list either have been the victim of a terrorist attack or, at the very least, have been talked about by the terrorists as a target area.

We know how the al Qaeda thinks: If at first you do not succeed, try, try again. They viewed their first attack on the World Trade Center as a disaster, as a failure, so they came back with a vengeance on September 11.

There have been several other planned attacks in New York City that have been foiled. If we take a look at terrorist attacks or known plots over the last number of years, there is one thing in common: they are all on the list of high-threat cities.

We can point to the millennium plot in Seattle, Washington. Plans to attack the Los Angeles International Airport, the September 11 attacks against New York and Washington, DC, and just this week, the Attorney General told us that there was a plot on a shopping mall in Columbus, Ohio. Seattle, Columbus, LA, New York, DC, they are all on the current list of 80 high-threat entities.

By including 80 entities, we allow the Department of Homeland Security to cast a pretty wide net, while making sure it is not too wide to be effective. We need to target the aid to the terrorist targets in our country. That is the purpose of the high-threat aid formula, and that is what my amendment does.

Mr. ROGERS of Kentucky. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the amendment seeks to cap the number of high-threat, high-density urban area grants and rail and transit security grants to the 80 presently awarded in 2004.

Mr. Chairman, the whole concept of giving monies on top of the regular distribution of funds across the country, to give extra money to certain cities in the country, the whole concept was we need to protect those cities that we know are targets from the threat information we receive from time to time, because they have extra needs.

□ 1315

And so that was the very concept of the urban area grant program which was added on top of all of the other grant programs. But threats change.

Anyone who is privy to intelligence knows that yesterday it is Columbus, Ohio. It is New York. It is Washington. It is LA. It is Chicago. But then it is Albuquerque, and who knows where. And the Secretary needs to have wide latitude. We do not need to use this pot of money as pork. This needs to go where the needs are. We do not know where the needs are until we hear the intelligence of the moment. And that is why we leave great discretion in this bill with this pot of money as with most of the others with the Secretary and the intelligence community to make these grants based on real intelligence. Not what I think or what some Member of this body thinks, but what are the real facts, what information do we have that we need to respond to. And that is why it needs to be a flexible fund.

Next year there may be 20 cities that are in that list, or it may be 10, or it may be 60. I do not know. But the funds are there for that purpose, to protect the large urban centers of high-density, high-threat urban areas. To restrict this amount, to restrict the number of cities, to say that these are these and no more, we will protect these cities and the rest of you can fend on your own, that is not right, is it?

Are we to say to a certain segment of America, you do not matter. You do not count. I do not think so. I think this Congress should say these monies are to protect Americans wherever the threat is and wherever the risk is. And we should not be monkeying around with this type of thing.

Please do not try to earmark in this bill, and this is an earmark in reverse. I oppose the amendment.

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

Mr. Chairman, I rise in strong support of this amendment. I think that some of the remarks that were made in the last couple of minutes seem to indicate that not everyone understands what this amendment does. This amendment does not limit the discretion of the Department of Homeland Security to say that next year the same 80 cities or 50 cities and 30 transit organizations that have grants now have to get grants again. It simply says that no more than 80 may get grants, that we cannot dilute it further.

Now, the threat may change, as the distinguished chairman as said, in which case, the Department retains the ability, the discretion to change where the grants go. What this amendment does, however, is to say that the threat is not diluted. The threat is not getting wider and wider and wider. We may have more intelligence that this city is a bigger threat as opposed to that city this year, and the Department would retain the full discretion to shift its funding based on that.

What this amendments says is, look, the Urban Area Security Initiative is the one homeland security program specifically designed to assist the cities that need help the most, the ones that are at the highest threat for terrorist attack. Yet last night, some of us said we should take other funds for homeland security and concentrate them more. This body decided otherwise.

We have certain money guaranteed for every State. But this vote says this pot of money goes only to the cities where the threat is highest, which makes sense. But if the threat is highest, in how many cities can the threat be highest? Seven, 30, 80, 200? It makes the designation of the threat being highest meaningless.

Once you have gotten to distributing the money so widely, then nobody gets very much money. Two years ago, in fiscal 2003, New York City received $150 million from this pot of money. No one thinks the threat has diminished from New York City, and yet this year it received $47 million, a cut of 69 percent. The national capital region's share, the cut was 52 percent.

What we are saying is from this pot of money which is directed, intended for highest-threat areas, keep it for the highest-threat areas. It is almost meaningless when you say the 80 highest-threat areas. It probably should be the 10 or 12, but certainly no more than 80.

Why 80? Because that is what they have diluted it to now. We probably should restrict it further. But to say that the pot of money that goes to the highest-threat areas should go to the 80 highest-threat areas, no more. Whichever the Department decides are the highest-threat areas, that discretion remains, is simply a statement of saying this pot of money really is for high-threat areas, not generally to be distributed.

If we are serious again about protecting our people, we should have some money that is directed at the highest-threat areas based on however we decide the Department decides the highest threat is by whatever the intelligence is. That is what this pot of money is intended to do. To dilute it past 80 different entities makes it meaningless. Therefore, I urge the adoption of this amendment.

Mr. RUPPERSBERGER. Mr. Chairman, I rise today in support of this amendment and I thank my colleagues for their diligent efforts to bring this amendment to the floor.

I have always said that governing is about setting priorities. With more needs than resources, leaders must prioritize when it comes to the business of problem solving. This is particularly true in the area of public safety, which has only become more critical since the events of September 11. The federal government is responsible for protecting all Americans from the East Coast to the West Coast and everything in between. That is a vital and daunting mission, and the reality that security has a price tag means we must make thoughtful priority funding decisions based on risk and threat assessments. This amendment recognizes that reality and ensures that the most likely terrorist targets will be given the priority funding they so desperately need.

Federal money is not drawn from a bottomless well. There is a fixed amount available to go around for many needs including homeland security, military/defense, transportation, education and so on. And there is a fixed amount available within each of those needs. Homeland security money is not unlimited and once again—the needs exceed the resources. When the urban area grants were first created, we prioritized the cities with the highest threats and most critical needs. The first seven grant recipients included New York, the National Capital Region, Los Angeles, Seattle, Chicago, San Francisco, and Houston. Given the recent news reports of failed attack plans in the past, we know these priorities were absolutely correct.

Since those first grants, the program has increased to 80 grants for 50 high threat cities and transit systems. Out of the same fixed amount of money, we have gone from 7 grants to 80 and we believe this is appropriate given the current known threats and risks our nation faces. Our concern, however, is that we can not dilute that fixed amount of urban area threat money by increasing the number of grants further. Perhaps we will decide at a later date we will need to do that, but now is simply not the time.

This amendment will limit the number of grants DHS can make under this program to 80, the same number made by the department last year. This amendment will not dictate who receives the 80 grants or how much money each grant recipient gets. It simply acknowledges that we must prioritize how we disperse these limited federal funds.

As the Congressman for the Maryland 2nd Congressional District, this problem is very close to home for me. My district includes the Port of Baltimore, BWI Airport, NSA, Ft. Meade, Aberdeen Proving Grounds, and approximately 90 percent of the chemical facilities in the State of Maryland. That is quite a lot of critical infrastructure. I believe protecting these national assets is both important for my district and for the country as a whole. In addition to the tragedy of human loss in the event of another attack, we must also consider the crippling impact of environmental, commercial, economic, and infrastructure disasters. We must do all we can to protect our people, our nation, and our way of life.

I support this amendment because I believe it is a responsible and common sense approach to tackling these enormous problems.

The CHAIRMAN pro tempore (Mr. HASTINGS of Washington). The question is on the amendment offered by the

gentlewoman from New York (Mrs. MALONEY).

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

Mrs. MALONEY. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from New York (Mrs. MALONEY) will be postponed.

AMENDMENT OFFERED BY MR. SABO

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

The Clerk read as follows:

Amendment offered by Mr. SABO:

At the end of the bill (before the short title), insert the following:

SEC. ____. For the Privacy Officer of the Department of Homeland Security to conduct privacy impact assessments of proposed rules as authorized by section 222 of the Homeland Security Act of 2002 (6 U.S.C. 142), hereby derived from the amount provided in this Act for ''Aviation Security'', $2,000,000.

Mr. SABO (during the reading). Mr. Chairman, I ask unanimous consent the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. SABO. Mr. Chairman, this was an amendment that I was not planning to offer unless the language we had in the bill relating to CAPPS2 was stricken. And, unfortunately, there was a point of order raised on the CAPPS2 language and some very important language relating to privacy was stricken from the bill.

This is a rather simple amendment. The fact is the Department's privacy office has huge responsibilities and a limited budget. The amendment increases funding for the Department's privacy office by $2 million. The charge of the Department's privacy office has grown far beyond what was originally envisioned in the Department's budget projection.

The Secretary delegated Freedom of Information Act oversight to this office in addition to its privacy duties. The privacy issues at the Department are huge, particularly with the TSA, CAPPS2, and transportation worker identification cards programs, and MATRIX. The privacy office will also be the last point of passenger appeals.

Because we eliminated the Capps language which required GAO to do a review of the Department's efforts to put CAPPS2 in place, and because there are new requirements being issued by the Department and how they are going to put their CAPPS2 list together, again we have a requirement in the Capps amendments that GAO review that process. That was deleted from this bill. Because of this vacuum by what we did because of a point of order, there is increased sensitivity and responsibility for this office to deal with some of what I think are the most crucial privacy issues that are involved in the Department of Transportation security.

So I think they are going to have significant additional, they were going to have significant increase in work load before the elimination of the TSA language. That simply increases their job responsibilities and some sensitivity of what they have to do.

I urge adoption of this amendment. The $2 million comes from aviation security which is a fund of over $4 billion. This clearly is a very important expenditure for aviation security, and I urge adoption of the amendment.

Mr. ROGERS of Kentucky. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, with respect to my colleague, I have to oppose the amendment. The bill provides $2,270,000 for the Office of Privacy in 2005, which is $1.5 million above the level enacted for the current year. And the Department of Homeland Security continues to be slow in hiring. The current vacancy rate in the Office of the Secretary, which includes the Office of Privacy, the vacancy rate is over 30 percent. A lot of that is due to the slow process of clearing people for these jobs. And we do address that in the bill in another section.

So we hope to allow them to hire people and get them on the job quicker. However, the money in the bill already allows the Office of Privacy to hire eight new staff, and I do not think they can get that many hired anyway. This amendment would increase funding even more, and it is just not needed.

So I would hope that the Members would reject this amendment. It is not needed. We have got more money there than we can use.

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

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

Mr. SABO. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN pro tempore. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Minnesota (Mr. SABO) will be postponed.

The point of no quorum is considered withdrawn.

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

Mr. Chairman, we have some Members that have amendments and they are on their way. I know the ranking member of the full committee has an important amendment, and I know there are a couple of others, but we are getting close.

AMENDMENT OFFERED BY MR. FILNER

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

The Clerk read as follows:

Amendment offered by Mr. FILNER:

At the end of the bill (before the short title), insert the following:

SEC. _____. Section 212(d)(4) of the Immigration and Nationality Act (8 U.S.C. 1182(d)(4)) is amended—

(1) by striking ''(4)'' and inserting ''(4)(A)'';

(2) by redesignating subparagraphs (A), (B), and (C) as clauses (i), (ii), and (iii), respectively; and

(3) by adding at the end the following:

''(B)(i) Upon application by an alien who is citizen or national of Mexico, and who is applying for admission as a visitor under section 101(a)(15)(B) from Mexico, the Department of Homeland Security official in charge at a port of entry may, in the exercise of his or her discretion, on a case-by-case basis, waive either or both of the documentary requirements of section 212(a)(7)(B)(i), if satisfied that the alien is in possession of proper identification, as provided under clause (ii), and—

''(I) is a child coming for a regular medical appointment (as evidenced by proof such as a letter from the medical professional concerned), or is the parent (or other adult chaperone) accompanying such a child, except that the number of adults admitted under this subclause shall not exceed one per child;

''(II) is a child coming with a student group to participate in an educational or cultural event (such as an athletic or academic event, a concert or other artistic performance, or a visit to a recreational, touristic, or historical site) for not more than 1 day (as evidenced by proof such as a letter of invitation issued to the group), or is an adult chaperone, such as a teacher, coach, or parent, accompanying such a group, except that the number of chaperones admitted under this subclause shall not exceed that sufficient to supervise the group involved; or

''(III) is a child coming to participate in a special community event that traditionally has been attended by individuals from both sides of the border (as evidenced by proof such as a public letter of invitation issued by the community concerned), or is a parent or other adult relative accompanying such a child.

''(ii)(I) For purposes of this subparagraph, in the case of a child, proper identification shall include a passport, birth certificate, or other proof of citizenship or nationality.

''(II) In the case of an adult, proper identification shall include a passport, birth certificate, or other proof of citizenship or nationality, and a government-issued driver's license, or similar document issued for the purpose of identification, that contains personal identifying information and a photograph.

''(iii) For purposes of this subparagraph—

''(I) the term 'child' means an unmarried person under 16 years of age; and

''(II) the term 'adult' means any person who is not a child.''.

Mr. FILNER (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

POINT OF ORDER

Mr. ROGERS of Kentucky. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing laws and constitutes legislation in an appropriations bill and therefore violates clause 2 of rule XXI which states in pertinent part: ''An amendment to a general appropriations bill shall not be in order if changing existing law.''

This directly amends existing law.

Mr. Chairman, I ask for a ruling.

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

Mr. FILNER. Mr. Chairman, I would concede the point of order.

The CHAIRMAN pro tempore. The point of order is conceded.

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

Mr. Chairman, although this amendment is not in order, and I recognize that, I would just like to tell the chairman that I have proposed it out of frustration with what is going on at the border between California and Mexico.

I represent that total border, and I would say that in our rush after September 11 to secure the border and protect the homeland, we have made very many important steps, many necessary steps; but we also made some wrong decisions, decisions which in fact harm our national security, harm our close relationships with Mexico, and in fact set us back in our attempt to be secure.

I refer specifically today to the practice that has been abolished at the border of giving discretion to port directors to allow children for either medical or humanitarian or cultural reasons to cross the border on a 1-day visa; to grant a waiver to the normal visa requirements, a waiver of normal requirements where we are beyond the reach of many poor people in Mexico.

They cross the border for important reasons. For example, in my district in the city of Calexico, there is a clinic called the Valley Orthopedic Clinic. For over 40 years it has treated poor children for deformities and birth defects, which gives them a future; and, in fact, they have treated over 125,000 low-income children from Mexico.

□ 1330

The practice had been for decades to allow the port director the discretion to grant this 1-day visa, a 1-day humanitarian waiver to allow that child to get treatment, to correct a cleft palate or a clubbed foot or a pinky that was not there at birth, to give children who could not afford it in their homeland an opportunity for a future.

After September 11, that authority, discretionary authority for humanitarian waivers, was taken away from the port director. And so children in need of medical help, school children who would march with their counterparts in America on Christmas parades, visit the world famous San Diego Zoo, go to other cultural events with American counterparts, that was taken away. That has not helped the security of our Nation.

These children are not terrorists. These children are, in fact, engaging in diplomatic relationships that strengthen our two countries' relationships, strengthen our border and give us more security; and yet we have denied now that authority to the port director under the name of homeland security.

So all my amendment would do, and I am sorry we cannot talk about it today, would have said the port directors at the seven or eight ports of entry in my district, others in Texas, New Mexico and Arizona, would have the authority to grant these humanitarian waivers. The amendment would not make it easier for terrorists that come to the country. The amendment would not affect the number of legal or illegal immigrants living in our country. The amendment would not force immigration officials to offer waivers.

So I hope as we go through our appropriations and our authorization process for homeland security we take a rational approach, we do not go overboard in taking away discretionary authority from our border officials in the name of homeland security, which actually sets us back.

So I hope that this body will take that issue up in the future. I thank the body for giving me a few minutes to talk about what is going on at the border, and I hope that we can do things that really strengthen our security and not weaken it in the future.

AMENDMENT OFFERED BY MR. OBEY

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

The Clerk read as follows:

Amendment offered by Mr. OBEY:

At the end of the bill (before the short title), insert the following new title:

TITLE VI—ADDITIONAL APPROPRIATIONS

CONTINGENT EMERGENCY RESERVE

For additional expenses, not otherwise provided for, necessary to support operations to improve the security of our homeland due to the global war on terrorism, $3,000,000,000, to remain available until expended: *Provided,* That such amount is designated as an emergency requirement pursuant to section 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Congress): *Provided further,* That the funds made available under this heading shall be available only to the extent that an official budget request for all of the funds is transmitted by the President to the Congress and includes designation of the amount of that request as an emergency and essential to support homeland security activities: *Provided further,* That funds made available under this heading may be available for transfer for the following activities:

(1) up to $1,200,000,000 for ''Office for State and Local Government Coordination and Preparedness, State and Local Programs'';

(2) up to $200,000,000 for ''Office for State and Local Government Coordination and Preparedness, Firefighter Assistance Grants'';

(3) up to $450,000,000 for ''Transportation Security Administration, Aviation Security'';

(4) up to $50,000,000 for ''Transportation Security Administration, Maritime and Land Security'';

(5) up to $550,000,000 for ''Customs and Border Protection, Salaries and Expenses'';

(6) up to $100,000,000 for ''Immigration and Customs Enforcement, Air and Marine Interdiction, Operations, Maintenance, and Procurement'';

(7) up to $50,000,000 for ''Immigration and Customs Enforcement, Federal Air Marshals'';

(8) up to $100,000,000 for ''Immigration and Customs Enforcement, Salaries and Expenses''; and

(9) up to $300,000,000 for bioterrorism preparedness activities throughout the Federal Government:

Provided further, That the Secretary of Homeland Security shall notify the Committees on Appropriations 15 days prior to the transfer of funds made available under the previous proviso: *Provided further,* That the transfer authority provided under this heading is in addition to any other transfer authority available to the Department of Homeland Security.

Mr. OBEY (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore (Mr. HASTINGS of Washington). Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. ROGERS of Kentucky. Mr. Chairman, I reserve a point of order.

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

The gentleman from Wisconsin (Mr. OBEY) is recognized for 5 minutes.

Mr. OBEY. Mr. Chairman, I thank the gentleman for reserving.

Mr. Chairman, I have told the House twice now that while I think this bill is an improvement over the budget presented by the President, in fact, it leaves this country seriously exposed to a whole variety of vulnerabilities from terrorist attacks.

This bill attempts to try to close some of those gaps. This amendment would provide $1.4 billion more than the bill contains to address port transit and local first responder needs. It will provide a State formula grant increase of $350 million, urban area grant increase of $500 million, port security grant increase of $100 million, fire grant increase of $200 million, et cetera.

I know that is a lot of money, but the fact is the Hart-Rudman Commission estimated there is a $90 billion need in order to protect our local communities, and so far we have only invested about $15 billion. We cannot buy that kind of security on the cheap.

Secondly, this amendment would provide $550 million more to address aviation security. It would improve the cargo security situation. Right now, there is a huge percentage of cargo that is shipped on passenger airplanes that is not inspected for explosives. It would provide $333 million in additional funding for explosive detection systems at airports. It would increase funding for air marshals by $50 million because right now we are some 8 percent below where the President said we should be.

It would provide $750 million dollars more to address border security. We have 2,000 fewer people patrolling the northern border than the PATRIOT Act indicated that we ought to have.

We provide an additional $86 million for the Container Security Initiative so that we do not have to rely on part-time, short-term employees to inspect those operations; and it provides a variety of other initiatives.

Now, I know that because the Committee on Rules chose not to allow this amendment to be offered that any Member of this House has an opportunity to raise a point of order which will prevent the House from even voting on this proposition. I would simply make one point in urging that Members not exercise that prerogative.

We are going to be providing next week $25 billion in additional funding through the Defense bill to pay for the costs of our war in Iraq. That cost will eventually rise for a full year to over $70 billion. It seems to me, if we are going to spend that much money on an emergency basis, then we can provide $3 billion on a contingent emergency basis to try to solve some of these home security problems. By providing it on a contingency basis, what that means is that the President may eliminate any item he chooses. So if the President thinks it is unessential, he cannot spend the money and the money will not flow.

I think this is an eminently reasonable amendment. If it is true that the number one priority of the House and the number one priority of the President is to defend the homeland, if that is true, then we would not see this amendment stricken on a point of order.

The problem we have, and I know some people resent it when I say so, but the fact of the matter is that because the majority party has chosen to make tax cuts its number one priority, it means that we are squeezed on education; it means we are squeezed on health care; and, yes, it means that we are squeezed on homeland security. And we are prevented from meeting the security needs of the country by funding these activities.

With that, Mr. Chairman, I would urge a ''yes'' vote on the amendment in the event that the gentleman from Kentucky decides not to offer the point of order.

POINT OF ORDER

The CHAIRMAN pro tempore. Does the gentleman from Kentucky (Mr. ROGERS) insist on his point of order?

Mr. ROGERS of Kentucky. Mr. Chairman, I really hate to disappoint the ranking member, but I do raise a point of order against the amendment under clause 2 of rule XXI.

The provision designates an amount as emergency spending for purposes of the concurrent resolution on the budget. As stated in the House Rules and Manual, such a designation is ''fundamentally legislative in character.''

Mr. Chairman, I ask for a ruling from the Chair.

The CHAIRMAN pro tempore. Do others wish to be heard on the point of order?

Mr. OBEY. I do, Mr. Chairman.

The CHAIRMAN pro tempore. The gentleman from Wisconsin (Mr. OBEY) is recognized.

Mr. OBEY. Mr. Chairman, while I reluctantly concede that under the rule adopted by the House this amendment cannot be offered, so we cannot even get a vote on it, so I reluctantly concede the point of order, this is not in order under the rule, it ought to be.

The CHAIRMAN pro tempore. The gentleman concedes the point or order. Accordingly, the point of order is sustained. The amendment is not in order.

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

Mr. Chairman, one issue that is partially dealt with in this bill, but not to the degree that I think it should be, is the whole question of the screening of cargo on passenger aircraft.

Last year, the House passed by an overwhelming margin a provision requiring all cargo on passenger planes to be screened. Then that did not survive conference. We continued to do some work in that area. A very limited amount of cargo is being screened. This bill says it should be doubled, but doubling a small number still leaves us very little cargo being screened. I think it is one of the most vulnerable parts of airline security. I think most of the people in this country have no sense that most of the cargo going into the passenger plane that they are flying is not screened. We clearly have the potential and the capability to do more. At times we have gone to heightened security alert in this country, and the screening has gone up substantially. It is an area where we should be moving aggressively and increasing the screening.

I offered a committee amendment that would have called for a fivefold increase in the amount of cargo to be screened. I thought it was doable. Unfortunately, that amendment was defeated.

So I just want to express my concern that this is one area which clearly has been a target of terrorists for a long time, the aviation industry, where we remain very, very vulnerable; and I just think it is urgent that the agency and the Congress pay much more attention to the question of cargo screening on passenger planes than we have done and an area where we need much more aggressive action in the future.

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

I am following after two actions, the ranking member having spoken on the question of screening of cargo that is carried on passenger planes, and after the point of order that had been raised by the chairman of the subcommittee in regard to the full committee's ranking member point of order on the contingent reserve.

Mr. Chairman, I think that what has just happened in regards to Mr. OBEY's amendment is deeply regrettable. Mr. OBEY's amendment focused on port and transportation and local first responder needs. It would have addressed the very thing that the ranking member of the subcommittee just spoke about. It would have increased the funding for screening of cargo that is carried on passenger flights by $117 million so that additional cargo could be inspected at a time when it is pretty well understood that we are screening, at most, 10 percent at the present time of the cargo that is being carried by our passenger flights; and I think everybody has a good deal of concern about that. The Chairman's funding for that is increased already, but this funding would allow a more substantial increase than what is provided by the legislation.

The gentleman from Wisconsin's (Mr. OBEY) amendment would have increased port security grants by $100 million, and I remember in the debate here over the last day and a half that several Members have identified the issue of port security as opposed to cargo container port-type work as being an account that is most underfunded in this. Clearly, in this instance, we are funding less than 10 percent of the need that is in the area of port security. If it is not the most underfunded, it is certainly one of the top three most underfunded areas in this legislation.

The Coast Guard itself says that our unmet needs are something like $6 billion to do the kind of port security that is necessary.

The gentleman from Wisconsin's (Mr. OBEY) amendment would have increased the funding for border agents and inspectors by $214 million to plug the leaks in the northern border which have been shown where the attempts at entering into the United States have come, where we at the present time only have about two-thirds of the goal on the part of the Department of Homeland Security of what their goal is for those very borders.

□ 1345

The Obey amendment would have provided $300 million to address bioterrorism preparedness, giving the Department of Homeland Security the power to utilize where it was needed on this contingency fund. Among other things, it would have provided additional money, about $86 million, into the Container Security Initiative to provide for increased staff to cover those very ports which are still risky ports, which the chairman has indicated that we are covering, are largest and most risky, but we have others that are of considerable importance in getting at the screening of cargo at the source before it comes into our own ports from across the ocean.

So all of this funding would have been provided by a contingency reserve that was involved in the Obey amendment.

Mr. Chairman, we should not be putting a price on the security of American citizens as close cut as we are, and yet this leadership has done exactly that by ruling the Obey amendment out of order.

Mr. Chairman, we simply are not going to be able to provide adequate security on the cheap. I think that the amendment of the gentleman from Wisconsin (Mr. OBEY) would have given

us a good bit of reserve in this year when we are told there may be other attacks.

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

I come to the floor today to speak to the problems that we are having in south Florida with regard to the allocation of the anti-terrorism aid that is supposed to flow into our part of the State of Florida. We are in one area with Palm Beach, Broward, Miami-Dade and Monroe County. The United States Department of Homeland Security put the City of Miami in charge of dividing this money earmarked to help metropolitan areas viewed as the highest risk for attack. Miami was designated a high-risk area because of its downtown, airport, seaport and large population, but it was required under the grant to coordinate how this money is spent over the entire area.

As a result, the City of Miami retained 90 percent of the money and has allowed approximately 10 percent to come to Broward, has given Monroe County nothing, and has given Palm Beach County nothing.

Let us take a look at this. Miami was designated because of the downtown area. Palm Beach, West Palm Beach is a large metropolitan area. So is Fort Lauderdale. Both Broward and Palm Beach County have airports, several airports, and both have seaports. And the Port Everglades, which is in Broward County, supplies all of the petroleum for south Florida, including the Miami airport, including all of the automobiles that run throughout Miami-Dade County and that part of the area, and is very vulnerable. And there is a seaport in Palm Beach County.

Speaking of large populations, the combined population of Broward and Palm Beach County is larger than Miami-Dade County. Something has to be done here.

The Department of Homeland Security has clearly, in my opinion, been betrayed by the City of Miami. So Palm Beach and Broward County are speaking with one voice and asking to separate themselves from Miami-Dade. This could not be done if we are limited to the status quo in the number of metropolitan areas that we presently have as one of the amendments that we will soon be voting on does provide for.

I would ask that we not strap ourselves into that single position. The only response that we get from there, and I am quoting from the Sun Sentinel newspaper, it says, ''The politics involved here are directly detracting from putting these Federal dollars to use to reduce the risk, and that is a shame,'' and that comment was made by a fellow named Joe Fernandez, who is a Miami assistant fire chief in that area. This is not politics, this is an absolute outrage.

So again, Palm Beach County, Broward County, we want to separate ourselves from Miami and Miami-Dade County because of the outrageous manner in which this money has been hoarded and held onto by the City of Miami.

AMENDMENT NO. 22 OFFERED BY MR. TURNER OF TEXAS

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

The Chairman pro tempore (Mr. SHIMKUS). The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 22 offered by Mr. TURNER of Texas:

At the end of the bill (before the short title), insert the following:

SEC. ____. For additional expenses, not otherwise provided for, necessary to procure, install, and operate radiation portal monitoring technology to improve the security of our homeland due to the global war on terrorism, $200,000,000 to remain available until expended: *Provided* that the entire amount is designated an emergency requirement pursuant to section 402(a) of the conference report to accompany S.Con.Res. 95 (108th Congress): *Provided further*, That the funds made available only to the extent that an official budget request for all of the funds is transmitted by the President to the Congress and includes designation of the amount of that request as an emergency and essential to support homeland security activities: *Provided further*, That the funds made available under this heading shall be available for Customs and Border Protection salaries and expenses: *Provided further*, That the Secretary of Homeland Security shall notify the Committees on Appropriations fifteen days prior to the transfer of funds made available under the previous proviso: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority available to the Department of Homeland Security.

POINT OF ORDER

Mr. ROGERS of Kentucky. Mr. Chairman, I raise a point of order against the amendment under clause 2 of rule XXI. The provision designates an amount as emergency spending for purposes of the concurrent resolution on the budget. As stated in the House rules and manual, such a designation is fundamentally legislative in character.

Mr. Chairman, I would reserve raising the point of order and yield 2 minutes to the gentleman from Texas (Mr. TURNER) to explain.

The CHAIRMAN pro tempore (Mr. HASTINGS of Washington). The gentleman may reserve his point of order but not yield time. The gentleman from Texas is recognized for five minutes.

Mr. TURNER of Texas. Mr. Chairman, the amendment that I wanted to offer which is subject to a point of order would try to remedy a problem which I think we all understand exists, and that is we are continuing to be under the threat that some terrorist group will ship into the United States in a cargo container or by truck a nuclear device or a dirty bomb.

I want to commend the gentleman from Kentucky (Mr. ROGERS) and the committee for adding money to this item over and above what the President requested. The committee added $50 million to help purchase radiation portal monitors. But unfortunately, as the committee's own report states, the President's request includes 165 additional radiation portal monitors, and the committee is aware of the need for 1,000.

What I was attempting to do by this amendment is to increase the funding for radiation portal devices so this next fiscal year we could fully deploy radiation portal monitors in all of our ports to be sure that we are prepared to defend against the possibility of a terrorist group putting in a container some nuclear device or dirty bomb. I recognize it is a significant increase, but I believe in light of the urgency that it is the right thing to do rather than continue on what would probably be a 2- to 3-year program to fully deploy.

POINT OF ORDER

The CHAIRMAN pro tempore. Does the gentleman from Kentucky (Mr. ROGERS) insist on his point of order?

Mr. ROGERS of Kentucky. I do, Mr. Chairman.

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

If not, the Chair is prepared to rule.

The Chair finds that this amendment includes an emergency designation under section 402 of Senate Concurrent Resolution 95 as made applicable to the House by section 2 of House Resolution 649. The amendment therefore constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained and the amendment is not in order.

AMENDMENT NO. 10 OFFERED BY MR. MARKEY

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

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

The text of the amendment is as follows:

Amendment No. 10 offered by Mr. MARKEY:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available in this Act may be used to approve, renew, or implement any aviation cargo security plan that permits the transporting of unscreened or uninspected cargo on passenger planes.

Mr. ROGERS of Kentucky. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto be limited to 40 minutes and that the time be equally divided between myself and the gentleman from Massachusetts (Mr. MARKEY).

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

There was no objection.

The CHAIRMAN pro tempore. The Chair recognizes the gentleman from Massachusetts (Mr. MARKEY) for 20 minutes.

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

Mr. Chairman, every time we fly we wait in security lines. We empty our pockets, we remove our shoes. Sleeping babies are taken out of their baby carriers. We have to walk through metal

detectors, we have to have our baggage inspected. Even grandma with her walker needs to be physically inspected at security checkpoints.

We do not complain much as Americans because we all know this is all aimed at improving the security of every single flying passenger in our country. But what people do not realize is that right next to our baggage, right underneath our now-screened shoes, cargo is placed which has not been screened at all.

For example, if a passenger were carrying onto a plane a package this size, it is going to get screened. It is going through the metal detector. It is going to be looked at. But if it is shipped as cargo and it is 16 ounces or less, it automatically does not get screened at all. They think this is not dangerous if it comes as cargo. But if a passenger carries it onto that very same plane, it is going to be checked. The only difference is if you are carrying it, you are on the plane with it. But if someone sends it as cargo, they are not on that plane.

What is dangerous about that? What is dangerous about it is that the Pan Am flight over Lockerbie was brought down by a package this size. That is what is wrong. We should not have passengers on American planes that have this kind of danger that al Qaeda could exploit that could wind up with a catastrophe which shocks the world.

Moreover, cargo which is this size, which is not too much bigger than a lot of people's traveling bags for the summer, this does not get screened except in very rare instances. It goes right into the belly of the plane, the same way that your baggage goes there but without the screening. So that is a loophole, unfortunately, that al Qaeda could exploit and we know that al Qaeda continues to say and our Bush administration security officials confirm that al Qaeda continues to put passenger aircraft at the very top of their terrorist target list.

So the amendment which we are making here today, the gentleman from Connecticut (Mr. SHAYS) and myself, is the same amendment which we made last year to this bill which passed on the House floor 278–146. The reason it passed is obvious, it makes no sense to put all of the families in our country, especially as vacation time is arriving, on planes that have all of these packages that are unscreened even as they, the American families, have been put through the toughest possible screening possible.

So our amendment calls for the screening of this cargo, that it should not go onto the planes unless it is screened. Why should bags in the bay of a passenger plane be screened, that is the bags of the passengers, but the other half not be screened even though the people who put those packages on are not even flying on the plane? This is something that in our opinion makes no sense whatsoever.

We continue to see data on the number of planes. It turns out that al Qaeda was targeting 10 planes for hijacking. We know they are obsessed with them and we know that we are obsessed with the planes that are the passenger planes. Let us not allow our people in our country, our passengers, and yes, yes, we are talking about the American family here. That is what we are talking about. We are talking about the people who are in the galleries today who flew here to Washington. It was on their planes, and as they fly out of Washington today, as they fly anywhere in America today, it is the baggage on their planes that had cargo on it. These people deserve protection.

That is the simple heart of our argument; that it is just plain wrong to put Americans on planes with unscreened cargo, especially since the technology is already there. The vast majority of cargo could be screened with the existing technology that already screens our bags. It is the same size as our bags or smaller. How can they escape being screened?

Mr. Chairman, I ask for Members' support. The gentleman from Connecticut (Mr. SHAYS) and I will make the argument over the next 30 minutes or so and we hope that we once again send a strong message that we want to have all of this baggage screened.

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

□ 1400

Mr. ROGERS of Kentucky. Mr. Chairman, I yield myself 6 minutes.

Mr. Chairman, we agree that 100 percent of all cargo on passenger planes should be screened. We are together on the goal. It is just that we do not have the capability now. We cannot do it this year. It is going to take a little bit longer. The machinery does not exist, contrary to what the gentleman from Massachusetts says. That big box is too big for the machines that we check our bags through that x-rays packages. The machinery does not exist at this time. We have effective means in place at the moment to reduce the risk to acceptable levels without shutting down air cargo and bankrupting airlines, as this amendment would surely do.

We are aggressively tackling this problem of cargo on passenger planes. This bill that we have before you requires at a minimum that the TSA double the percentage of air cargo screened, actually screened. We appropriate $118.5 million for air cargo security, which is $33.5 million above what we put in the bill last year for this and as requested by the President, including $75 million for developing screening technologies, the R&D to develop the machines that would accommodate palletized cargo on airlines and the larger packages; $10.5 million to hire an additional 100 air cargo inspectors; $20 million to make further enhancements to the known-shipper program and implement a new cargo rule; and $3 million to expand the canine teams deployed to inspect air cargo.

We are getting there, and we are a long way there. We cannot get there 100 percent at the moment. However, with this funding, TSA will continue an aggressive R&D program to examine technologies, to improve the capability to screen the high-risk cargo, including new technologies for screening palletized cargo and containerized cargo for explosives. A number of vendors have been tentatively selected for laboratory evaluation of these kinds of products. TSA is enhancing the known-shipper program.

What is the known-shipper program? It means that you cannot ship cargo on a passenger plane unless you have been certified by the Federal Government; and they look at you very, very carefully. You have got to be a certified known shipper before your cargo can be placed on a passenger plane. If you are not a known shipper, you have got to put it on a truck or on an all-cargo plane or what have you, but not a passenger plane. We do not allow it. So you have got to be a known shipper, and you have got to be certified by the Federal Government before you can become a known shipper. Known shippers go through a very rigorous and thorough process to obtain their status: verification of their legitimacy by way of a comprehensive database, random inspections, recertifications on a yearly basis.

This bill includes language requiring at a minimum to double the percentage of air cargo that is currently screened. That is an incremental approach. We are headed toward 100 percent when we can get there, but we simply cannot get there at this minute.

Screening technologies to inspect air cargo are not ready yet, in spite of what anyone says. The latest information that we have is that there is no machine at this moment in time able to see explosives. You can x-ray a package looking for drugs or contraband, but you cannot see explosives with that kind of a machine. That is the distinction the gentleman from Massachusetts fails to see. We are looking for explosives in passenger planes, not contraband; and the x-ray machines, of course, are designed for contraband.

If this amendment passes and airlines are not allowed to accept air cargo, it means that they will go bankrupt. That is it. You shut off air cargo; you close down the airlines. I am not going to vote for that. The TSA tells me that it would take 9,000 screeners at a cost of over $700 million next year to inspect every cargo at the top 135 airports that handle about 95 percent of all cargo on passenger craft.

The economy of this country relies on just-in-time delivery by airplanes, whether it is fresh produce and meats for grocery stores, mechanical parts for manufacturers, medical supplies for hospitals and clinics and the like. Cargo transported on passenger aircraft typically arrives about 30 minutes before flight time. If you shut off

air cargo, you are shutting off just-in-time delivery in this very sensitive area in this country in manufacturing.

In this bill, Mr. Chairman, we are going all out to develop the technology to screen all cargo. We have in place the known-shipper program, canine searches, and other practices; and we will double the percentage of personal inspections in this bill. I urge Members to vote ''no'' on Markey.

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

Mr. MARKEY. Mr. Chairman, I yield such time as he may consume to the gentleman from Connecticut (Mr. SHAYS), the cosponsor of my amendment.

Mr. SHAYS. I thank the gentleman for yielding time.

Mr. Chairman, I do not want to take a lot of time in this first pass but just to say, when I hear the presentation of both the gentleman from Massachusetts and our very distinguished chairman, it scares the heck out of me, because the bottom line is we are being told, and it is true, you can get explosives on a passenger airplane; and then we are being told we cannot do anything about it because it is impractical, we do not have the equipment, and so on. I think the story is somewhere in between.

The bottom line is we have people on passenger airplanes who believe that we check the baggage that is in the cargo of those airplanes. I think maybe at a minimum we should at least give them a little notice when they step on that airplane because it is the truth, that would say that when you go on this airplane, all the baggage brought on by passengers is screened, but the cargo that is on this airplane is not screened for explosives.

Mr. ROGERS of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. SHAYS. I yield to the gentleman from Kentucky.

Mr. ROGERS of Kentucky. Mr. Chairman, the simple fact is if this amendment passes, there will not be any planes for them to get on in the first place.

Mr. SHAYS. I do not believe that. With all due respect, I do not believe it. I do not believe that the passenger aircraft are dependent on cargo in order to be able to take passengers. I just do not buy it. I at least think, though, that the American people deserve the truth, whatever the truth is. This is a debate we need to have, and frankly it needs to be a debate that is more than 40 minutes. The American people are entitled to the truth, whatever that is.

When we started out talking about the baggage on passenger aircraft, the gentleman from Washington (Mr. INSLEE) came in with an amendment in 2002, and he asked me to cosponsor it. He said, We do not check baggage. We check some, but we do not check all of it. I said, You have got to be kidding me. He said, We do not. And we have no time line.

So we offered an amendment that said by the end of 2004 we would check, and everyone opposed the amendment because they said we could not check by the end of 2004. They said, we do not have the equipment, we do not have the money, it is too costly and the passenger aircraft would just simply not be able to fly. That is what we were told. That is what the record said.

Our amendment passed, and an interesting thing happened. When it came back from the conference committee, instead of the end of 2004 that we would check for baggage, it said the end of 2003. I went up to one of the members and said, How come if we could not do it by the end of 2004, we could do it by the end of 2003? What I was told was, We did not want to put in writing that we could not check until the end of 2004 and we put the end of 2003 and we did not quite make that deadline, we met it sometime a little later in 2004, but we met it before the end of 2004. We did it because it mattered and the American people would not fly if they did not think the baggage was checked.

But what we at least need to say, I will say it as often as I can, 23 percent of what is in the belly of an aircraft is cargo. It for the most part is unchecked. Saying that we check because we have a known shipper is simply to say that we know who shipped it. It does not mean that we check the baggage. It amazes me that somehow we say that that is a protective system.

So for me, it is quite simple. We have got to give them a target. We have got to give them a deadline. We have got to be willing to spend the money. If six planes are blown out of the sky a week from now or 2 weeks from now, are all of us supposed to go back into our district and say, we could not afford to do it? I cannot do that. I cannot look my constituents in the eye and say, we could not afford to do it.

When we vote, I want every Member to know what we are saying. If you vote for the Markey amendment, you are voting to say we have got to have this stuff checked. And when it comes back from the conference committee, maybe we will come back with a deadline or something that you feel is more realistic, but we have got to have something better than what we have now. I feel strongly about that. I feel as strongly about that as I have ever felt about anything. I have had 50 hearings on terrorist issues on my subcommittee, and this of anything that we have looked at scares me the most.

Mr. ROGERS of Kentucky. Mr. Chairman, I yield 4 minutes to the gentleman from Florida (Mr. MICA), chairman of the Subcommittee on Aviation of the Committee on Transportation and Infrastructure.

Mr. MICA. Mr. Chairman, I rise in opposition to the amendment. This amendment is simply unnecessary and unworkable. Some of our colleagues have said, and I think wrongly believe, that air cargo is a hole in our aviation security system and that extreme measures must be taken immediately. I am sensitive to those misconceptions, but believe that serious efforts are being made by the Transportation Security Administration and the aviation industry; the airline industry are taking appropriate steps to address cargo security needs. TSA is currently developing new and more comprehensive standards for air cargo security which should be finalized soon, and TSA has also issued air cargo security directives recently.

Let me just respond, also, to a couple of things that have been said here. First, people are speaking without information. We heard the gentleman from Massachusetts say that we are putting our families through the utmost possible screening. That is not true. Some of the Members should take time to see the classified results of what we are putting them through and the holes in the current system. Putting explosives on a plane through cargo is a small risk at this point. Having a passenger walk through 1950 metal detectors is a great risk because those metal detectors do not detect explosives. That is how a plane will be taken down if a plane is taken down. This amendment actually can do a great deal of damage. In contrast to what the gentleman from Connecticut said, in the Congress we put a provision in that said 2003 instead of 2004. Those bags still are not being screened. We have only done 14 airports inline. That is because the Congress might say something, but they are not funding this.

Look at R&D. I put $50 million in the original TSA bill to fund research and development. One of our friends from the State of Washington in the other body took $30 million of the $50 million for R&D the first year, and that is why we do not have the technology to determine what equipment can be used to effectively detect explosives. And then again we can stand up here and ask the cow to jump over the Moon; but unless you provide the money and the technology and the means to do that, it is not going to happen.

The next year you took the money and you did not fund the money, and we had $75 million for R&D. You all waited 5 months, and the people who are talking now are the people who delayed the appropriations. So TSA took $63 million of $75 million out of their funds for research and development and had to use it for personnel. So the problem is here, and the problem is Congress making these kinds of edicts that do more damage.

I have summed up the problem. I have identified the problem. The problem is here, people talking about things, telling folks that we are putting our families at risk. We must address this on a risk basis, and we must properly fund R&D.

□ 1415

We do not have the technology to do this now. We do not have the technology to address our greatest risk, which is people strapping explosives to

themselves and walking through a 1950 metal detector that does not detect explosives.

So we need to address the risks. We need to do this on a logical basis. Not something that grabs headlines but something that is effective, that solves the problem at hand, that truly protects the American public from a terrorist act.

So I urge the Members to defeat this amendment. It could pass 100 times, and it does not mean anything because we are not going to be able to do it. We have $150 million this year for R&D, and that should be spent appropriately, not in haste.

Mr. MARKEY. Mr. Chairman, I yield 2 minutes to the gentleman from Rhode Island (Mr. LANGEVIN).

Mr. LANGEVIN. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I rise in support of the Markey-Shays-Conyers-Turner amendment. Most importantly, I rise in support of increased security for air travelers across this country.

Screening air cargo and passenger planes is a critical element in protecting the public, and there is absolutely no excuse for allowing this glaring loophole to persist. With the summer travel season upon us and air travel nearing pre-9/11 levels, this issue gains urgency every single day.

Every day and at every airport, unscreened cargo is loaded onto passenger planes, placing the traveling public and airline employees and airport workers at great risk.

We have spent billions of dollars and asked the American people to endure long waits and countless inconveniences in order to ensure safe air travel. The failure to inspect cargo and passenger planes flies in the very face of these security investments and threatens to make all of our efforts for naught. But it does not have to be this way.

The technology exists to close this security gap, but apparently the will does not, and I cannot for the life of me understand why. It is long past time to address this issue and stop placing millions of travelers at risk.

Mr. Chairman, I urge my colleagues to give the Markey-Shays-Conyers-Turner amendment the resounding victory that it deserves and give the American people the security that we have promised.

In closing, Mr. Chairman, I want to commend the foresight and the vision and the leadership of Mr. MARKEY, Mr. SHAYS, and others on this issue. It is long overdue and we need to heed the call. I am proud to be a partner with them in this effort, and let us get it done.

Mr. ROGERS of Kentucky. Mr. Chairman, I yield 3 minutes to the gentlewoman from Texas (Ms. GRANGER), a very important member of our subcommittee.

Ms. GRANGER. Mr. Chairman, I rise to oppose this amendment.

The Subcommittee on Homeland Security of the Committee on Appropriations has written a sound bill that addresses the security of air cargo shipping in a common sense way and is being honest and realistic with the American people. This amendment threatens that approach.

Right now many companies, like Dell and Texas Instruments, rely on airlines to ship their goods in what is called a just and timely fashion. Their high tech products have to get to customers in a very short time frame. They rely on airlines, not cargo planes, to take the goods to the customer quickly. Airlines only take passengers from known shippers who are registered and certified like FedEx and UPS. Airlines simply do not accept packages from anyone who is not a proven, known shipper.

This ''known shipper program'' is a good system, and it is getting better every day with shared databases and other upgrades. This is our first backstop against suspicious shipments. Our second backstop is the physical screening that is currently being done on any shipment that raises suspicion.

This bill calls for an increase in the shipments that are physically screened, specifically a doubling of the current screening. This is both reasonable and also attainable.

TSA has said that going to immediate, 100 percent screening right now at the top 135 airports requires about 9,000 screeners and cost over $700 million in the first year alone. And the cargo would still face a huge bottleneck because we do not have efficient screening technologies.

New technologies for screening large amounts of cargo are on the horizon, and this bill supports investment research for that technology. TSA says it will have to shut down cargo shipments altogether on passenger planes if we mandate 100 percent, and there, poof, we will have ruined a $3 billion industry and threatened 27,000 jobs.

The fact is that we all support 100 percent screening and we want to get there as quickly as possible and we want safety for all of our passengers. But we want the right technology to do this in the best possible way.

Let us face it. This talk of immediate physical screening does not come free, but should we not work for a more dependable, more durable technology for American travelers and air shippers? The current bill that we are debating calls for a doubling of the amount of our air cargo that is currently screened and inspected. That is reasonable, that is attainable, that is being honest with the American people, and I support this approach.

Mr. MARKEY. Mr. Chairman, I yield 2 minutes to the gentleman from Massachusetts (Mr. OLVER).

Mr. OLVER. Mr. Chairman, I rise in strong support of the Markey-Shays amendment. We hear of new homeland security threats almost daily. The President and the Attorney General have both warned that terrorists are likely to attack the homeland before the New Year.

Terrorist networks continue to put commercial airplanes very high on their list of targets. And while great progress has been made in aviation security, we are still lagging behind in screening cargo carried on passenger flights. Currently no more than 10 percent of cargo on passenger flights is screened or inspected for explosives or other dangerous materials.

This is a glaring loophole in our aviation security, and the legislation before us today provides too small an increase in screened cargo that is carried on such passenger flights. We need to reach full screening of cargo faster, and this amendment moves us in that direction.

I urge a ''yes'' vote on the Markey-Shays amendment.

Mr. ROGERS of Kentucky. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. GREEN).

Mr. GREEN of Texas. Mr. Chairman, I rise in reluctant opposition to the Markey amendment. The screening he wants to impose is not possible at this time, and technology is not developed to screen some of the large pallets. The airlines inspect all packages now, but the current screening technologies or pallets involve x-ray technology and not the explosives detection. And I have watched airlines load those huge pallets into the cargo holds of the planes, and they are much bigger than what the gentleman from Massachusetts (Mr. MARKEY) talked about.

This may be the size of our passenger, but the ones I have watched are the size of the Speaker's desk, and we just do not have the ability to do that.

The fiscal year 2005 Homeland Security Appropriations Act requires 20 percent random cargo inspection for the first time. It is now set at 10 percent; so we are doubling it. But, again, with the research and development funding in here, we will be able to get to where we can screen those large ones. But we are also doing the ''known shipper.'' So much cargo is shipped through known shippers, whether UPS, FedEx, DHL, name it. And they are the ones that are doing it, not unlike we are beginning to do with passengers where they have access for passengers that are known passengers and they go to the head of the line or a separate line. We are doing the same thing with cargo. So there is reasonableness to what we are doing.

The bill also provides 100 new cargo inspectors and $50 million in cargo security R&D funding in addition to the $55 million provided last year. So we are trying to get up to the technology level so we can do it. And I just do not want to make sure we throw the baby out with the bathwater that we require standards not only of the TSA but also of our airlines that they just physically cannot do.

I also represent a seaport, and in all honesty, we have a hard time inspecting 5 percent of containers coming into

our ports. I would find it amazing if we could even get the 10 percent of our containers that come in much less the 20 percent for air cargo.

I appreciate the gentleman from Massachusetts' (Mr. MARKEY) dedication and I am glad he keeps pushing us because without that maybe we would not go further. But I know there is an effort by a lot of Members to make sure we do go further every year.

Mr. MARKEY. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey (Mr. HOLT) for a colloquy.

Mr. HOLT. Mr. Chairman, I would like to enter into a colloquy with the gentleman from Massachusetts (Mr. MARKEY).

This is much needed legislation, and I applaud the gentleman from Massachusetts and the gentleman from Connecticut for putting it forward. It really makes little sense for airport security to screen 100 percent of the carry-on baggage to the point of removing nail clippers and yet not screen all the cargo and baggage that is loaded into the belly of a plane. This amendment is really much needed and should be passed with strong bipartisan support, should also be implemented with strong financial support from the Federal Government.

My question for the gentleman from Massachusetts is, does he believe that down the road we can ensure that cargo loaded onto cargo planes will also be screened?

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

Mr. HOLT. I yield to the gentleman from Massachusetts.

Mr. MARKEY. Mr. Chairman, it is my intention, the gentleman from Connecticut's (Mr. SHAYS) intention, that once we close the loophole on passenger planes that allow for cargo to go on unscreened, then we will move on to the next step, which is the cargo that goes on cargo planes. But I think the first job is to make sure that passengers are protected and then in the next step, as the gentleman said, we will move on to do the same for cargo planes.

Mr. HOLT. Mr. Chairman, that will be safer for the public and the workers of the airline industry, and I thank the gentleman for his answer.

Mr. ROGERS of Kentucky. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio (Mr. LATOURETTE).

Mr. LATOURETTE. Mr. Chairman, I thank the chairman of the subcommittee for yielding time to me.

I was in my office listening to this debate and came rushing over because I heard a couple of things during the debate that disturbed me. One was from the gentleman from Connecticut, who, in response to an observation by the chairman, said he does not believe that the technology does not exist today to do what their amendment seeks to do. I believe that and I believe that to be true.

The other observation was there was reference made to the folks in the gallery who came here, and the observation was they probably do not know that the cargo that goes into the belly of their passenger plane is not screened. I would venture to say that most people that get on passenger planes do not even know that they are carrying cargo. Most people that get on passenger planes, however, also do not know that it is the cost of the cargo, the money that the airlines make relative to the cargo shipments, that enable them not only to have cheaper fares but also enable them to fly to small areas.

Just citing one airline that is headquartered in Cleveland, Ohio, an area that is near and dear to my heart, if this amendment were to pass, I have been advised 67 jobs would be lost at that one airport by that one airline. For that one airline, $325 million in revenue would have to be made up in higher and additional fares. And service to smaller communities, again the folks in the gallery, if they live in New York or Chicago or Los Angeles, they can get home, but if they live in some of the smaller hubs, they are not getting home because there will be no service to those areas because their fares are subsidized by the revenues made up as a result of cargo shipments.

I have to say, Mr. Chairman, that, again, the chairman has done a good job in this bill. He has doubled the amount of belly cargo that is being inspected. From where we are today, 100 new inspectors are being added, research and development so that pilot programs going on down in Houston and other areas can continue to go. This is a well-intended amendment. I think we all want to get to 100 percent, but it is a wrong-headed amendment because the technology that they seek to impose does not exist today.

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

Mr. LATOURETTE. I yield to the gentleman from Florida.

Mr. MICA. Mr. Chairman, just to correct the record also, I would like the gentleman and the other Members to know, it was said in the beginning of this debate, also, that Pan Am 103 was brought down as a result of this situation, explosives in cargo. That is not true. It was explosives in luggage.

Mr. MARKEY. Mr. Chairman, I yield 3 minutes to the gentleman from Connecticut (Mr. SHAYS).

Mr. SHAYS. Mr. Chairman, I have been listening to this debate trying to understand what kind of contribution I can make and what kind of things we are listening to, and I feel that three of the most respected Members of Congress, I respect for their knowledge on this issue, are saying things that, if true, are more shocking than what I thought was the case. I mean we have a Member of Congress who basically has said that it is foolish to deal with cargo admittedly for the money and the technology, which are valid reasons that I understand, but because we do not even really check the baggage on the belly of aircraft that we say we do but we do not. And I do not know how to process that because I tell my constituents that we are doing that, and I am not aware of any request on this floor by this chairman or anyone else who has said we need this amount of money to fulfill that act. If that is known by some in some committee, then let us debate it on the floor.

□ 1430

Because it is my understanding that we checked the baggage on the belly of an aircraft for explosives, and if we do not, I think we should say where we do not and how long it is going to take and why we are not conforming to the law; and then all of us need to deal with that. That is fair, but to use that as an argument for then not checking the cargo that goes on the belly of an aircraft on a passenger plane to me is just like a weird argument.

Now, if we cannot check big packages, then let us check small packages. If we cannot do it this year, then let us have in the law that it will be done by this time. Let us not just be so casual about it that we just say, well, we went from 5 percent to 10 percent, and we need more time to do the technology.

So what I was thinking as I was sitting here is that what I would like to do if this amendment does not pass or if it passes and gets lost in conference, I want to come in with an amendment, and it is going to be truth to the passenger, and it is going to spell out to the passenger in plain, simple language what is the risk when they fly.

In other words, I think if a plane has not been checked for explosives in the belly of an aircraft that is baggage, then tell them; and if that has been but we have cargo and 20 percent of this cargo or 30 percent of what is in the belly of the aircraft is cargo and has not been checked, then tell them. I know what I know. I will not fly that aircraft, and then I will like to know, and maybe others will, maybe we will just have to suck it up and be brave, but I think it is not safe. And I am living with the fact that someone in my district found out in the middle of the day that maybe her child was on Pan Am 103, and I was at her home at 11:30 at night when it was confirmed and this was her best friend, her daughter.

Mr. ROGERS of Kentucky. Let me inquire of the gentleman from Massachusetts (Mr. MARKEY), is the gentleman the last speaker?

Mr. MARKEY. I will be the last remaining speaker, yes, sir.

Mr. ROGERS of Kentucky. Mr. Chairman, I will yield myself the balance of our time.

Mr. Chairman, our gentleman friend from Connecticut (Mr. SHAYS) I thought needs an answer to the question he raised. What are we doing about cargo on passenger planes? What are we doing about it, and where are we?

Well, at the moment we physically inspect a certain percent of all cargo

on passenger planes. That percentage is a law enforcement-sensitive number, and we cannot talk about it publicly, but it is a percentage that we actually physically inspect.

The rest cannot be put on a plane unless it has been certified by the government to come from somebody we know, a FedEx or UPS or some other known shipper, a Toyota, GM, where we have gone to that shipper and put them through a rigorous examination so that we know whether or not they are reliable and their chain of supply, their security of supply has been checked.

We are developing machinery, however, to be able to take the place of all of that. The machinery is just simply not there yet. It is being developed, and in the bill we appropriate $118.5 million for air cargo security. It is an enormous figure. That is $33.5 million more than we spent this year or that the President requested. We topped everybody in that respect. And $75 million of that is going to develop new technologies.

One of these days we will have machines that will do for cargo on passenger planes what we do for baggage on passenger planes. We simply do not have it yet. We are working on it and working on it very quickly.

But in this bill in the meantime we say, okay, we want to double the number or the percentage of air cargo that is physically checked, double it this year. We provide additional cargo inspectors for that purpose. We provide canine teams to help with the inspection of air cargo, and we provide $20 million more to make further enhancements to the known-shipper program and implement a new cargo rule.

Now, if this amendment passes, I am sad to say I do not think the airlines will make it. If we prohibit all passenger cargo, as the gentleman from Florida (Chairman MICA) has said, we are taking away $3.5 billion in income to the airlines that are barely hanging on now. 27,000 jobs are involved here. We do away with the capability of the Nation's economy to have just-in-time delivery, upon which the country, in fact the world, runs.

So I urge Members to be careful if we want to vote for this amendment. That is the safe thing to do, of course; but the responsible thing is to vote ''no.'' We are doing all we physically can do at the moment, and it will not help any if we shut down the airlines.

Mr. Chairman, I urge a ''no'' vote on the Markey amendment.

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

Mr. MARKEY. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, let me begin by saying that Pan Am Flight 103 over Lockerbie did go down, but it went down because a package this size was not screened in the baggage. We now mandate that all baggage be screened. We closed that loophole, but the reason the Pan Am 103 families endorse the Markey-Shays amendment and have sent a letter to Congress endorsing it is because they know that this same package in the cargo is not screened on passenger planes. The Pan Am 103 families endorse this amendment.

Secondly, the technology already exists. The Israelis screen cargo. The United Kingdom screens cargo. The Netherlands screens cargo. Australia, Singapore, Spain, Hong Kong, Italy, they already screen the cargo which goes onto passenger planes; and there are American companies lined up to do the job. American Science and Engineering, Incorporated, L3 Security and Detection Systems, Raytheon Cargo Screen, they all say they are ready to go to deploy the technology today. It is not a question of technology. It is a question of money. The same argument was made right after September 11: we do not have enough money to screen the bags of every passenger going on planes.

Well, we do not have enough money not to do it, because the next plane that goes down is going to cripple the American economy. That is the price of leaving a loophole that could lead to an explosion on a plane. That is the price our country is going to pay, and it is going to look like one cent on a hundred dollars if it happens.

We cannot afford to allow this kind of loophole to exist. This known-shipper program, it is not even certified by the Federal Government. The Federal Government lets the airlines decide who these shippers are, who put these packages on without even screening. It is not even a Federal Government program; it is an airline program. That is no security for the American flying public.

These people who fly into Washington as tourists, people going on vacations, they should not have to be putting their families on planes with cargo this size or this size, that has not been screened, even as they have been forced to take their nail clippers out and have them confiscated. It is wrong.

The Markey-Shays amendment should pass. If you want to see security on the airlines of our country, if you want to avoid another airline disaster in our country that will cause an economic catastrophe, vote ''aye'' on the Markey-Shays amendment.

Mr. LANGEVIN. Mr. Chairman, I rise in support of the Markey/Shays/Conyers/Turner amendment. More importantly, I rise in support of increased security for air travelers across the country. Screening air cargo on passenger planes is a critical element in protecting the public, and there is no excuse for allowing this glaring loophole to persist.

With the summer travel season upon us and air travel nearing pre-9/11 levels, this issue gains urgency by the day. Every day, and at every airport, unscreened cargo is loaded on to a passenger planes, placing the traveling public, airline employees and airport workers at risk.

We have spent billions of dollars and asked Americans to endure long waits and countless inconveniences in order to ensure safe air travel. The failure to inspect cargo on passenger planes flies in the face of these security investments and threatens to make all our efforts for naught.

But it doesn't have to be this way. The technology exists to close this security gap, but the will apparently does not . . . and I can't for the life of me understand why. It is long past time to address this issue and stop placing millions of travelers at risk.

I urge my colleagues to give the Markey/Shays/Conyers/Turner amendment the resounding victory it deserves, and give the American people the security we have promised.

Mr. RUPPERSBERGER. Mr. Chairman, I rise today in opposition to this amendment. Let me be clear. I do not believe any law maker is against the need to make our homeland safe. However, I have always been and will continue to be a strong advocate for improving the security of our homeland especially at our nation's airports, but I do not believe in creating additional unfunded federal mandates.

I represent the Baltimore-Washington International Airport and I am very familiar with these issues. I believe the security of aviation is a critical component in protecting our homeland and air cargo is a significant concern. I fully support the need to protect our airports, the people who fly in and out of them, the people who work in the airline industry and the goods and services that are transported by planes. Aviation security is key to our way of life, our business and leisure travelers, and our nation's commerce. On that point, I think we can all agree.

We can also agree that air cargo security deserves an equal amount of attention and problem solving to make it a safe way of doing business. We need to ensure that air cargo is safe so business can proceed. The air cargo industry and airports have worked hard since September 11, 2001 to recognize potential risks and threats, and to make air cargo more secure. Have we done enough? Probably not. Do we still need to do more? Absolutely. That is not the debate before us today.

The next question becomes what is the best solution. On this, I do not believe this amendment is the right way to improve air cargo. I commend my colleagues for their hard work to correct risks associated with air cargo, but I am concerned about the creation of further unfunded federal mandates on an industry so vital to the American economy. There are still so many questions about the feasibility and cost of available technology. Each airport has different challenges and there is no one-size-fits-all solution to any homeland security issue, including air cargo.

This amendment would effectively double the amount of air cargo to be screened and inspected without providing any sort of financial relief for equipment, technology, infrastructure or personnel to do so. The aviation industry did not create the problems we face in homeland security and I do not believe they should shoulder the entire burden of correcting it through further unfunded mandates. Throughout my entire political career I have stressed the need for partnerships to solve problems and the federal government must partner with industry to address the needs of homeland security. The Constitution tasks the federal government with protecting Americans and we cannot fulfill that responsibility by simply creating new mandates for the aviation industry

to comply with. We need to work together in commitment and resources.

The 2005 Department of Homeland Security Appropriations bill does recognize and address the challenge of air cargo security risks. It substantially increases research and development funding for new technology that will ultimately make comprehensive cargo screening feasible. It is an important and fiscally responsible step in the right direction to tackle an enormously complex issue. All Americans want the safest environment we can create, but we must do it in a logical way that does not unduly burden the aviation industry or impede national commerce.

I believe this amendment is placing the cart before the horse and we should let the R&D money provided for in this bill do its work. I will continually fight to keep the Maryland 2nd Congressional District and this nation more secure. I believe we need to do more with airport security but I do not believe this solution is the right one.

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

The CHAIRMAN pro tempore (Mr. SHIMKUS). The question is on the amendment offered by the gentleman from Massachusetts (Mr. MARKEY).

The question was taken; and the Chairman announced that the noes appeared to have it.

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

The CHAIRMAN pro tempore. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Massachusetts (Mr. MARKEY) will be postponed.

AMENDMENT OFFERED BY MR. KING OF IOWA

Mr. KING of Iowa. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. KING of Iowa:

At the end of the bill (before the short title) add the following:

SEC. ____. Appropriations made in this Act are hereby reduced in the amount of $895,476,000.

Mr. KING of Iowa. Mr. Chairman, first of all I want to congratulate the chairman of the committee and all of the committee members for their hard work on this bill and the many improvements that have been put in for homeland security. We are getting better at this. We are just not as good at it as we need to be.

My amendment reduces the appropriation by $895,476,000. That is the President's number, the President's request.

I point out that the President has been our lead warrior on the war on terror. He came out and identified our enemy the first week after September 11, he set forward a path on how to go about addressing al Qaeda and the terrorists around the world, he sent troops into Afghanistan, he sent troops into Iraq. We have over 50 million people that are free today. America is a safer place.

Our question that is before this Congress today is the question of do you spend your resources on the tip of the spear, or do you spend your resources back here at home? Do you spend your resources on ambulances, fire trucks, metal detectors and do you spend them also on training facilities for emergency responders? Or do you put that money in a proactive way and preempt the terrorists attacks that are bound to come. To find that balance is what we are seeking to do.

The waste that is in the budget, I can identify a significant amount of dollars there are tied up in the bureaucratic regions of the Department. It is hard to get to this through a Waste Watchers program. It is hard to identify it and say we are going to ding your budget by $5 billion or $10 billion or $86 million or $895 million, as this amendment does. But the way you do that is you reduce the spending and the bureaucrats have to go and find that.

So the question is, are we going to clean up after the disaster, or are we going to spend the money preventing the disaster? Is it going to be the clean up crew that will be the tip of the spear?

We have seen this budget grow from 2003 to 2004 by 30 percent. Now we see it grow again from 2004 to 2005 by 9.4 percent.

This is the President's budget. The President has been leading us in the war on terror, and I believe we can have confidence that he has the ability to set this budget and provide adequate resources.

Mr. Chairman, having made my statement, I ask unanimous consent to withdraw this amendment.

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

There was no objection.

AMENDMENT NO. 13 OFFERED BY MR. SHERMAN

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

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

The text of the amendment is as follows:

Amendment No. 13 offered by Mr. SHERMAN:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available in this Act may be used for processing the importation of any article which is the product of Iran.

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

The CHAIRMAN pro tempore. The gentleman from Michigan reserves a point of order against the amendment.

The gentleman from California is recognized for 5 minutes.

Mr. SHERMAN. Mr. Chairman, this amendment would prohibit Customs and APHIS from expending any funds to process any import from the Islamic Republic of Iran into the United States. The amendment would effectively reverse a decision made in the year 2000 by a Clinton administration order, which partially lifted what was then our total embargo on Iranian imports.

This has created a circumstance where we import from the Islamic Republic of Iran roughly $150 million of goods. We do not import any oil or other petroleum or energy products from Iran. That is prohibited by existing law. Instead, we import caviar and carpets. So the question before us now is whether we wish to put economic and symbolic pressure on the government in Tehran.

Well, let us examine that government's behavior. It is developing nuclear weapons. It is only a couple of years away, perhaps, from having an atomic bomb. Its cooperation with the IAEA was found inadequate by the IAEA Board. Even its so-called reformist leaders have decided to support this nuclear program.

Why? Because they know that they can move forward with their nuclear weapons program without paying any economic cost, and they are able to go in a complex political situation to the people of Iran and say, Don't worry that we are developing nuclear weapons. We will suffer no economic cost.

□ 1445

We will be part of the world community, and they are able to point to the fact that even the United States imports from Iran as proof that they pay no economic price for their behavior.

In addition, the government in Iran has been identified by the State Department in its Patterns of Global Terrorism Report as the number one state sponsor of terror. Iranian agents are working to kill our people in Iraq. Iran is harboring al Qaeda senior officials, including one of bin Laden's sons. Iranian agents, along with al Qaeda, working in tandem, are responsible for the 1996 Khobar Towers bombings that killed 19 Americans.

What more does the government of Iran have to do? Cooperate with al Qaeda, shelter al Qaeda, kill Americans. It is still not enough for us to stop importing their goods. And what are these goods that are so critical to us? Caviar and carpets.

It is time for us to use the levers we have to put pressure on this regime. It is time to go to the Iranian people that are growing weary of rule by the mullahs and say they are costing you something: your ability to do business with the world is being impaired.

These foreign policy adventures are a domestic issue to the people of Iran because they are foreclosing trade. Only when we cut off imports from Iran will we then be able to turn to our European and Japanese friends and urge them to do the same, at least until the government in Iran changes its behavior in these two critical areas: the development of atomic weapons and terrorism.

Keep in mind that terrorism will continue if we do nothing. Keep in mind, those atomic weapons can be smuggled into our country; they are no larger than a person. And then the government in Iran can make that phone call and tell us that they have an atomic bomb in this apartment building or that one.

Let us do something. This is the only time this year that this Congress will be able to stand and say, we want to put some pressure on the government of Iran. This is the only policy available to the United States short of invasion, which is not in the cards, to say that we want to do what can be done to convince the people and government of Iran that they pay a cost for supporting terrorism and that they pay a cost for their failure to cooperate with the IAEA.

So make your decision: should we continue to have business as usual with a government that is killing us and that is building the devices to kill us by the millions?

POINT OF ORDER

Mr. CAMP. Mr. Chairman, I raise a point of order against the Sherman amendment.

The CHAIRMAN pro tempore (Mr. SHIMKUS). The gentleman will state his point of order.

Mr. CAMP. I raise a point of order against the Sherman amendment to this bill, H.R. 4567, on the grounds that this amendment violates clause 5(a)(2) of House Rule XXI because it is an amendment proposing a limitation on funds in a general appropriation bill for the administration of a tax or tariff. Specifically, this amendment would prohibit the use of funds provided by the act for processing the importation of any articles from Iran. Processing imports is part of administering a tariff. Therefore, this amendment would limit the funds in a general appropriations bill for the administration of a tax or tariff in violation of clause 5(a)(2) of rule XXI.

The CHAIRMAN pro tempore. Are there any other Members wanting to be heard on the point of order?

If not, the Chair will rule.

The gentleman from Michigan raises a point of order against the amendment offered by the gentleman from California on the grounds that it violates clause 5(a) of rule XXI.

In prior Congresses, clause 5(a) of rule XXI provided a point of order against carrying a tax or tariff measure on a bill not reported by a committee having such jurisdiction. At the beginning of the 108th Congress, clause 5(a) was amended to particularize its application to an amendment in the form of a limitation on funds in a general appropriation bill for the administration of a tax or tariff.

The Chair is of the opinion that the change in clause 5(a) affects today's proceedings in one significant way:

The new version of clause 5(a) enables a point of order against limitation amendments addressing the administration of a tariff whether or not the maker of the point of order can demonstrate a necessary and inevitable change in tariff statuses or liabilities or in revenue collection. More on that matter can be found in section 1066 of the House Rules and Manual.

In the present case, the chief impetus for the processing of imports from Iran is tariff law. The Chair therefore holds that the limitation on funds to process imports from Iran is necessarily a limitation on funds for the administration of a tax or tariff within the meaning of clause 5(a) of rule XXI.

The point of order is sustained, and the amendment is not in order.

AMENDMENT OFFERED BY MS. VELÁZQUEZ

Ms. VELÁZQUEZ. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. VELÁZQUEZ:

At the end of the bill insert the following section:

SEC. ___. PROHIBITION AGAINST USE OF FUNDS TO ENTER INTO STATEWIDE CONTRACTS FOR SECURITY GUARD SERVICES.

None of the funds in this Act may be used by the Federal Protective Service to replace any existing contract for security guard services with statewide contracts for security guard services.

Ms. VELÁZQUEZ. Mr. Chairman, small businesses need opportunities. Repeatedly, small businesses have demonstrated that they can provide the government a superior product at an affordable cost to taxpayers.

Unfortunately, small businesses are seeing their opportunities dwindle as agencies place expediency over job creation in our local communities and what is best for the American taxpayers. The cost of this is the creation of mega contracts that are so big that only big businesses in corporate America can compete. What they are telling American small businesses is that the $285 billion Federal marketplace is not open to them.

When President Bush took office, he promised to change this and to open the Federal marketplace to small businesses. Even 2 years ago, during Small Business Week, he issued a small business agenda and made contract bundling his top priority. Since taking office, not only has he done nothing to change this, but this administration has failed to meet any of the small business goals set up by Congress. This is outrageous.

Today's legislation is a perfect example of that. This Department was created by the President and was supposedly to do things in a new way. What we are seeing here is business as usual. The most recent example is this regional security contract that currently is being done by small business securities firms across the country. Homeland Security is currently in the process of bundling this contract so large that probably three firms, one of them not even an American firm; so now, we are going to turn security over to foreign companies, and none of the small businesses will be able to provide the service. This will result in the loss of thousands of jobs in communities across the country at a time when job creation is still struggling.

My amendment will stop the Homeland Security from bundling contracts that will steal opportunities from small businesses and ensure that small businesses will continue to provide the services that they have done so well.

I urge the adoption of this amendment.

Mr. ROGERS of Kentucky. Mr. Chairman, I reluctantly rise in opposition.

This is the first time we have seen this amendment. It is brand-new to me. We have not had a chance to discuss the matter with the gentlewoman.

Ms. VELÁZQUEZ. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Kentucky. I yield to the gentlewoman from New York.

Ms. VELÁZQUEZ. Mr. Chairman, the problem is that I was just contacted by one of the small business firms that has provided these services who is going to go out of business, and he contacted me yesterday.

Mr. ROGERS of Kentucky. Well, I understand the gentlewoman, and I appreciate the predicament that she is in on this.

It also puts us in a predicament because I do not know the ramifications of the amendment. It could have some very significant national unintended consequences that I have not had time to think about. So I wish we could work with the gentlewoman. Rather than bring this to a vote, perhaps if the gentlewoman would reconsider.

Ms. VELÁZQUEZ. Mr. Chairman, if the gentleman will further yield, I am not prepared to do that at this point, because in the past, like in Homeland Security, I introduced an amendment where 23 percent of any monies spent by DOD in the reconstruction of Iraq will go to small businesses. During conference it was taken out. So time and time again, when we have an opportunity to help small businesses through the legislative process, they are being shut out.

Mr. ROGERS of Kentucky. Well, Mr. Chairman, reclaiming my time, then I have no choice but to oppose the amendment. I want to help the gentlewoman, but if this is the attitude, then we will just have a debate here and let the vote take place, and it will be one way or the other and over with.

So I would hope that the gentlewoman would reconsider that.

But nevertheless, Mr. Chairman, I do not know the ramifications of this amendment. It could be devastating around the Nation for all I know, so I have to at the moment oppose it and oppose it vigorously.

Ms. VELÁZQUEZ. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Kentucky. I yield to the gentlewoman from New York.

Ms. VELÁZQUEZ. Mr. Chairman, it is just simply outrageous that if these securities have been performing these types of services by small businesses, that Homeland Security, despite the goals that have been set up by Congress, and despite the fact that the President made a commitment to small businesses of making contract bundling his top priority, that now Homeland Security is going to bundle this contract, putting so many small businesses out of business.

Mr. ROGERS of Kentucky. Mr. Chairman, reclaiming my time, if the gentlewoman would give me time to work

with her on this, I will be happy to do it, but this is the first I have known about it. I do not know the ramifications of the amendment the gentlewoman filed nationally. It could very well be very expensive nationally; it could cost the government a lot of money. It could set a bad precedent to predetermine the most efficient way of contracting. How does it help? How does it hurt? I do not know. So I have to oppose it until we know more about it.

So I would hope the Members would reject the amendment.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentlewoman from New York. (Ms. VELÁZQUEZ).

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

Ms. VELÁZQUEZ. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from New York will be postponed.

The Clerk will read.

The Clerk read as follows:

This Act may be cited as the ''Department of Homeland Security Appropriations Act, 2005''.

Mr. ROGERS of Kentucky. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I do that because I think we have reached the end of the amendment process here and are about ready to call for the votes on the amendments that have been rolled over. But before we finish, I wanted to take a moment to say some things.

It is a pleasure working with my colleague, the gentleman from Minnesota (Mr. SABO). He works hard. He is smart. He has a good level head. He is a reasonable person, and he is a joy to be around and a great help in constructing this bill. It truly has been a partnership as we built the bill. I want to give him a lot of credit for the work that has been done. Of course, the members of our subcommittee. We have a super bunch of people. All of them contribute. All of them participate in the public hearings and, of course, the closed briefings that are classified.

□ 1500

They keep those secrets secret. So we have got a wonderful subcommittee to work with. And I could not be more pleased to be a part of this team, as I will call it.

Then a big part of that team too is this staff. They are just wonderful. Michelle and all of the crew and the minority staff work closely together; and they work long, long hours on extremely complicated matters building a brand-new Department, breaking ground on entirely new concepts that we are dealing with in this whole country.

This is the second bill for the whole Department of Homeland Security, a new concept in Americans dealing with themselves and their country and the world. So we are plowing new ground. And this staff has just been wonderful in helping us all understand what it is we are dealing with and trying to come out with a proper result.

I appreciate so very much this staff on both sides of the aisle who have made this day possible.

Mr. Chairman, thank you for presiding over these proceedings as you have. We appreciate it very, very much.

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

Mr. ROGERS of Kentucky. I yield to the gentleman from Minnesota.

Mr. SABO. Mr. Chairman, I thank the gentleman for his kind comments. Let me say he is a pleasure to work with. He is a very knowledgeable, hard-working chairman, and he does an exceptional job as he has in heading two other subcommittees in this House. He is a long-experienced chairman. We do have good subcommittee members and a great staff on both sides of the aisle. It is a pleasure working with the gentleman and the staff and the other members of this subcommittee.

We have our differences, but I think we also have a good product. I thank the gentleman.

Mr. ROGERS of Kentucky. Mr. Chairman, I thank the gentleman.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN pro tempore (Mr. SHIMKUS). Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order: amendment by the gentlewoman from Texas (Ms. JACKSON-LEE); the amendment by the gentlewoman from Connecticut (Ms. DELAURO); amendment No. 1 by the gentlewoman from California (Ms. ROYBAL-ALLARD); the amendment by the gentleman from Colorado (Mr. TANCREDO); amendment No. 9 by the gentlewoman from New York (Mrs. MALONEY); the amendment by the gentleman from Minnesota (Mr. SABO); amendment No. 10 by the gentleman from Massachusetts (Mr. MARKEY); the amendment by the gentlewoman from New York (Ms. VELÁZQUEZ).

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

AMENDMENT OFFERED BY MS. JACKSON-LEE OF TEXAS

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from Texas (Ms. JACKSON-LEE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 137, noes 269, not voting 27, as follows:

[Roll No. 267]

AYES—137

Ackerman
Alexander
Andrews
Baca
Becerra
Bell
Berkley
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Brown (OH)
Brown, Corrine
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Chandler
Clay
Clyburn
Conyers
Cooper
Costello
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Doggett
Edwards
Engel
Etheridge
Evans
Fattah
Filner
Forbes
Ford
Frost
Gephardt
Gonzalez
Gordon
Green (TX)
Grijalva
Harman
Hinchey
Hinojosa
Holt
Honda
Hooley (OR)
Hoyer
Inslee
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kucinich
Lampson
Lantos
Larson (CT)
Lee
Lowey
Majette
Maloney
Marshall
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McIntyre
McNulty
Meek (FL)
Meeks (NY)
Millender-McDonald
Miller (NC)
Moore
Nadler
Napolitano
Olver
Ortiz
Owens
Pallone
Pastor
Payne
Pelosi
Price (NC)
Rahall
Rangel
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Sandlin
Schakowsky
Scott (GA)
Scott (VA)
Serrano
Skelton
Slaughter
Solis
Spratt
Tanner
Thompson (MS)
Tierney
Towns
Turner (TX)
Udall (CO)
Udall (NM)
Velázquez
Visclosky
Waters
Watson
Watt
Weiner
Wexler
Woolsey
Wu
Wynn

NOES—269

Abercrombie
Aderholt
Akin
Allen
Bachus
Baldwin
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Bonilla
Bonner
Bono
Boozman
Boucher
Boyd
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burns
Burr
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Cardoza
Carter
Case
Castle
Chabot
Chocola
Coble
Cole
Cox
Cramer
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Dooley (CA)
Doolittle
Doyle
Dreier
Duncan
Dunn
Ehlers
Emerson
English
Eshoo
Feeney
Ferguson
Flake
Foley
Fossella
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gilchrest
Gillmor
Gingrey
Goode
Goodlatte
Goss
Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Hill
Hobson
Hoekstra
Holden
Hostettler
Houghton
Hulshof
Hunter
Hyde
Israel
Issa
Istook
Jackson (IL)
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Keller
Kelly
Kennedy (MN)
Kind
King (IA)
King (NY)
Kingston

Kirk
Kleczka
Kline
Knollenberg
Kolbe
LaHood
Langevin
Larsen (WA)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lucas (KY)
Lucas (OK)
Lynch
Manzullo
Markey
Matheson
Matsui
McCollum
McCotter
McCrery
McHugh
McInnis
McKeon
Meehan
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Miller, George
Mollohan
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Neal (MA)
Nethercutt
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Osborne
Ose
Otter
Oxley
Pascrell
Paul
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Portman
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Sabo
Saxton
Schiff
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (MI)
Smith (NJ)
Smith (TX)
Snyder
Souder
Stark
Stearns
Stenholm
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Tiahrt
Tiberi
Toomey
Turner (OH)
Upton
Van Hollen
Vitter
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—27

Baird
Baker
Ballenger
Bereuter
Berman
Boehlert
Boehner
Collins
DeMint
Emanuel
Everett
Farr
Gerlach
Gibbons
Greenwood
Gutierrez
Hastings (FL)
Hoeffel
Isakson
John
Lewis (GA)
Lipinski
Menendez
Quinn
Reyes
Smith (WA)
Waxman

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (Mr. SHIMKUS) (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1527

Mrs. TAUSCHER, and Messrs. SULLIVAN, TERRY, MORAN of Kansas, ROGERS of Michigan, NEAL of Massachusetts, VAN HOLLEN and MATSUI changed their vote from ''aye'' to ''no.''

Messrs. RANGEL, RAHALL, BLUMENAUER, MOORE of Kansas, and HOYER changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MS. DELAURO

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from Connecticut (Ms. DELAURO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 182, noes 221, not voting 30, as follows:

[Roll No. 268]

AYES—182

Abercrombie
Ackerman
Alexander
Allen
Andrews
Baca
Baldwin
Bass
Becerra
Bell
Berkley
Berry
Bishop (GA)
Bishop (NY)
Boucher
Bradley (NH)
Brady (PA)
Brown (OH)
Brown, Corrine
Capps
Capuano
Cardin
Cardoza
Carson (IN)
Carson (OK)
Case
Chandler
Clay
Clyburn
Conyers
Costello
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
Davis, Jo Ann
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dingell
Doggett
Doyle
Duncan
Edwards
Emerson
Engel
Eshoo
Evans
Fattah
Filner
Frank (MA)
Frost
Gephardt
Gonzalez
Goode
Green (TX)
Grijalva
Hayes
Herseth
Hill
Hinchey
Hinojosa
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind
Kleczka
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
LoBiondo
Lowey
Lynch
Majette
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNulty
Meehan
Meek (FL)
Meeks (NY)
Michaud
Millender-McDonald
Miller, George
Mollohan
Murtha
Nadler
Napolitano
Neal (MA)
Nethercutt
Northup
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Rahall
Rangel
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Sandlin
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Serrano
Sherman
Sherwood
Simmons
Skelton
Slaughter
Smith (NJ)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tauscher
Taylor (MS)
Thompson (MS)
Tierney
Towns
Van Hollen
Velázquez
Visclosky
Vitter
Wamp
Waters
Watson
Weiner
Wexler
Whitfield
Wilson (NM)
Woolsey
Wu
Wynn

NOES—221

Aderholt
Akin
Bachus
Barrett (SC)
Bartlett (MD)
Barton (TX)
Beauprez
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blumenauer
Blunt
Bonilla
Bonner
Bono
Boozman
Boswell
Boyd
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burns
Burr
Burton (IN)
Calvert
Camp
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole
Cooper
Cox
Cramer
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis (FL)
Davis, Tom
Deal (GA)
DeLay
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dooley (CA)
Doolittle
Dreier
Dunn
Ehlers
English
Etheridge
Feeney
Ferguson
Flake
Foley
Forbes
Ford
Fossella
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gilchrest
Gillmor
Gingrey
Gordon
Goss
Granger
Graves
Green (WI)
Greenwood
Gutknecht
Hall
Harman
Harris
Hart
Hastings (WA)
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hooley (OR)
Hostettler
Houghton
Hulshof
Hunter
Hyde
Issa
Istook
Jenkins
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
Lofgren
Lucas (KY)
Lucas (OK)
Manzullo
McCotter
McCrery
McHugh
McInnis
McKeon
Mica
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Moore
Moran (KS)
Moran (VA)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Norwood
Nunes
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pearce
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Shimkus
Shuster
Simpson
Smith (MI)
Smith (TX)
Souder
Stearns
Stenholm
Sullivan
Sweeney
Tancredo
Tanner
Tauzin
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Tiahrt
Tiberi
Toomey
Turner (OH)
Turner (TX)
Udall (CO)
Udall (NM)
Upton
Walden (OR)
Walsh
Watt
Weldon (FL)
Weldon (PA)
Weller
Wicker
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—30

Baird
Baker
Ballenger
Bereuter
Berman
Boehlert
Boehner
Buyer
Collins
Crowley
DeMint
Emanuel
Everett
Farr
Gerlach
Gibbons
Goodlatte
Gutierrez
Hastings (FL)
Hoeffel
Isakson
John
Lewis (GA)
Lipinski
Menendez
Pence
Quinn
Reyes
Smith (WA)
Waxman

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (Mr. SHIMKUS) (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1534

Mr. WHITFIELD changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. CROWLEY. Mr. Speaker, during rollcall vote No. 268, I was physically present here in the Chamber. I voted for the bill before and the bill after, but was not recorded on that particular vote. Had I been recorded on that particular vote, after putting my card into the machine and taking it out and pressing the button, it would have been an ''aye'' vote for 268.

Stated against:

Mr. GOODLATTE. Mr. Chairman, on rollcall No. 268 I was unavoidably detained. Had I been present, I would have voted "no."

AMENDMENT NO. 1 OFFERED BY MS. ROYBAL-ALLARD

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on amendment No. 1 offered by the gentlewoman from California (Ms. ROYBAL-ALLARD) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 242, noes 163, not voting 28, as follows:

[Roll No. 269]

AYES—242

Abercrombie
Ackerman
Aderholt
Alexander
Allen
Andrews
Baca
Baldwin
Barton (TX)
Becerra
Bell
Berkley
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Burr
Buyer
Capito
Capps
Capuano
Cardin
Cardoza
Carson (IN)
Carson (OK)
Case
Chandler
Clay
Clyburn
Coble
Conyers
Cooper
Costello
Cramer
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Jo Ann
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart, L.
Dicks
Dingell
Doggett
Dooley (CA)
Doyle
Duncan
Edwards
Emerson
Engel
English
Eshoo
Etheridge
Evans
Fattah
Ferguson
Filner
Foley
Forbes
Ford
Frank (MA)
Frost
Gephardt
Gonzalez
Goode
Gordon
Green (TX)
Green (WI)
Grijalva
Harman
Hayworth
Hefley
Herseth
Hill
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley (OR)
Hostettler
Houghton
Hoyer
Hyde
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind
Kleczka
Kucinich
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Leach
Lee
Levin
Lewis (GA)
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lynch
Majette
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCotter
McDermott
McGovern
McHugh
McIntyre
McNulty
Meehan
Meek (FL)
Meeks (NY)
Mica
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore
Moran (KS)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Osborne
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Petri
Platts
Pomeroy
Price (NC)
Rahall
Rangel
Rodriguez
Rogers (AL)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Sandlin
Saxton
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Serrano
Shays
Sherman
Shimkus
Simmons
Skelton
Slaughter
Smith (NJ)
Snyder
Solis
Spratt
Stark
Stenholm
Strickland
Stupak
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Turner (OH)
Turner (TX)
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Waters
Watson
Watt
Weiner
Weldon (PA)
Wexler
Wolf
Woolsey
Wu
Wynn

NOES—163

Akin
Bachus
Barrett (SC)
Bartlett (MD)
Bass
Beauprez
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Bonilla
Bonner
Bono
Boozman
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burns
Burton (IN)
Calvert
Camp
Cannon
Cantor
Carter
Castle
Chabot
Chocola
Cole
Cox
Crane
Crenshaw
Cubin
Culberson
Cunningham
Deal (GA)
DeLay
Diaz-Balart, M.
Doolittle
Dreier
Dunn
Ehlers
Feeney
Flake
Fossella
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gilchrest
Gillmor
Gingrey
Goodlatte
Goss
Granger
Graves
Greenwood
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Hunter
Issa
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Latham
Lewis (CA)
Lewis (KY)
Linder
Lucas (OK)
Manzullo
McCrery
McInnis
McKeon
Miller (FL)
Miller (MI)
Miller, Gary
Murphy
Musgrave
Myrick
Nethercutt
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Ose
Otter
Oxley
Pearce
Pence
Peterson (PA)
Pickering
Pitts
Pombo
Porter
Portman
Putnam
Radanovich
Ramstad
Regula
Rehberg
Renzi
Reynolds
Rogers (KY)
Rogers (MI)
Rohrabacher
Royce
Ryan (WI)
Ryun (KS)
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shuster
Simpson
Smith (MI)
Smith (TX)
Souder
Stearns
Sullivan
Tauzin
Terry
Thornberry
Tiahrt
Tiberi
Toomey
Upton
Vitter
Walden (OR)
Walsh
Wamp
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Young (AK)
Young (FL)

NOT VOTING—28

Baird
Baker
Ballenger
Bereuter
Berman
Boehlert
Boehner
Collins
DeMint
Emanuel
Everett
Farr
Gerlach
Gibbons
Gutierrez
Hastings (FL)
Hoeffel
Isakson
John
Lipinski
Menendez
Pryce (OH)
Quinn
Reyes
Smith (WA)
Thomas
Waxman
Weldon (FL)

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (during the vote). Members are advised there are two minutes left in this vote.

□ 1542

Messrs. MCCOTTER, TAYLOR of North Carolina and DUNCAN changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. TANCREDO

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado (Mr. TANCREDO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 148, noes 259, not voting 26, as follows:

[Roll No. 270]

AYES—148

Aderholt
Akin
Bachus
Barrett (SC)
Bartlett (MD)
Bass
Beauprez
Bilirakis
Bishop (UT)
Blackburn
Bonilla
Bonner
Boozman
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burns
Burton (IN)
Buyer
Camp
Cantor
Carter
Chabot
Coble
Cox
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Deal (GA)
DeLay
Doolittle
Dreier
Duncan
Emerson
Feeney
Flake
Foley
Forbes
Franks (AZ)
Gallegly
Garrett (NJ)
Gilchrest
Gillmor
Gingrey
Goode
Goodlatte
Granger
Graves
Greenwood
Gutknecht
Harris
Hayes
Hayworth
Hefley
Herger
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Issa
Istook
Jenkins
Johnson, Sam
Jones (NC)
Keller
Kelly
King (IA)
Kingston
Kline
Kolbe
Lewis (KY)
Linder
Lucas (OK)
Manzullo
McCotter
McCrery
McHugh
McInnis
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Musgrave
Myrick
Neugebauer
Ney
Norwood
Ose
Otter
Paul
Pence
Peterson (MN)
Peterson (PA)
Pickering
Pitts
Platts
Pombo
Putnam
Radanovich
Ramstad
Rehberg
Renzi
Rogers (AL)
Rogers (KY)
Rohrabacher
Royce
Ryun (KS)
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Shimkus
Shuster
Simpson
Smith (MI)
Smith (TX)
Souder
Stearns
Sweeney
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Thornberry
Tiahrt
Toomey
Turner (OH)
Upton
Vitter
Walden (OR)
Wamp
Weldon (FL)
Weldon (PA)
Whitfield
Wicker
Wilson (SC)
Young (AK)
Young (FL)

NOES—259

Abercrombie
Ackerman
Alexander
Allen
Andrews
Baca
Baldwin
Barton (TX)
Becerra
Bell
Berkley
Berry
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Blunt
Bono
Boswell
Boucher
Boyd

Brady (PA)
Brown (OH)
Brown, Corrine
Burr
Calvert
Cannon
Capito
Capps
Capuano
Cardin
Cardoza
Carson (IN)
Carson (OK)
Case
Castle
Chandler
Chocola
Clay
Clyburn
Cole
Conyers
Cooper
Costello
Cramer
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Dooley (CA)
Doyle
Dunn
Edwards
Ehlers
Engel
English
Eshoo
Etheridge
Evans
Fattah
Ferguson
Filner
Ford
Fossella
Frank (MA)
Frelinghuysen
Frost
Gephardt
Gonzalez
Gordon
Goss
Green (TX)
Green (WI)
Grijalva
Hall
Harman
Hart
Hastings (WA)
Hensarling
Herseth
Hill
Hinchey
Hinojosa
Hobson
Holden
Holt
Honda
Hooley (OR)
Houghton
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick
Kind
King (NY)
Kirk
Kleczka
Knollenberg
Kucinich
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lynch
Majette
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNulty
Meehan
Meek (FL)
Meeks (NY)
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore
Moran (VA)
Murphy
Murtha
Nadler
Napolitano
Neal (MA)
Nethercutt
Northup
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pearce
Pelosi
Petri
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Rahall
Rangel
Regula
Reynolds
Rodriguez
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sabo
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Sandlin
Saxton
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Serrano
Sherman
Sherwood
Simmons
Skelton
Slaughter
Smith (NJ)
Snyder
Solis
Spratt
Stark
Stenholm
Strickland
Stupak
Sullivan
Tanner
Tauscher
Terry
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Towns
Turner (TX)
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walsh
Waters
Watson
Watt
Weiner
Weller
Wexler
Wilson (NM)
Wolf
Woolsey
Wu
Wynn

NOT VOTING—26

Baird
Baker
Ballenger
Bereuter
Berman
Boehlert
Boehner
Collins
DeMint
Emanuel
Everett
Farr
Gerlach
Gibbons
Gutierrez
Hastings (FL)
Hoeffel
Isakson
John
Lipinski
Menendez
Quinn
Reyes
Smith (WA)
Thomas
Waxman

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (during the vote). Members are advised 2 minutes remain in this vote.

□ 1550

Mr. BONILLA, Ms. HARRIS, and Messrs. TURNER of Ohio, GILCHREST and OSE changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 9 OFFERED BY MRS. MALONEY

The CHAIRMAN pro tempore (Mr. SHIMKUS). The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from New York (Mrs. MALONEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 113, noes 292, not voting 28, as follows:

[Roll No. 271]

AYES—113

Ackerman
Alexander
Becerra
Bell
Berkley
Bishop (NY)
Blumenauer
Brady (PA)
Brown, Corrine
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Chabot
Clay
Conyers
Cooper
Crowley
Davis (CA)
Davis (IL)
Davis, Tom
Delahunt
Dooley (CA)
Doyle
Engel
Eshoo
Fattah
Ferguson
Filner
Ford
Fossella
Frank (MA)
Frelinghuysen
Gephardt
Gonzalez
Green (TX)
Grijalva
Harman
Hinchey
Hoekstra
Holt
Houghton
Hoyer
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kelly
Kennedy (MN)
King (NY)
Lantos
Larson (CT)
Lee
Lofgren
Lowey
Lynch
Maloney
Markey
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHugh
McNulty
Meehan
Meeks (NY)
Millender-McDonald
Miller, Gary
Miller, George
Moran (VA)
Nadler
Napolitano
Neal (MA)
Owens
Pallone
Pascrell
Payne
Pelosi
Porter
Rangel
Reynolds
Rodriguez
Rohrabacher
Rothman
Roybal-Allard
Ruppersberger
Rush
Sánchez, Linda T.
Sanchez, Loretta
Sandlin
Schiff
Scott (GA)
Serrano
Shays
Sherman
Shimkus
Slaughter
Solis
Stark
Sweeney
Tancredo
Tauscher
Thompson (CA)
Towns
Van Hollen
Velázquez
Watson
Weiner
Woolsey

NOES—292

Abercrombie
Aderholt
Akin
Allen
Andrews
Baca
Bachus
Baldwin
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blunt
Bonilla
Bonner
Bono
Boozman
Boswell
Boucher
Boyd
Bradley (NH)
Brady (TX)
Brown (OH)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burns
Burr
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Cardoza
Carter
Case
Castle
Chandler
Chocola
Clyburn
Coble
Cole
Costello
Cox
Cramer
Crane
Crenshaw
Cubin
Culberson
Cummings
Cunningham
Davis (AL)
Davis (FL)
Davis (TN)
Davis, Jo Ann
Deal (GA)
DeFazio
DeGette
DeLauro
DeLay
Deutsch
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emerson
English
Etheridge
Evans
Feeney
Flake
Foley
Forbes
Franks (AZ)
Frost
Gallegly
Garrett (NJ)
Gilchrest
Gillmor
Gingrey
Goode
Goodlatte
Gordon
Goss
Granger
Graves
Green (WI)
Greenwood
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Hill
Hinojosa
Hobson
Holden
Honda
Hooley (OR)
Hostettler
Hulshof
Hunter
Hyde
Inslee
Issa
Istook
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Keller
Kennedy (RI)
Kildee
Kilpatrick
Kind
King (IA)
Kingston
Kirk
Kleczka
Kline
Knollenberg
Kolbe
Kucinich
LaHood
Lampson
Langevin
Larsen (WA)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
LoBiondo
Lucas (KY)
Lucas (OK)
Majette
Manzullo
Marshall
Matheson
McCollum
McCotter
McCrery
McInnis
McIntyre
McKeon
Meek (FL)
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Mollohan
Moore
Moran (KS)
Murphy
Murtha
Musgrave
Myrick
Nethercutt
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Oxley
Pastor
Paul
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Regula
Rehberg
Renzi
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Royce
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Sanders
Saxton
Schrock
Scott (VA)
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shuster
Simmons
Simpson
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Snyder
Souder
Spratt
Stearns
Stenholm
Strickland
Stupak
Sullivan
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Toomey
Turner (OH)
Turner (TX)
Udall (CO)
Udall (NM)
Upton
Visclosky
Vitter
Walden (OR)
Walsh
Wamp
Waters
Watt
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—28

Baird
Baker
Ballenger
Bereuter
Berman
Boehlert
Boehner
Collins
DeMint
Emanuel
Everett
Farr
Gerlach
Gibbons
Gutierrez
Hastings (FL)
Hoeffel
Isakson
John
Lipinski
Menendez
Quinn
Reyes
Schakowsky
Smith (WA)
Thomas
Tierney
Waxman

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (during the vote). Two minutes remain in this vote.

□ 1558

Mr. ROTHMAN changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. SABO

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Minnesota (Mr. SABO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 199, noes 205, not voting 29, as follows:

[Roll No. 272]

AYES—199

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

NOES—205

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

NOT VOTING—29

Baird
Baker
Ballenger
Bereuter
Berman
Boehlert
Boehner
Collins
DeMint
Emanuel
Everett
Farr
Gerlach
Gibbons
Gutierrez
Hastings (FL)
Hobson
Hoeffel
Isakson
John
Lipinski
Menendez
Quinn
Reyes
Schakowsky
Smith (WA)
Thomas
Tierney
Waxman

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (Mr. SHIMKUS) (during the vote). Members are advised that 2 minutes remain in this vote.

□ 1605

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 10 OFFERED BY MR. MARKEY

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on amendment No. 10 offered by the gentleman from Massachusetts (Mr. MARKEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 191, noes 211, not voting 31, as follows:

[Roll No. 273]

AYES—191

Abercrombie
Ackerman
Aderholt
Alexander
Andrews
Baca
Baldwin
Bass
Becerra
Berry
Bilirakis
Bishop (NY)
Blumenauer
Boucher
Boyd
Bradley (NH)
Brady (PA)
Brown-Waite, Ginny
Capito
Capps
Capuano
Cardin
Cardoza
Carson (IN)
Case
Castle
Chabot
Chandler
Conyers
Cooper
Cramer
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley (CA)
Doyle
Eshoo
Etheridge
Evans
Fattah
Ferguson
Foley
Ford
Fossella
Frank (MA)
Frelinghuysen
Frost
Gephardt
Gordon
Green (WI)
Grijalva
Harman
Hayworth
Hefley
Herseth
Hill
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley (OR)
Hoyer
Inslee
Israel
Jackson (IL)
Jefferson
Johnson (IL)
Johnson, E. B.
Jones (NC)
Kanjorski
Kelly
Kennedy (RI)
Kildee
Kilpatrick
Kind
King (NY)
Kirk
Kleczka
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
LoBiondo
Lofgren
Lowey
Lynch
Maloney
Markey
Marshall
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNulty
Meehan
Meek (FL)
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore
Moran (KS)
Moran (VA)
Nadler
Napolitano
Neal (MA)
Ney
Obey
Olver
Ortiz
Ose
Owens
Pallone
Pascrell
Payne
Pelosi
Pitts
Pomeroy
Porter
Price (NC)
Ramstad
Rangel
Rodriguez
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schiff
Scott (VA)
Serrano
Shays
Sherman
Shimkus
Simmons

Skelton
Slaughter
Smith (NJ)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Tiberi
Toomey
Towns
Turner (OH)
Turner (TX)
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Vitter
Watson
Watt
Weiner
Wexler
Woolsey

NOES—211

Akin
Allen
Bachus
Barrett (SC)
Bartlett (MD)
Barton (TX)
Beauprez
Bell
Berkley
Biggert
Bishop (GA)
Bishop (UT)
Blackburn
Blunt
Bonilla
Bonner
Bono
Boozman
Boswell
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Burgess
Burns
Burr
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Carson (OK)
Carter
Chocola
Clay
Clyburn
Coble
Cole
Costello
Cox
Crane
Crenshaw
Crowley
Cubin
Culberson
Cunningham
Davis (IL)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emerson
Engel
English
Feeney
Filner
Flake
Forbes
Franks (AZ)
Gallegly
Garrett (NJ)
Gilchrest
Gillmor
Gingrey
Gonzalez
Goode
Goodlatte
Goss
Granger
Graves
Green (TX)
Gutknecht
Hall
Hart
Hastings (WA)
Hayes
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Houghton
Hulshof
Hunter
Hyde
Issa
Istook
Jackson-Lee (TX)
Jenkins
Johnson (CT)
Johnson, Sam
Jones (OH)
Keller
Kennedy (MN)
King (IA)
Kingston
Kline
Knollenberg
Kolbe
LaHood
Lampson
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lucas (KY)
Lucas (OK)
Majette
Manzullo
Matheson
McCotter
McCrery
McHugh
McInnis
McKeon
Meeks (NY)
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Murphy
Murtha
Musgrave
Myrick
Nethercutt
Neugebauer
Northup
Norwood
Nunes
Nussle
Oberstar
Osborne
Otter
Oxley
Pastor
Paul
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Platts
Pombo
Portman
Pryce (OH)
Putnam
Radanovich
Rahall
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ruppersberger
Ryan (OH)
Sandlin
Schrock
Scott (GA)
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shuster
Simpson
Smith (MI)
Smith (TX)
Souder
Stearns
Stenholm
Sullivan
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thompson (MS)
Thornberry
Tiahrt
Visclosky
Walden (OR)
Walsh
Wamp
Waters
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—31

Baird
Baker
Ballenger
Bereuter
Berman
Boehlert
Boehner
Collins
DeMint
Emanuel
Everett
Farr
Gerlach
Gibbons
Greenwood
Gutierrez
Harris
Hastings (FL)
Hoeffel
Isakson
John
Kaptur
Lipinski
Menendez
Quinn
Reyes
Schakowsky
Smith (WA)
Thomas
Tierney
Waxman

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (during the vote). Members are advised that 2 minutes remain in this vote.

□ 1612

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MS. VELÁZQUEZ

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from New York (Ms. VELÁZQUEZ) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 201, noes 205, not voting 27, as follows:

[Roll No. 274]

AYES—201

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

NOES—205

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

NOT VOTING—27

Baird
Baker
Ballenger
Bereuter
Berman
Boehlert
Boehner
Collins
DeMint
Emanuel
Everett
Farr
Gerlach
Gibbons
Gutierrez
Hastings (FL)
Isakson
John
Lipinski
Menendez
Quinn
Reyes
Schakowsky
Smith (WA)
Thomas
Tierney
Waxman

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (Mr. SHIMKUS) (during the vote). Members

are advised 2 minutes remain in this vote.

□ 1619

Mr. TANNER and Mr. KLECZKA changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. DREIER. Mr. Chairman, I rise today in strong support of H.R. 4567, the Homeland Security Appropriations bill for fiscal year 2005. Specifically, Congress continues to provide significant homeland security dollars for State and local governments, which is essential in our ongoing global war on terror. Since September 11, 2001, Congress has provided $26.7 billion to first responders, thus far including training and equipment. While this is undeniably the greatest support our Nation's police, firefighters and other responders have seen, we continue to face challenges in distributing this funding in a fair and appropriate manner.

Chairman HAL ROGERS has accomplished a great deal by taking the helm of this new appropriations subcommittee and all its responsibilities, with the most recent success of streamlining the process of applying and receiving Federal funds for local governments with a ''one-stop shop,'' eliminating choke points and bureaucracy.

But we still have a fundamental challenge to tackle—and that is the disparity between States in receiving the first responder block grant. The bulk of first responder funds is distributed on a per capita basis, leaving the largest, most vulnerable States with the least amount of Federal resources. While we have achieved some balance with the concentration of the high-threat urban area grants, I believe we can and will continue to work toward even greater equity within the formula.

I look forward to working with Chairman ROGERS and all of my colleagues from urban and rural areas to ensure that as Congress continues to provide significant resources to our responder communities, that we do it in an effective and efficient manner.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise in respectful opposition to the amendment offered by the distinguished gentleman from Massachusetts, my colleague on the House Select Committee on Homeland Security regarding the most serious issue of cargo security.

I agree with my colleague that we need to address the gaps that exist in the airline cargo screening process. However, at this juncture, because the complete screening of all cargo is an unfeasible undertaking, it is preferable that we continue the screening process as it is and instead set a deadline for airline carriers to devise an efficient and cost-effective plan and to procure adequate equipment to enhance the current process.

It is speculative at best that, under the text of our colleague's amendment, our Transportation Security Administration will actually be able to perform this tremendous undertaking. To impose a requirement to screen every item of air cargo carried on passenger airlines would dramatically increase costs for air cargo and eliminate cargo services to some communities and impose additional time and burden upon our economy and the already flailing industry.

Long term, this amendment would put some 655 jobs at risk at Bush Intercontinental Airport (IAH). These people will have nothing to do if 100 percent cargo screening is required and will be terminated. Service to small cities may be curtailed or even eliminated which would result in other job loss. It would be far more difficult to get goods out of Houston as there is not enough belly space in FedEx and UPS or on rail or by truck to cover it all. FedEx and UPS have been lobbying with us on this issue as they know they do not have enough space. The DHS Appropriations Subcommittee will require 20 percent random inspection of cargo (in the bill). H.R. 4567 provides for 100 new cargo inspectors and increased Research and Development funding.

At IAH Airport in Houston, there has already been implemented a costly demonstration project that involves pulse neutron analysis, so an additional burden would not be welcome at this time.

On May 6th of this year, I joined the distinguished gentleman from Massachusetts, along with the Ranking Member of our committee from Texas, Mr. TURNER, and Mr. ISRAEL from New York, Member of the House Armed Services Committee, in introducing legislation on behalf of House Democrats to improve aviation security throughout the United States—the Safe PLANES Act.

The bill covers areas such as strengthening the screener workforce at the Transportation Security Administration (TSA), installing explosive detection equipment and other technologies across the Nation where needed, and the implementation of a plan to fully inspect all cargo on passenger aircraft, among others. It addresses the serious gaps that we recognize in our current aviation security plan that is currently being administered by TSA. The nature of the vulnerabilities require immediate changes and the implementation of improved plans to fully screen all cargo, even-handedly install equipment and technology in all airports, and increase the number of trained personnel where needed.

I contributed to the crafting of this legislation by drafting paragraph (a)(5) of section 6 entitled ''Aviation Security Technologies'' and paragraph (b) of section 7 entitled ''Inspection of Cargo Carried Aboard Passenger Aircraft.'' Paragraph (a)(5) of the first section calls for, in connection with a report requirement made to accompany the Department of Homeland Security's (DHS's) fiscal year 2006 budget request, the gathering of information that reveals the Federal and airport security personnel's capability of operating screening equipment and technology—speaking to the question of equipment interoperability and staff competency to operate equipment. Paragraph (b) of the second section requires the Secretary of DHS to transmit to Congress a summary of the system implemented to screen and inspect air cargo in the same manner and degree as that employed to screen and inspect passenger baggage pursuant to section 404 of this provision. The language that I proposed seeks to uncover weaknesses in our airport security personnel as well as to give Congress a blue print with which it can better exercise its oversight duties with respect to the screening and inspection of air cargo.

The Safe PLANES Act, if passed, will give us an added layer of security for air cargo. We should work for its passage and take legislative initiatives one step at a time in order to ensure that we work effectively and without hurting the backbone of our economy—the workers.

For the above reasons, Mr. Chairman, I respectfully oppose this amendment and ask that my colleagues work to improve and pass the Safe PLANES Act.

Mr. REYES. Mr. Chairman, I want to discuss the bill before us today, H.R. 4567, the Department of Homeland Security Appropriations Act for 2005. I particularly want to discuss how certain provisions in this legislation would affect my district of El Paso, Texas, and the entire southwest border region.

While the bill provides an overall funding increase of about 9 percent over last year for all homeland security activities, there are certain areas in the bill where we must do better. For example, H.R. 4567 provides only a little more funding for customs and border protection activities than is necessary to keep pace with inflation, and actually provides less funding than last year for citizenship and immigration services.

A Democratic proposal to add $3 billion to the bill for urgently needed improvements to our homeland security was blocked in the Appropriations Committee. This contingency fund would have given us additional resources to strengthen our border security, provide our first responders additional resources, and better protect against the threat of bioterrorist attacks.

I am very pleased, however, that the amendment offered by my colleague from Texas, Mr. TURNER, was accepted. The amendment would require an independent study to assess staffing needs at the border, giving us reliable data to help determine the required level and allocation of personnel at the border. It is a great step forward in ensuring that our border security needs are adequately addressed and funded.

Mr. Chairman, as we move forward with this legislation, it is my hope that we will increase funding for critical homeland security programs, to ensure that even in a time of fiscal constraints we are doing absolutely everything possible to keep our borders, and all of America, safe and secure.

Mr. LANGEVIN. Mr. Chairman, I rise in support of the Manzullo amendment to apply the Berry amendment to homeland security procurement. This is a common-sense and proven step to create American jobs and reward American companies.

For 30 years, the Berry amendment has protected critical defense-related industries in this country. It has helped to preserve manufacturing, textile and other American jobs, allowed domestic companies to flourish, and provided our Armed Forces with high-quality products that keep our military prepared and equipped to be the best in the world.

Having served America so well for defense procurement, it makes perfect sense that the Berry amendment should now be extended to homeland security. U.S. companies have been instrumental in ongoing efforts to protect airports, equip first responders, deploy cutting-edge technology to hospitals, and so much more. Rewarding their patriotism and hard work with procurement protections is the right thing to do.

I also want to note that the Manzullo amendment would allow waivers of the Berry amendment when needed items cannot be procured domestically and would not place any of our current or future homeland security operations at risk. What it would do is say to American companies and American workers

that we appreciate their efforts and welcome their partnership as we work to protect our citizens.

The Berry amendment is a tested means of supporting domestic businesses while they support us. I hope my colleagues will support Congressman MANZULLO's amendment and extend this important provision to homeland security procurement as well.

Ms. HARMAN. Mr. Chairman, although I have reservations about some of the priorities reflected in this Homeland Security funding bill, it is important legislation and I intend to support it. But, Mr. Chairman, I understand that the appropriations process is about priorities. That being the case, I'd like to talk about some of the priorities that, in my view, have been overlooked in this legislation.

Like every parent, the first thought that raced through my mind on 9/11 was of my children. Where were they? Were they safe? How could I reach them, or they me? Given the likelihood that an emergency could occur while our kids are at school and parents are at work, teaching age-appropriate skills about how to respond is critical. Growing up during the Cold War, I remember the drills, and sharing what I learned with my parents and younger brother.

Such training is needed today. And there is a program in California, Mr. Chairman, known as FLASH, which is specifically designed as a public school curriculum to teach students, parents and teachers how to prepare and respond in the event of a terrorist attack or natural disaster.

I am very disappointed that the bill does not include modest funding for implementation of a Federal version of FLASH. Surely, a program of such obvious importance should be able to find a home in the Federal Government. I hope that before the end of this Congress, my colleagues will adjust their priorities and fund a Federal pilot-program that mirrors California's FLASH program, along the lines of H.R.——.

Another priority of America's hometowns is providing our local police, fire and emergency personnel with the tools they need to protect us. One of the most important of those tools is interoperable communications—ensuring the ability of our first responders to communicate with one another. Interoperability is more than a public safety issue. It's a national security issue, and to our first responders it can be an issue of life or death. Thousands of lives are potentially at stake. We have all heard the tragic stories of firefighters who died in the World Trade Center on 9/11 because NYPD helicopters circling overhead could not radio them that the towers were glowing and beginning to collapse.

This bill falls short of meeting America's interoperability needs, providing just $21 million for programs that help facilitate communications for first responders. I urge my colleagues to at least double funding for first responders in conference, and I hope we will soon be bold enough to overcome opposition to make needed emergency spectrum available by 2006, the date it was promised.

Finally, Mr. Chairman, it is imperative to complete the national threat and vulnerability assessment, required by law and central to creating one integrated strategy for homeland defense. With a real understanding of our security needs and vulnerabilities, based upon a comprehensive assessment, funds would naturally flow to those regions and priorities that provide maximum security to the American people. This bill is necessary, but it could be better. In light of the serious threats we face, we must do better.

Ms. MCCARTHY of Missouri. Mr. Chairman, I commend the members and staff of the Appropriations Committee for their work on the FY 05 Department of Homeland Security Appropriations Act. Securing the resources we need for this country's long term war on terrorism is a formidable task; one we must accomplish in a bipartisan manner. I support the appropriations bill before us today, but I remain concerned with the inadequate levels of funding for first responders, interoperability and port security. The American people depend on homeland security, and we must find the means to provide the resources needed to protect our communities.

As the Ranking Member of the Intelligence and Counterterrorism Subcommittee of the Select Committee on Homeland Security, I support the funding needed by the Department of Homeland Security (DHS) to provide accurate and timely intelligence assessments. Unfortunately, this bill reduces funding for first responder programs at DHS from the current $4.4 billion funding level to $4.1 billion, a cut of $327 million below the 2004 enacted level.

First responders must have the resources they need to do their jobs. My firefighters, police and emergency workers tell me that they have difficulty communicating with each other because of incompatible equipment. This problem affects first responders throughout the country and it is unacceptable. Adequate funds must be available to adequately equip our Nation's first responders.

Missouri has the seventh largest highway system in the Nation and the second and third largest railroad terminals in the Nation. Port and transportation security is crucial to our Nation's economy. Six million cargo containers enter U.S. ports every year, but only about 5 percent of these containers are ever screened. This appropriations bill fails to adequately fund port security and freezes funding for port security grants at the 2004 level of $124 million.

Mr. OBEY, Ranking Member on the Appropriations Committee, attempted to counter these shortfalls with an amendment to H.R. 4567. Mr. OBEY's amendment would have created a $3 billion contingent emergency fund for homeland security. Even though this emergency funding would be contingent upon the President requesting it, the amendment was rejected by Republicans on the House Rules Committee. The rejection of Mr. OBEY's amendment prevents a more secure America, and seriously weakens the legislation.

Mr. TURNER, my distinguished colleague and Ranking Member on the Select Committee on Homeland Security, has pointed out that our annual spending on homeland security amounts to less than one half of one percent of our Nations Gross National Produce (GNP). He also points out that since 9/11, we increased spending on the agencies which make up the Department of Homeland Security by approximately $15 billion. At the same time, our defense budget has increased by approximately $100 billion. I strongly agree with Mr. TURNER that as we devote resources to winning the war on terror abroad, we must also invest in our homeland security needs here at home.

I urge my colleagues who will reconcile the House Appropriations Act in joint conference with the Senate to agree to adequate funds for our emergency responders nationwide.

Mr. TOWNS. Mr. Chairman, if I might ask the subcommittee leadership a question related to the public health provisions in the bill.

We are all aware of the blood shortages that call our attention to the fact that the United States does not have sufficient blood supplies to meet the country's normal daily blood needs. What is more alarming, however, is that in this new age of terrorism the United States does not have sufficient blood reserves to meet the critical demand that would occur in the event of an emergency or terrorist attack. As the Homeland Security Appropriations legislation moves forward to a House-Senate conference, it is important that we recognize the need to address this pressing national security issue as well. I would ask that the Committee leadership include language in the final measure that would create a National Blood Reserve, based on the recent recommendations of the Interorganizational Task Force on Domestic Disasters and Acts of Terrorism. The recommendations would strengthen our Nation's blood supply and ensure the health and welfare of our citizens.

The CHAIRMAN pro tempore. There being no further amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. GOODLATTE) having assumed the chair, Mr. SHIMKUS, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4567) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2005, and for other purposes, pursuant to House Resolution 675, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

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

The SPEAKER pro tempore. The question is on the passage of the bill.

Under clause 10 of rule XX, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 400, nays 5, not voting 29, as follows:

[Roll No. 275]

YEAS—400

Abercrombie	Bartlett (MD)	Bishop (UT)
Ackerman	Barton (TX)	Blackburn
Aderholt	Bass	Blumenauer
Akin	Beauprez	Blunt
Alexander	Becerra	Bonilla
Allen	Bell	Bonner
Andrews	Berkley	Bono
Baca	Biggert	Boozman
Bachus	Bilirakis	Boswell
Baldwin	Bishop (GA)	Boucher
Barrett (SC)	Bishop (NY)	Boyd

Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burns
Burr
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capps
Cardin
Cardoza
Carson (IN)
Carson (OK)
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Clyburn
Coble
Cole
Conyers
Cooper
Costello
Cox
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Dooley (CA)
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emerson
Engel
English
Eshoo
Etheridge
Evans
Fattah
Feeney
Ferguson
Filner
Foley
Forbes
Ford
Fossella
Frank (MA)
Franks (AZ)
Frelinghuysen
Frost
Gallegly
Garrett (NJ)
Gilchrest
Gillmor
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Goss
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grijalva
Gutknecht
Hall
Harman
Harris
Hart
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Hill
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley (OR)
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Kleczka
Kline
Knollenberg
Kolbe
Kucinich
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Lynch
Majette
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCotter
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McNulty
Meehan
Meek (FL)
Meeks (NY)
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore
Moran (KS)
Moran (VA)
Murphy
Murtha
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
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Renzi
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Sanchez, Loretta
Sanders
Sandlin
Saxton
Schiff
Schrock
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Stenholm
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Toomey
Towns
Turner (OH)
Turner (TX)
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Vitter
Walden (OR)
Walsh
Wamp
Waters
Watson
Watt
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—5

Berry
Capuano
Flake
Paul
Sánchez, Linda T.

NOT VOTING—29

Baird
Baker
Ballenger
Bereuter
Berman
Boehlert
Boehner
Collins
DeMint
Emanuel
Everett
Farr
Gephardt
Gerlach
Gibbons
Gutierrez
Hastings (FL)
Isakson
John
Lipinski
Maloney
Menendez
Quinn
Reyes
Schakowsky
Smith (WA)
Thomas
Tierney
Waxman

□ 1638

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I want to state that I incorrectly voted "no" on H.R. 4567, the Homeland Security Appropriations Bill. I intended to vote "yes."

PERSONAL EXPLANATION

Mr. BERMAN. Mr. Speaker, I was unavoidably detained and unable to cast a number of rollcall votes. Had I been present, I would have voted "yes" on the Roybal-Allard amendment (rollcall No. 269), "no" on the Tancredo amendment (rollcall No. 270), "yes" on the Maloney/Rangel amendment (rollcall No. 271), "yes" on the Sabo amendment (rollcall No. 272) and "yes" on final passage of the Homeland Security Appropriations bill (rollcall No. 275).

PERSONAL EXPLANATION

Mr. GUTIERREZ. Mr. Speaker, I was unavoidably absent for votes in this Chamber on June 18, 2004. I would like the RECORD to show that, had I been present, I would have voted "yea" on rollcall votes 267, 268, 269, 271, 272, 273, 274, and 275 and "no" on rollcall vote 270.

PERSONAL EXPLANATION

Mr. COLLINS. Mr. Speaker, on Friday, June 18, 2004, I was not present for the following rollcall votes during debate on the Homeland Security Appropriations Act (H.R. 4567).

Had I been present, I would have voted "yea" for rollcall votes, 270—the Tancredo amendment and 275—Final Passage of H.R. 4567.

I would have voted "nay" on rollcall votes 267—the Jackson-Lee Amendment, 268—the DeLauro Amendment, 269—the Roybal-Allard Amendment, 271—the Maloney Amendment, 272—the Sabo Amendment, 273—the Markey Amendment and 274—the Velázquez Amendment.

REPORT ON H.R. 4613, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2005

Mr. LEWIS of California, from the Committee on Appropriations, submitted a privileged report (Rept. No. 108–553) on the bill (H.R. 4613) making appropriations for the Department of Defense for the fiscal year ending September 30, 2005, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore (Mr. GOODLATTE). Pursuant to clause 1, rule XXI, all points of order are reserved on the bill.

REPORT ON H.R. 4614, ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 2005

Mr. YOUNG of Florida, from the Committee on Appropriations, submitted a privileged report (Rept. No. 108–554) on the bill (H.R. 4614) making appropriations for energy and water development for the fiscal year ending September 30, 2005, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore. Pursuant to clause 1, rule XXI, all points of order are reserved on the bill.

LEGISLATIVE PROGRAM

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

Mr. HOYER. Mr. Speaker, I take this time for the purposes of requesting of the majority leader information regarding the schedule for the week to come, and I yield to my friend, the gentleman from Texas (Mr. DELAY), the distinguished majority leader, for the purposes of giving us the schedule.

Mr. DELAY. Mr. Speaker, I thank the gentleman from Maryland (Mr. HOYER), the distinguished whip, for yielding to me.

Mr. Speaker, the House will convene on Monday at 12:30 p.m. for morning hour and 2 p.m. for legislative business. We will consider several measures under suspension of the rules. A final list of those bills will be sent to Members' offices by the end of this week. Any votes called on these measures will be rolled until 6:30 p.m.

On Tuesday and the balance of the week, we expect to consider additional legislation under suspension of the rules. We also plan to consider several bills under a rule: The Fiscal Year 2005 Department of Defense appropriations

bill; H.R. 4548, the Fiscal Year 2005 Intelligence Authorization Act; H.R. 3973, the Spending Control Act of 2004; and the Fiscal Year 2005 Energy and Water Development appropriations bill.

Finally, Mr. Speaker, I would like to note that we are expecting a very busy week leading into the July 4 district work period. We are likely to work some late nights and possibly late Friday afternoon. I repeat, for the Members listening, possibly late Friday afternoon as we work to resolve these important pieces of legislation.

I thank the gentleman for yielding me this time, and I would be glad to answer any questions.

Mr. HOYER. Mr. Speaker, I thank the majority leader.

Mr. Speaker, the majority leader mentioned two appropriations bills scheduled for next week: Defense and Energy and Water. Can the gentleman tell us on what days he anticipates those bills to be on the floor, and does he anticipate that they will come to the floor under the customary open rules?

I yield to my friend.

Mr. DELAY. Mr. Speaker, I appreciate the gentleman yielding. We have not made a final decision as to when we might suggest that we place them on the schedule. Just as a possibility, we would put Department of Defense on the floor on Tuesday; Energy and Water might be later on, because we are working, trying to work with the Committee on Appropriations to make sure we are not on the floor when the committee is in markup.

Mr. HOYER. Mr. Speaker, I thank the gentleman for that information. The second question was, under traditional open rules, can we expect to consider them under such rules?

Mr. DELAY. Definitely. I would see no reason why we would not traditionally have open rules on these appropriations bills.

Mr. HOYER. Mr. Speaker, I thank the gentleman for that response and I thank the gentleman for that procedure.

With respect to the Intelligence Authorization bill, the gentleman has listed that bill for next week. Under what procedures will this be considered and, specifically, can the gentleman comment on whether the Democratic amendments will be allowed, including amendments in the nature of a substitute?

Mr. DELAY. Mr. Speaker, if the gentleman will yield, I do not want to speak for the committee, but I believe that on the Intelligence Reauthorization Act, I believe the committee will solicit all types of amendments and will have a very lengthy debate. I would anticipate there will be many amendments allowed on that bill.

On the Budget Enforcement Act, did the gentleman ask about that?

Mr. HOYER. The gentleman is anticipating me, and I will ask that. Can I ask one other question on the Intelligence bill first? Does the gentleman know, if we consider Defense on Tuesday, when does the gentleman think we would consider the Intelligence authorization?

Mr. DELAY. Mr. Speaker, if the gentleman will yield, I would anticipate that the Department of Defense appropriations bill would not take very long; it does not usually, and if that is the case, the Intelligence bill would follow right after that. It could be Tuesday if things go well. If they do not, then I would imagine the Intelligence bill would be on Wednesday.

Mr. HOYER. I thank the gentleman.

Now, on the PAYGO bill, or the budget enforcement legislation, we marked up a bill some time ago, the budget itself. On this enforcement act, will Democrats, Mr. Leader, be allowed to substitute on this very important legislation?

I yield to my friend.

Mr. DELAY. Mr. Speaker, I appreciate the gentleman yielding, and as the gentleman can see, the chairman of the Committee on Rules is standing here. I do not want to spoil the surprise of the chairman, his announcement, but I believe that they do plan to solicit all types of amendments and substitutes. I do not want to prejudge their actions, but I do expect them to make in order a number of amendments.

Mr. HOYER. Mr. Speaker, reclaiming my time, would it be appropriate for me to perhaps address the question to the Committee on Rules chairman? I will not do so if the gentleman from Texas (Mr. DELAY) thinks at this point in time that is premature, but I will do so if the gentleman thinks it is appropriate.

Mr. DREIER. Mr. Speaker, will the gentleman yield?

Mr. HOYER. I yield to the gentleman from California.

Mr. DREIER. Mr. Speaker, I would just say that the majority leader is absolutely right.

Mr. HOYER. About what?

Mr. DREIER. About absolutely everything.

Mr. DELAY. Mr. Speaker, will the gentleman yield?

Mr. HOYER. Mr. Speaker, I really would like to have an answer to the question, if one is available. I yield to the leader.

Mr. DELAY. Well, I will take the gentleman seriously. I was going to make a joke.

Mr. HOYER. Mr. Speaker, the gentleman from Texas can make a joke, and then we will get serious.

Mr. DELAY. Mr. Speaker, if the gentleman will continue to yield, I was waiting for the chairman of the Committee on Rules to say that, or I thought I heard him say that the leader is always right.

Mr. HOYER. That is what he said. That is why I took it jocularly and moved on.

Mr. DELAY. Mr. Speaker, if the gentleman will yield again, I do not want to prejudge the chairman of the Committee on Rules or the Committee on Rules on what they would do, but I think, I think this budget enforcement process bill is a very important piece of legislation. It defines who we are and where we want to take this country, and I am saying, ''we'' the House and both parties, and I think a free and open debate should be warranted.

Mr. HOYER. Mr. Speaker, reclaiming my time, I very much appreciate the leader's view on that. I think we share that view. There are obviously differences on how to accomplish the objective but, clearly, the objective; that is, of ensuring a responsible management of the fiscal affairs of this country, is obviously of concern to all in this body.

Mr. DREIER. Mr. Speaker, will the gentleman yield?

Mr. HOYER. I yield to the gentleman from California.

Mr. DREIER. Mr. Speaker, I thank my friend for yielding. Let me say, as the majority leader pointed out, I am here to actually solicit from our colleagues those proposals about which my friend has just referred so that we do have an opportunity in the Committee on Rules to consider a wide range of alternatives, and then we will deliberate and we will make a recommendation to the House as to how we should structure the rule for consideration.

But my friend is absolutely right. We do want to have a chance to address what obviously is a very serious and important issue for us institutionally.

Mr. HOYER. Mr. Speaker, I thank the chairman of the Committee on Rules for his observation. As the gentleman knows, we were disappointed we did not get a substitute to the tax bill that was considered yesterday. With a substitute, we can offer alternatives in a way that we cannot necessarily via amendments.

□ 1645

We would appreciate and think it in the best interest of deliberations, whether one agrees or disagrees with the substance, that that process be followed; and we thank the gentleman for his consideration of that.

Mr. Leader, you have not listed, but I believe we do need to act, the transportation bill. You did not list it in your report, but would I be correct in anticipating that we would extend by some additional period of time the authorization or the existing transportation program? I yield to my friend.

Mr. DELAY. We have a number of extensions that have to be done next week, many we are working on with the other side; and on those, the welfare extension along with the highway extension, the child nutrition act extension, and maybe a couple of others that are really important to do next week. And we hope that in working with the minority that we can come to some sort of agreement on these extensions and put them on the suspension calendar on suspension days.

Mr. HOYER. That would be my question. Your anticipation would be that they would be agreed upon, that they would be on the suspension calendar?

Mr. DELAY. That is correct.

Mr. HOYER. I thank the leader for his information.

ADJOURNMENT TO MONDAY, JUNE 21, 2004

Mr. DELAY. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Monday, June 21, for morning hour debate.

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

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

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

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

There was no objection.

ANNOUNCEMENT OF AMENDMENT PROCESS FOR CONSIDERATION OF H.R. 3973, SPENDING CONTROL ACT OF 2004

Mr. DREIER. Mr. Speaker, the Committee on Rules may meet the week of June 21 to grant a rule which could limit the amendment process for floor consideration of H.R. 3973, the Spending Control Act of 2004. The Committee on the Budget ordered the bill reported on March 17 and filed its report with the House on March 19.

Any Member wishing to offer an amendment should submit 55 copies of the amendment and one copy of a brief explanation of the amendment to the Committee on Rules in room H–312 of the Capitol by 6 p.m. Tuesday, June 22. Members should draft their amendments to the text of the bill as reported by the Committee on the Budget.

Members should use the Office of Legislative Counsel to ensure that their amendments are drafted in the most appropriate format. Members are also advised to check with the Office of the Parliamentarian to be certain their amendments comply with the rules of the House.

ANNOUNCEMENT OF AMENDMENT PROCESS FOR CONSIDERATION OF H.R. 4548, INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2005

Mr. DREIER. Mr. Speaker, the Committee on Rules may meet the week of June 21 to grant a rule which could limit the amendment process for floor consideration of H.R. 4548, the Intelligence Authorization Act for Fiscal Year 2005. The Permanent Select Committee on Intelligence ordered the bill reported on June 16, 2004, and is expected to file the report in the House on Monday, June 21.

Any Member wishing to offer an amendment should submit 55 copies of the amendment and one copy of a brief explanation of the amendment to the Committee on Rules in room H–312 of the Capitol by 10 a.m. Tuesday, June 22.

Members should draft their amendments to the text of the bill as reported by the Permanent Select Committee on Intelligence, which is available for their review on the Web site of both the Permanent Select Committee on Intelligence and the Committee on Rules.

Members should use the Office of Legislative Counsel to make sure their amendments are drafted in the most appropriate format. Members are also advised to check with the Office of the Parliamentarian to be certain their amendments comply with the rules of the House.

APPOINTMENT OF MEMBERS TO CANADA-UNITED STATES INTERPARLIAMENTARY GROUP

The SPEAKER pro tempore. Pursuant to 22 U.S.C. 276d, clause 10 of rule I, and the order of the House of December 8, 2003, the Chair announces the Speaker's appointment of the following Members of the House to the United States Delegation of the Canada-United States Interparliamentary Group:

Mr. HOUGHTON, New York, chairman;
Mr. DREIER, California;
Mr. SHAW, Florida;
Mr. STEARNS, Florida;
Mr. MANZULLO, Illinois;
Mr. SMITH, Michigan;
Mr. ENGLISH, Pennsylvania;
Mr. SOUDER, Indiana;
Mr. TANCREDO, Colorado.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. GARRETT of New Jersey). Under the Speaker's announced policy of January 7, 2003, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from 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.)

SMART SECURITY AND FIRST RESPONDERS

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, today I want to talk about a group of Americans that we do not always take the time to recognize, our Nation's first responders.

This group of brave men and women are our first line of defense against terrorist attacks and disasters. They are our dedicated firefighters, police, emergency technicians, and health care workers who are the first on the scene when disaster strikes.

First responders work around the clock to protect their communities. Unlike most working folks, they are always on call in case of emergency. In fact, many of these dedicated individuals died in the World Trade Center on September 11 because response was so effective they arrived at the scene and were scattered throughout the buildings when the buildings collapsed.

As we know, disaster requires the highest level of cooperation between different agencies, meaning the difference between lives lost and lives saved. Because conditions during major disasters are unpredictable, Mr. Speaker, first responders require the most advanced equipment to ensure that they are well protected: equipment including self-contained breathing units, protective clothing for hazardous situation, interoperable radio units so different groups and communities can communicate during a crisis, thermal imaging units so we can determine if people are stuck in buildings or trapped under falling debris, and trained, available health care workers and technicians adequately supplied with vaccines, medicines and provisions.

One would think that in a post-September 11 world, Congress would fully fund these response efforts; but that is simply not happening. In fact, the homeland security appropriations bill that came before this House today actually reduces funds for first responders.

Despite the majority party's rhetoric, their rhetoric of supporting first responders, most Republicans fully supported President Bush's 2005 budget proposal which would cut $800 million in grants to first responders. Talk about misplaced priorities. We are spending $5 billion every month for the war in Iraq, but cannot find the funds to provide $3 billion this year for our first responders in the homeland security bill; $3 billion is the amount needed to fully fund the programs that are necessary to keep them safe.

These are people who safeguard our most precious landmarks like the Capitol Building and the Golden Gate Bridge. Clearly our budget priorities are way out of whack when we cannot provide for those who selflessly protect their communities every single day. This, I believe, is travesty.

Every year we lose an average of 100 first responders to terrorist incidents and disasters. With better equipment,

more detailed interagency coordination, and more frequent practice exercises to prepare first responders for the real thing, many of these deaths could be prevented. But this requires adequate funding.

Mr. Speaker, there has to be a better way, a more intelligent way, a way to prevent the needless deaths of the men and women who are our first line of defense. And there is. I have introduced H. Con. Res. 392, legislation to create a SMART security platform for the 21st century. SMART stand for Sensible Multi-lateral American Response to Terrorism.

Instead of spending billions on new bunker buster nuclear weapons and the President's beloved missile defense system, which would not provide an effective defense against a full frontal missile attack, SMART security calls for stronger and smarter investment abroad in peacekeeping and conflict prevention programs, and at home a homeland security program that provides first responders with the equipment and tools they need to provide security to their community.

SMART security means supplying adequate funds for first responders. We should be providing them with the exact equipment they need, the exact equipment and tools they are requesting. The Bush doctrine of misplaced priorities has been tried, and it has failed miserably. It is time for a new national security strategy.

SMART security defends America by relying on the very best of America, including the brave men and women who offer their time, their bravery, sometimes their very lives, to provide the first line of defense in times of catastrophe. Being smart about our Nation's security means recognizing that real security starts at home with our first responders.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. GINGREY) is recognized for 5 minutes.

(Mr. GINGREY 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 California (Mr. GEORGE MILLER) is recognized for 5 minutes.

Mr. GEORGE MILLER of California addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

EXCHANGE OF SPECIAL ORDER TIME

Mr. MCDERMOTT. Mr. Speaker, I ask unanimous consent to claim the time of the gentleman from California (Mr. GEORGE MILLER).

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

There was no objection.

THE BIG LIE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. MCDERMOTT) is recognized for 5 minutes.

Mr. MCDERMOTT. Mr. Speaker, this administration is out of control. They have made obeying the law a thing of the past.

They have implemented ''the big lie'' theory of communications. This theory takes propaganda to a whole new level.

Under the big lie, you fabricate a story and call it the truth. You disseminate the story as widely as possible. You wrap the propaganda in the mantle of national symbols, and you prey upon the fears and emotions of your citizens. You repeat the propaganda every day in every way. You say it over and over and over again, knowing if you say it long enough people will believe it.

Anyone who dares to question the propaganda becomes the enemy. Any evidence to the contrary is hidden, called tainted or dismissed as the work of your enemies.

This is a portrait of America today painted by this administration. In the face of overwhelming evidence presented by members of its own party, the administration keeps reporting the same old false story. They say anything, and they have.

War Secretary Don Rumsfeld first told the American people, we do not have to abide by the Geneva Conventions. Then after Abu Ghraib he said, America supports the Geneva Conventions.

Now the truth emerges. Rumsfeld personally ordered an Iraqi suspect held in solitary confinement at a secret location for 7 months. The inmate was hidden from the International Red Cross and any other human rights organization. Rumsfeld made someone disappear. Rumsfeld personally committed a violation of the Geneva Conventions that is so egregious, it could qualify as a war crime.

Rumsfeld has not had time yet to blame some soldiers and throw them overboard like he continues to do with the soldiers in Abu Ghraib. And the blame game is in full swing over at the White House.

Now even members of the President's own Republican Party are joining me on the enemies list. The bipartisan 9/11 Commission issued a key finding: there is no credible evidence linking Iraq and al Qaeda to attacks on America. It is not there. Saddam was a thug, but not a bin Laden pal. The 9/11 Commission finding proves without any doubt that the President misled the American people about the war in Iraq. Instead of accepting the finding, the President went into full frontal denial today.

Presented with conclusive and compelling evidence, the President simply announced that he knows there was a link, so there is a link. A bipartisan commission of distinguished U.S. leaders whose only mission is to find out the truth on behalf of America is about to be neutered by the administration.

Facts? Forget them. The President knows the truth. He must have seen it in a vision. Evidence? Who needs evidence when you have a President who is all knowing? Undeniable conclusion? Deny it.

Then what do you do when you are this President and this administration? Next, and you can count on this, Republican storm troopers come into the House, will step to the microphone and denounce the commission. The Republican leaders in the House will denounce the members of the 9/11 Commission as partisan, even the Republicans on the commission.

In the big lie theory of communication you never let the facts get in the way of the propaganda.

□ 1700

So less than 4 hours after the 9/11 Commission tells America that there was no link between Iraq and the attacks, the President says otherwise. The charade goes on.

Over a year ago the President misled the American people and the world about Iraq, and he continues to do the same thing today. The President retreated from the war on terror and the hunt for Osama bin Laden to settle an old score against a family enemy in Iraq, but America has lost 800 U.S. soldiers in Iraq. America has seen thousands of U.S. soldiers wounded in Iraq. We have spent $200 billion.

The death, destruction and mayhem never had to happen. There are ways of dealing with Saddam, but the administration wanted blood from an old family nemesis.

The President has made the world more dangerous. The administration has made America look and act like a lawless thug. The War Secretary has made the world shudder with the awful truth seen in prisoner abuse pictures that no amount of rhetoric can deny. The big lie can make people afraid. The big lie cannot stop the truth.

America has seen and now America has heard. The President misled the American people about Iraq. The American people will respond in November. The 2nd of November is coming.

SPINNING 9/11

The SPEAKER pro tempore (Mr. GARRETT of New Jersey). Under a previous order of the House, the gentleman from Florida (Mr. FOLEY) is recognized for 5 minutes.

Mr. FOLEY. Mr. Speaker, like most of America, we grieve today the loss of Paul Johnson, apparently beheaded by an al Qaeda-linked Saudi militant group. He was found today in the Saudi Arabian capital. He was an American contractor living in Saudi Arabia since 1980, a Floridian who was beheaded by these terrorists: immoral, barbaric, and demonic.

I know most Muslims, Christians and Jews would join me in the feeling that

these acts are offensive in the eyes of God. This murder had no purpose except to show that these cowards had one purpose, and that is to take an innocent life. They hid behind hoods and executed a citizen of this country who loved the people of Saudi Arabia, who enjoyed working in that country to help the people of Saudi Arabia, who was an innocent, decent, kind husband and father.

This was not an execution but a barbaric and demonic act of torture. If these sadists believe this type of action will unnerve America and weaken our resolve in our war against terror, they are both stupid, as they are wrong.

I take great exception to the speech by the gentleman from Washington moments ago who tries to conclude from the 9/11 report that there is no connection between al Qaeda and Iraq. It all is of the same vein and nature. The death of Paul Johnson, the death of Nicholas Berg, the retaliation against Saudi officials, the attempt to bomb the Jordanian intelligence service, the murder of hundreds of Spanish citizens peacefully on their way in Spain are all interconnected and intertwined.

He says there is no connection. I urge people to read the Wall Street Journal today and its editorial page because there is a lot of spinning going on. Maybe there have not been enough dots to connect yet so the gentleman comes out here and alleges that the President lied, that there is absolutely no connection. If he spoke any longer, I would have assumed he would have called Saddam Hussein just a sad, old, tired man who really should have been left alone to live in peace.

He killed a million of his own citizens. He said there is no link. A citizen of my county died from anthrax. He worked at National Media, the owner of National Enquirer. It is interesting that Mohammed Atta was living in Palm Beach County, a few miles from the facility in which that citizen died in Palm Beach County.

It is interesting, in the 9/11 Report, ''al Qaeda operatives trained in Iran, and al Qaeda helped Iran-backed Hezbollah terrorists obtain explosives.''

''Another revelation concerns al Qaeda and anthrax. The 9/11 panel says al Qaeda had an 'ambitious' biological weapons program and ''was making advances in its ability to produce anthrax prior to September 11.'' '' That is in the report, anthrax, prior to September 11.

It is telling, too, that the henchmen for the Iraqi leader agent al-Ani happened to be in Prague for meetings. Oh, lo and behold, cell phone records indicate that phone calls were placed from Florida to Mohammed Atta's cell phone at the same time he was reportedly in Prague. A coincidence, I guess. A sheer coincidence that Mohammed Atta, the leader of the 9/11 hijacking of planes, who was living in Delray Beach, Florida, close to where a citizen was killed by anthrax, meeting with Iraqi officials in Prague, is all coincidental, all coincidental, all sheer fantasy.

Read this editorial in the Wall Street Journal today.

Paul Johnson died at the hands of terrorists, not because we are in Iraq. They are going to kill Americans and other freedom-loving people because they resent our way of life. They resent who we are. For Members to come to this floor and say there is no link and no connection with the terrorists and Iraqis and anthrax and 9/11 have not read the entire report and are simply spinning a tale that they want America to believe.

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 addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. FILNER) is recognized for 5 minutes.

(Mr. FILNER 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 Massachusetts (Mr. MCGOVERN) is recognized for 5 minutes.

(Mr. MCGOVERN 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 Ohio (Mr. STRICKLAND) is recognized for 5 minutes.

(Mr. STRICKLAND addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. BLUMENAUER) is recognized for 5 minutes.

(Mr. BLUMENAUER 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 Washington (Mr. INSLEE) is recognized for 5 minutes.

(Mr. INSLEE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

AUTISM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 2003, the gentleman from Florida (Mr. WELDON) is recognized for 60 minutes as the designee of the majority leader.

Mr. WELDON of Florida. Mr. Speaker, I rise this afternoon to address the House regarding the very important issue of autism and the epidemic of autism that we are seeing in this country today, but before I begin my prepared remarks on this subject, I want to extend my condolences to the family of Paul Johnson.

His son lives in Merritt Island, an area in my congressional district, and it is indeed a great tragedy for our Nation and very obviously a great tragedy for his family. As I understand it, he was a great person, a great American, a patriotic American, and it goes to show to all of us that the war on terror continues and that there is a great peril to American contractors, probably anywhere in the Middle East, but particularly in Saudi Arabia and, obviously, as we know, in Iraq.

I do want to salute those contractors that do take the risk and go over there. They perform vital functions. In many ways, they are as important as our military people over there and we need to honor them and respect them.

So my condolences go out to the Johnson family, and certainly I hope that they will be comforted by the good Lord in their time of grief.

I would like to take this time to address what I consider to be a very growing problem, the epidemic of autism and neurodevelopmental disorders that are plaguing our Nation.

In January of this year, the Department of Health and Human Services sent out an autism alarm to the Nation's pediatricians. In this alarm, they stated that one in every 167 children is being diagnosed with an autism spectrum disorder. I will repeat that. One in every 167 children being born in the United States today is being diagnosed with an autistic spectrum disorder.

Furthermore, one in seven children is being diagnosed with either a learning disability or a behavioral disability.

Mr. Speaker, something dreadful is happening to our youngest generation, and we must sound the alarm and figure out what is going on with our children.

I had the pleasure of addressing an autism conference in Chicago last month, and I would like to share today some of the thoughts I shared then with about 1,000 researchers, doctors, nurses, educators and, most importantly, parents who were there to seek answers to this growing problem.

I have said repeatedly that the autism community is the 900-pound gorilla that has not had its voice properly heard on Capitol Hill. This is largely due to the endless demands on the time, effort, emotions and financial resources of the parents of these children who are struggling to meet the unique needs of these kids with autism. There is little time, money, energy left to engage in public debates, let alone engage

the Congress when one is trying to raise a child with a disability like autism.

However, I see that changing, and last month's Institute of Medicine report I think has had one positive effect. It has united and reinvigorated parents throughout the country in their efforts to get answers to why children are being diagnosed with autism at such a high rate in the United States.

At the outset of my remarks, I want to make it extremely clear that I support vaccinations. I have a six-year-old son, and he has received all of his vaccinations. Someone in the media recently tried to portray me as a vaccine skeptic. After reviewing my record on this issue and all of my statements in the past, the newspaper printed a retraction. This, however, seems to be part of the pattern, to vilify those who simply ask if our vaccines could be made safer.

I support vaccinations, and indeed, I gave vaccinations to thousands of my patients when I was practicing medicine full-time prior to coming to the U.S. House. However, I believe it is appropriate to acknowledge that like with any other medical intervention, different individuals respond differently. We are all unique. We all have different genetic makeup, and what may cause no harm to the vast majority of people can cause serious side effects in some individuals.

Since we established the National Vaccine Compensation Program in the late 1980s, several thousand individuals have been compensated for vaccine injuries. We know that there are adverse reactions, and I believe it is important that we dedicate resources to better understand why some children have these reactions.

For too long, those who run our national vaccination program have viewed those who have adverse reactions, including those with severe adverse reactions, as the cost of doing business. Furthermore, the vaccine compensation program, which was designed to be a no-fault compensation system, has become so adversarial that only the most obvious cases receive compensation, and too many parents feel that the program is not worth the difficulty of going through it.

The questions I raise are multiple. The number one question has been whether neurologic problems were caused in some children by the high levels of a mercury containing additive that was included in our vaccines in the 1990s. This mercury containing additive is called thimerosol, and in the 1990s, infants and unborn children were exposed to significant amounts of mercury at a most critical point in their development.

Now, this recent Institute of Medicine report, what exactly is wrong with it? What about it has so many people in the autism community upset?

In my 10 years of service in the U.S. Congress, I have never seen a report so badly miss the mark. I have heard some weak arguments here in Washington, D.C., and I can tell my colleagues that the arguments put forward in this IOM report are indeed very weak.

□ 1715

Let us examine this report in some detail. On January 15 of this year, I wrote Dr. Julie Gerberding, the director of CDC, and I asked her to postpone the February 9 Institute of Medicine meeting and this report because of my concern that this was not an exercise in discovering the truth, but was instead a meeting, and I will quote what I said in my letter, ''being driven by a desire to shortcircuit important research and draw premature conclusions.''

I said, ''If the purpose of this meeting is to seriously consider and address these concerns, then this will not be accomplished.''

Quoting further from my letter to Dr. Gerberding, I said, ''It appears to me, not only as a member of Congress but also as a physician, that some officials within the CDC's National Immunization Program, the NIP, may be more interested in a public relations campaign than getting to the truth about Thimerosal.'' I said, ''Pressing forward with this meeting at this time I believe will further undermine the credibility of the Centers for Disease Control on matters of vaccine safety and do damage to the reputation of the Institute of Medicine. I believe the proposed date of this meeting, which you have the ability to change, is in the best interest of no one who is seeking the truth about a possible association between vaccines and neurodevelopmental disorders, including autism.''

Now, I had a follow-up conversation on February 3 of this year with Dr. Gerberding, and she assured me that the Institute of Medicine's February meeting was not an attempt to ''draw conclusions,'' but merely to ''update the science,'' of where we were, basically.

However, it is clear that this report draws conclusions; and what is perhaps the greatest outrage, it goes further to call for the halt of further research.

A public relations campaign, rather than sound science, seems to be the modus operandi of officials at the CDC's National Immunization Program. Why do I say this? Let us look not only at the timing of the IOM meeting in February, the content of the IOM report, but also at studies the IOM used as a basis for their decision.

The Institute of Medicine bases their decision almost entirely on five epidemiologic studies. Epidemiology is essentially the statistical analysis of disease in populations. All of these studies were conducted by researchers with an interest in not finding an association. All of the studies had significant shortcomings, all of which the IOM itself declares would miss the association with autism in a genetically acceptable subset of children.

Not only the timing of the IOM meeting raises suspicions but also the narrowing of the scope of inquiry and the emphasis the IOM placed just on epidemiology.

In 2001 the Institute of Medicine concludes: ''Exposure to Thimerosal-containing vaccines could be associated with neurodevelopmental disorders.'' The IOM also recommended that children not be given mercury-containing vaccines.

What was the response of the CDC? For this most recent report, they narrowed the IOM scope to looking just at autism. Does that sound like an agency interested in understanding whether or not Thimerosal is harmful to some children, or does this response lead one to conclude that they are more interested in designing something to reassure an increasingly skeptical public?

Unlike 2001, this time the IOM was directed by the CDC to only consider the possible relationship between Thimerosal and autism rather than neurodevelopmental disorders as a whole. Anyone familiar with the Verstraeten study, a study published looking at Thimerosal and autism, knows exactly why the IOM scope was narrow, because the 2003 Verstraeten study found associations between Thimerosal and neurodevelopmental disorders in some children with autism may have been misdiagnosed as having speech or language delay. By narrowing the scope, which largely went unnoticed by the media, the CDC has avoided acknowledging that Thimerosal very well may have caused neurodevelopmental disorders in some children.

This latest IOM report is simply part of a PR campaign, in my view. Would we not have had a much more productive report if the CDC had updated the research on possible associations between Thimerosal and neurodevelopmental disorders as a whole? In evaluating Thimerosal's relationship to autism, the IOM relies almost exclusively on these five epidemiologic studies.

The principal authors of all five of these studies have serious conflicts of interest. All five studies were published in 2003, leading up to the IOM's February 2004 meeting. All were conducted while the CDC and the NIH virtually ignored the Institute of Medicine's 2001 biological and clinical research recommendations.

It is critical to note the instructions that the IOM was given, primarily by the CDC, which has been funding the IOM.

Pages 5 and 6 of the IOM report make it clear that epidemiology was to reign supreme. In the absence of epidemiologic evidence to support causality, the IOM was instructed to give biological evidence little consideration and was prohibited from allowing biological evidence to lend evidence towards causality.

Is it any wonder that the CDC has spent the past 2 years dedicating significant funding to epidemiology while

starving funding for clinical and biological research? The IOM notes in their report that the epidemiologic studies they examined were not designed to pick up a genetically susceptible population, and this is the very theory of the link between Thimerosal and autism and autism spectrum disorders. One in 167 become autistic. Why do the other 166 not? It is because they do not have the impaired ability to eliminate mercury from their system. We are looking at a genetically susceptible subpopulation. Yet these studies that they base this report on, they admit, were not capable of picking up these subsets in the populations.

Let us look at these studies. The only study done in the United States, the Verstraeten study, was published in the Journal of Pediatrics in November of last year. Much has been written exposing the study's methodological problems, findings, and conclusions. Most importantly, however, is that this study did not compare children who got Thimerosal to those who did not. Instead, its CDC-employed authors focused primarily on what is called a dose response gradient. Those who got less Thimerosal later in life had less autism is the theory behind the study.

In addition to the study itself, it is important to note the public relations spin surrounding this study. On the day the Verstraeten study was released, a top CDC researcher and coauthor of the study was quick to declare to the news media: ''The final results of the study show no statistical association between Thimerosal vaccines and harmful health outcomes in children, in particular autism and attention deficit disorder.''

Let me repeat that: The final results of the study show no statistical association between Thimerosal vaccines and harmful health outcomes in children, in particular autism and attention deficit disorder. The newspaper headlines of the day read: ''Study Clears Vaccine Containing Mercury,'' the Associated Press and USA Today. ''CDC Says Vaccines Are Safe,'' the Seattle Times. While that was the spin of the day, allow me to quote from the study:

''We found no consistent significant associations between Thimerosal-containing vaccines and neurodevelopmental outcomes. In the first phase of our study, we found an association between exposure to mercury from Thimerosal-containing vaccines and some of the neurodevelopmental outcomes screened. In the second phase, these associations were not replicated for the most common disorders in an independent population. They did find associations, but they changed the study and most of the associations disappeared.

Furthermore, in January 2004, the lead coauthor was forced to admit that many children in the study were too young to have received an autism diagnosis. He went on to admit that the study also likely mislabeled young autistic children as having other disabilities, thus masking the number of children with autism. The message from the CDC to the media was that there is nothing to be concerned about, but the study said something different. The news media to a large degree took the CDC's spin hook, line and sinker. Largely they chose not to read the study itself.

Five months after that study was published in the Journal of Pediatrics and, I might add, after the IOM report was largely written, Dr. Thomas Verstraeten broke his silence in a letter to Pediatrics stating, ''The bottom line is and has always been the same, an association between Thimerosal and neurological outcomes could neither be confirmed nor refuted and therefore more study is required,'' is what Dr. Thomas Verstraeten said. Dr. Verstraeten, the lead author of this study, says that an association between Thimerosal-containing vaccines and neurodevelopmental disorders cannot be refuted based on his study.

Yet the IOM in their assessment of that same study states that it is a basis for concluding, ''There is no association between Thimerosal-containing vaccines and autism.'' The IOM acknowledges that Verstraeten would not have picked up an association in a genetically susceptible population. The IOM also noted that the study was limited in its ability to answer whether Thimerosal in vaccines causes autism because the study tests a dose response gradient, not exposure versus no exposure.

I might also add, Mr. Speaker, that the Verstraeten study cannot be validated. The earlier data sets have been destroyed, and the only data sets the CDC will make available to outside researchers are the ones they have already manipulated. The raw, unaltered data is not available. Additionally, outside researchers are held to a much more restrictive access to information than are the CDC researchers. Only one independent researcher has been granted access to the CDC's VSD database, and the CDC has kicked that researcher out based on ridiculous reasons. They claim their research methods might infringe on privacy, yet they know the database contains no names and it is impossible to locate the patients from this database.

I want to talk briefly about the other four studies that the Institute of Medicine based its conclusions on. The IOM cited the 2003 Hviid study of the Danish population as one of the key studies upon which it based its conclusions. Let us first consider the conflict of interest of the principal author. Dr. Hviid works for the Danish Epidemiology Science Center, which is housed at the Staten Serum Institute, the government-owned Danish vaccine manufacturer. Also, all of his coauthors either work with him at the center or are employed by the SSI.

The SSI, the Staten Serum Institute, makes a considerable profit off the sales of vaccine and vaccine components and the U.S. is a major market for the SSI. SSI has $120 million in annual revenue, and vaccines are the fastest-growing business segment, accounting for 80 percent of its profits. Both the United States and the United Kingdom are important export markets for SSI's vaccines and vaccine components.

Furthermore, if Hviid were to find an association between Thimerosal and autism, SSI, with which he and his center are affiliated, would then face significant lawsuits. These facts are important and are critical when evaluating Dr. Hviid's work. Furthermore, this study looked at autism and not at neurodevelopmental disorders.

The important thing in evaluating this study is that exposure in the Danish population to Thimerosal varied considerably from that in the United States. Danish children received 75 micrograms of mercury in their first 9 weeks of life and then another 50 micrograms at 10 months. By comparison, children in the United States received 187.5 micrograms of mercury by the age of 6 months, nearly 2½ times as much mercury as the Danish population.

Dr. Boyd Haley has said that comparing the exposure of the U.S. children to these children in Denmark is like comparing apples and cows. I think there is a lot of truth to that. Hviid states that the rate of autism went up after they began removing Thimerosal from vaccines in 1992. The numbers in Hviid's study were skewed in that they began to add outpatient autism diagnoses after 1992.

□ 1730

The IOM notes other limitations of the study, including the differences in the dosing schedule and the relative genetic homogeneity of the Danish population; yet even with all these serious limitations, the IOM felt that the study had ''strong internal validity.'' Like the Verstraten study, Hviid would not be able to pick up a group of children who were genetically susceptible to mercury toxicity, principally because they have impaired ability to excrete mercury.

Case in point: Danish autism rates are six in 10,000, where in the United States it is less than one in 200.

I do not believe how they can use a Danish study as a valid conclusion to say that thimerosal did not cause the increase in autism and other autism spectrum disorders and neurodevelopmental disorders in the United States when children in the United States received significantly more mercury exposure.

Another study that the Institute of Medicine relied on was the Madsen study. Madsen et al., once again examined virtually the same population, Danish children, Danish children who received significantly less than they. Let us consider the conflicts of interest in the Madsen study. First of all, two

of Madsen's co-authors are employed by the same Staten Serum Institute. The study, like Hviid, added outpatient cases into the number of cases of autism after 1995, a methodological flaw. The authors acknowledged that this addition might have exaggerated the incidence of autism after the removal of autism. The IOM acknowledged this but yet used the data anyway.

Another study that the IOM relied on, the Stehr-Green study, examined, guess what, the Danish population again, along with the Swedish population. I will not repeat the problems with the Danish data, but with regard to Sweden it is important to note that the children there received even less thimerosal than children in Denmark, receiving only 75 micrograms by 2 years of age versus children in the United States receiving 187.5 micrograms by 6 months of age.

Furthermore, the authors included only inpatient autism diagnoses in the Swedish population. The IOM notes that the ecological nature of this data ''limits the study's contribution to causality,'' but they cite it anyway.

The Miller study also included in the IOM report examines the population of children in the United Kingdom. This study is still unpublished, which limits its ability to be examined critically. It is important to note, however, that Dr. Miller has actively campaigned against those who have raised questions about vaccine safety. We have a person here who is actively campaigning, testifying in lawsuits, against the theory that thimerosal is linked to neurodevelopmental disorders and autism, doing a study supposedly showing there is no link.

So what can we conclude about these five epidemiologic studies? We can see clearly why the IOM is on very shaky ground in drawing the conclusion that it did. They based their decision on these five studies, three of them examining genetically homogenous children in Denmark. At least one employee of the Staten Serum Institute serves as a co-author on three of the studies. Only one study examines the U.S. population, and that study did not compare children who had received mercury with those who had not. Four of them are studies of children receiving less than half the amount of mercury that U.S. children received. None of them with any ascertainment of prenatal or postnatal background mercury exposures, none of them considering prenatal exposure which may have been given to the children, none of them have been able to detect a susceptible subgroup in the population, three of them failing to address how the addition of outpatient cases of autism in Denmark might have previously skewed their results. Four of them examined populations with autism rates considerably less than the United States, and one of these studies has never been published. It is impossible to review the data.

Might I also add they are all statistical studies. There have been numerous biological studies suggesting that thimerosal is linked, mercury is linked to autism, specifically mercury studies that show after chelation therapy, children with autism excrete a tremendous amount of mercury in their urine, whereas normal children do not.

And it is important to note that there was a recent report published by Dr. Emili Garcia-Berthou and Dr. Carlos Alcaraz examining statistical errors in medical publications. They found five volumes of Nature and 11 volumes of the British Medical Journal. They found 11 percent of the computations in Nature and the BMJ were incongruent and at least one statistical error appeared in 38 percent of the papers, despite all the biological evidence suggesting there may be a link with thimerosal and autism here and the obvious knowledge that many of these statistical studies are flawed. The Institute of Medicine concluded, and many people in the press believed it, that there is no link.

Mr. Speaker, something needs to be done. The Institute of Medicine report not only looked at the mercury issue. It as well looked at the issue of the safety of the measles-mumps-rubella vaccine. Many years ago a researcher in England, a Dr. Andrew Wakefield, published a report suggesting that some children with autism have measles virus growing in their intestines causing a condition called inflammatory bowel disease, and, indeed, there have been recent reports in the medical literature that some of these children have measles virus particles in their cerebral spinal fluid and elevations of a protein called myelin basic protein in their cerebral spinal fluid, suggesting they have an active low-grade encephalitis being caused by measles virus.

The IOM was asked to look at this issue. How did they approach this issue? Did they ask for research protocols that attempted to duplicate the Wakefield study? No. What they did was again another epidemiologic study.

I believe that the CDC's conclusion and the Institute of Medicine's conclusion on the MMR is well flawed. I am pleased that finally attempt is underway to duplicate Dr. Wakefield's findings, and hopefully we can get some answers to these questions regarding the safety of the measles-mumps-rubella vaccine.

For the reasons that I have outlined above and other reasons, the Institute of Medicine report I believe is premature, perilously reliant on epidemiology, based on preliminary and incomplete information, and I believe may ultimately be repudiated perhaps in short order. This report will not deter me nor the autism community from our commitment to see that thimerosal and MMR research is properly done. This report will do nothing to put to rest the concerns of parents who believe their children were harmed by mercury-containing vaccines or the MMR vaccine. While this report will lead many clinicians to believe that thimerosal is safe and there are no problems with the MMR, it may contribute further to an erosion of the doctor/patient relationship in the United States.

This report has dragged the Institute of Medicine under a cloud of controversy that has currently engulfed the CDC. Much like the infamous 1989 study by the National Institute of Child and Human Development which missed the link between folic acid deficiencies and neural tube defects like spina bifida, the epidemiologic studies reviewed by the IOM in drawing these findings could easily have missed an association in susceptible populations.

Finally, let us remember that the IOM is not immune to error and has been forced to reverse itself before. Most recently, the IOM reversed a longstanding finding that chronic lymphocytic leukemia was not due to Agent Orange exposure. A similar reversal is very real and possible here.

On April 2 of this year, I introduced, along with the gentlewoman from New York (Mrs. MALONEY), H.R. 4169, the Mercury Free Vaccines Act of 2004. We currently have 22 co-sponsors from across the political spectrum. H.R. 4169 will phase out the use of mercury vaccines over the next 3 years, giving particular attention to completely eliminating mercury from childhood vaccines on an expedited schedule. This bill is a response to the fact that the safety of thimerosal in vaccines is not proven. Mercury is a well established neurotoxin. According to the EPA, one in six newborns is born with a blood mercury level considered unsafe. The FDA and the EPA recently warned pregnant women, nursing mothers, and young children to limit their consumption of certain fish. No one at the NIH or CDC can tell us what happens to mercury once injected into an infant. Where does it go? How much goes to the critical organs, how much to the brain? Can it cause damage to the developing central nervous system? No one has good answers to these questions, and they should have answers to these questions before more infants are exposed to mercury.

The CDC has adopted a policy to reintroduce mercury-containing vaccines to children in the form of the flu vaccine which will be given at 6 months, 7 months, and 23 months of age. Most of the flu vaccine on the market today contains mercury.

I believe we need new legislation. It is critical that we pass the Mercury Free Vaccines Act of 2004. It is also critical, I believe, that we make improvements in how we monitor for and respond to adverse reactions to vaccines. Today there are three government agencies that have responsibilities related to monitoring the safety of vaccines: the FDA, the CDC, and the NIH. The Food and Drug Administration has responsibility primarily to make sure that the vaccines are prepared according to specifications. They

do operate the Vaccine Adverse Events Reporting System.

The NIH does not have a concerted effort to fund vaccine safety research. They provide funding for research in a haphazard manner. If one happens to submit a proposal and it passes peer review, the study may get funded. The NIH has funded only a handful of studies over the past 2 years investigating vaccine safety issues. The CDC has the greatest responsibility in this area. Unfortunately, they have the greatest conflict of interest. The CDC's vaccine safety program amounts to a $30 million, million, a year program, and half of it goes to pay HMOs for access to the Vaccine Safety Database. The biggest conflict within the CDC is that they are also responsible for a $1 billion, $1 billion, vaccine promotion program. The CDC largely measures its success by high vaccination rates, and here lies the conflict. Any study raising concerns that there might be adverse reactions to some vaccines in some children has the ability to lower vaccine rates, and lower vaccination rates are in direct conflict with the CDC's top measurement of success. Clearly due to its overwhelming size and the manner in which the agency measures its success, the vaccine promotion program overshadows and influences the CDC's vaccine safety program. In fact, rightly or wrongly, the Vaccine Safety Office within the CDC is largely viewed by outside observers as nothing more than another arm of the vaccine promotion program, giving support to vaccine promotion policies and doing very little to investigate and better understand acute and chronic adverse reactions.

Further complicating the CDC's role in undermining the research is the fact that the vaccine safety studies produced by the CDC are impossible to reproduce. External researchers are not granted the same level of access to the raw data sets that the CDC's internal researchers are granted. The bottom line is that the CDC studies related to vaccine safety cannot be validated by external researchers, a critical component in demonstrating the validity of scientific findings. The CDC's recently convened Blue Ribbon Panel to examine how the CDC might better review vaccine safety is a step in the right direction. However, I do not hold out much hope because the panel is limited in its scope. Much like the IOM was limited in the outcome they were allowed to draw, this panel is limited to deciding where within CDC vaccine safety monitoring should be housed. The NIH recently recognized the importance of moving patient safety monitoring out of the NIH. I believe the same should be done with vaccine monitoring. It should be completely removed from CDC's jurisdiction. The CDC is too conflicted to oversee this function.

□ 1745

Mr. Speaker, I want to touch on one more additional issue, and that is something called the Brighton Collaboration. I am very concerned about the development of the Brighton Collaboration, which began in the year 2000. This is an international group comprised of public health officials from the CDC, Europe, and world health agencies like WHO and vaccine manufacturers.

The first task of the Brighton Collaboration, created several years ago, was to define what constitutes an adverse reaction to a vaccine. They have established committees to work on various adverse reactions to vaccines. Particularly troubling to me is the fact that serving on these panels defining what constitutes an adverse reaction to a vaccine are the vaccine manufacturers. What is even worse is the fact that some of these committees are chaired by vaccine manufacturers.

It is inappropriate for a manufacturer of vaccines to be put in the position of determining what is and what is not an adverse reaction to its product. Do we allow GM, Ford and Chrysler to define the safety of their automobiles? Do we let airlines set the safety standards for their airlines and determine the cause of an airline accident? Do we allow food processors to determine whether or not their food is contaminated or causing harm? Then, I ask, why are we allowing vaccine manufacturers to define what constitutes an adverse reaction to a vaccine?

This collaboration is fraught with pitfalls, and merges regulators and the regulated into an indistinguishable group. It is critical that the American public look at what is going on here and how this entity may further erode the ability for us to fully understand the true relationship between various vaccines and some adverse reactions in some subsets of our population. I plan to devote additional attention to this effort in the future.

Mr. Speaker, I look forward to working with you and others in this body to address the problem that we face today.

As I stated at the outset of my comments this afternoon, autism was once in America a rare and infrequently seen condition. I went through 4 years of medical school, internship, residency, and years of private practice and practice within the military and had not seen one single case. I have seen case after case in my congressional district over the last 7 years, a disease that I had never seen before.

The disease incidence was previously thought to be one in 10,000. It is now thought to be as high as possibly one in 167, an almost 100-fold increase in the incidence.

We need to get answers to these questions. We need to restore public confidence and safety in our vaccine program. Our vaccine program saves millions of lives, it saves millions of kids from a life of disability, and the best way for us to ensure public confidence and make sure that all the kids get vaccinated properly is to get answers to these questions. The way the CDC and the Institute of Medicine and the industry is going about trying to answer these questions is highly flawed.

Mr. Speaker, I encourage my colleagues to begin to look at this issue. I know that many of them are coming to me saying they have parents coming in their offices now with autistic kids, saying something needs to be done. Something needs to be done.

THE PROBLEM WITH U.S. POLICY IN THE MIDDLE EAST

The SPEAKER pro tempore (Mr. GARRETT of New Jersey). Under the Speaker's announced policy of January 7, 2003, the gentleman from Florida (Mr. MEEK) is recognized for 60 minutes as the designee of the minority leader.

Mr. MEEK of Florida. Mr. Speaker, once again, as I always say, it is a pleasure to address the House of Representatives and the American people. Tonight I will be joined by some of my colleagues who will this evening be talking about the issue that is facing not only our military but our future as we start to deal with this effort against terrorism.

First of all, I would like to give my condolences to the family that lost their loved one that was held hostage. Our thoughts and prayers are with you and your family and your local community. Unfortunately, all too often now, violence has played such a very strong role in the way not only Americans live but also how individuals live abroad.

I just would like to make some opening comments. When we start talking about how we entered Iraq, claiming we were better than the dictator Saddam Hussein, which I do believe very strongly we are still, there are some decisions that are being made that are putting into jeopardy how the world feels about the United States of America and also how the world views our moral high ground, or what is left of it as it relates to abuse.

I think it is important for us to remember that Iraqis at the beginning gave us a great deal of credit. They were believing that we would deliver on our promise of providing security, safety and democracy that they could believe in and live under. Now revelations of prisoner mistreatment have really clouded the minds of many Iraqis that had hoped.

Some Iraqis saw us as being a part of holding out the flag of hypocrisy in the region due to the fact of the Abu Ghraib issue. The scandalous impact of opinions, especially of Iraqis and other members of the world, of photographs that have been made public throughout the Muslim world, is deeply repugnant to most Muslims.

I think it is also, Mr. Speaker, important for us to remember that as we start to look at what is taking place in Iraq, at the top of the week we thought it would be a good week for coalition forces as it pertains to the new Iraqi

government taking over by June 30. We thought the topic of the week would be Iraqi's soccer team joining the Olympics. But it was overshadowed by tales of a gentleman by the name of al-Dory, a 39-year-old father of three, imprisoned by coalition forces on August 6 of last year and was held until February 17 of this year.

al-Dory was arrested in his office in the oil ministry and initially interrogated at one of Saddam Hussein's palaces in the capital city. Suspected of being a member of an anti-U.S. insurgency, he was battered with the butt of a gun and hung from the ceiling in a way that injured his right arm. Last fall he was moved to Abu Ghraib prison on the outskirts of Baghdad, where humiliation of those in photographs was open and no longer secret.

By that time, he was released without explanation. al-Dory had lost 100 pounds of his 260 pounds. For the coalition forces, the mistreatment of this prisoner also may have transformed places like Abu Ghraib into insurgency recruitment stations.

Coalition forces told the Red Cross that 70 percent to 90 percent of the individuals arrested in the past year were mistakenly jailed, according to the Red Cross report in February. The United States also tried to remedy the issue by releasing several thousand of these young men, many of whom emerged bitter towards Americans in uniform.

This is what al-Dory said: ''Based on my experiences in prison, most of the guys who were released will go to join insurgents immediately because of the unjust treatment and the lack of response by the U.S. Government.''

But tactics like these, really, Mr. Speaker, do not work towards the safety of troops, and I will tell you that the culture that has been set in the Department of Defense and the blocking of giving information to this Congress to be able to respond to some of these issues are so very, very important.

Veterans that are listening to us now who have served in previous conflicts on behalf of democracy in foreign lands and also on behalf of our country, their honor is at stake. Their honor is at stake making sure that when people look at men and women in uniform, the world and Americans, that they are doing a noble job, which I believe they are, which I know they are.

It is some of the individuals that are making the decisions in the suits and the ties that I am growing more and more concerned about.

I am so glad that tonight I share this session and this floor of the House with two of my colleagues from Ohio. I would like to recognize my good friend, the gentleman from Ohio (Mr. RYAN).

Mr. RYAN of Ohio. Mr. Speaker, I also want to extend my sympathies to the family of the prisoner on behalf of myself and my family and the citizens of the 17th Congressional District in Ohio, and really all Americans. We are reminded, unfortunately, daily about the struggles that we do have here and how real they are, and when you see the kind of torture and the kind of treatment and the kind of abuse and the murdering that go on every day in Iraq, in Afghanistan and, unfortunately, now in Saudi Arabia and many other countries, I think we are all beginning to question more and more and I think at deeper and deeper levels about the policy of our government and its effect on the credibility of this country.

I think ultimately we come to this House floor with a certain amount of humility. President Reagan had his peace through strength, and I think it is easy for the bully to go around and kick people around, and we have had to do that on a number of occasions. We needed to do that in Afghanistan, and we did it in Iraq to a certain extent; but we have now gotten ourselves bogged down in a situation that I believe is making the American people less safe than they were before we went to war in Iraq.

I just want to share some thoughts. We are wrapping this congressional session up here for the week. We are on our way to catch some planes back home. But we wanted to come down here and share some of our thoughts, because there is this growing amount of frustration among many of us, not only those of us who sit on the Committee on Armed Services, those of us who have consistently backed the troops with the defense appropriations bills that I voted for and the gentleman voted for. No one can come to you orally and say you are not supportive of the troops. We put the money where our mouth is, and we are saying we support the troops, and we voted for the defense appropriations. We worked it through committee; we made sure there were the proper modifications after the war already began.

But the question we have here is really of two different strategies. The one strategy was take the $200 billion that you are going to spend in Iraq, and take that money and not only invest it in the United States, but use it like we passed today the Homeland Security bill, use more of that money to secure our ports, to make sure people are looking through the cargo that is coming into the country.

One or two out of 50 ships that actually come into the ports actually get checked. If you ask the American people, would you rather spend $200 billion in Iraq or would you rather spend that money looking through and hiring people to work at our cargo ports, I think the decision is clear.

We put ourselves in this predicament that it is going to be very, very difficult for us to get out of. I am not saying we should cut and run. We have to do the best we can there.

Another point that I want to make is that we had the opportunity. If we wanted to set up an Arab democracy in the Middle East, we could have done it with Afghanistan. Talk about a tragedy, is what we have done in Afghanistan.

We went in there, and now we only have 10,000 to 12,000 troops in Afghanistan, when in fact we have 130,000-some in Iraq. Osama bin Laden was in Afghanistan; the Taliban that was the home of al Qaeda was in Afghanistan. That is where we needed to be.

If you wanted to set up an Arab democracy, we had the opportunity to do that in Afghanistan. As we learned a couple weeks ago in committee with the chairman of the Joint Chiefs of Staff, General Myers, when we began to talk about the drug production in Afghanistan, which is the funding mechanism for al Qaeda, billions of dollars in heroin is grown in Afghanistan, is sold, the money goes to al Qaeda and these different terrorist organizations, and they use that money to fund terrorist attacks all around the world.

□ 1800

So we need to go to the heart of it. We need to cut out their financing. We did that through the special organizations and the nonprofits, and a lot of these that people had here in the United States, but we also needed to go into Afghanistan and we needed to rid them of the poppy and get rid of it. And the answer we got from the Chairman of the Joint Chiefs, when I asked him directly what are we doing about drug sales, drug production in Afghanistan, because it seems like at least at this point that is the only crop that they can grow, and the answer was stunning. I think the American people need to know this. The answer was: they harvested the crop early this year, and so we did not have the opportunity to stop them.

Let me repeat that. The answer from the Chairman of the Joint Chiefs and the policy of the United States in response to a question by a Member of Congress as to what are we doing about getting rid of the drugs in Afghanistan, the answer is: they harvested the crop early.

Mr. MEEK of Florida. Mr. Speaker, I just wanted to let the gentleman know, I just could not believe that the Chairman of the Joint Chiefs of Staff would respond, because I was there, would respond in that manner. I think that he is a man of honor but also, at the same time, we are looking at the way the Taliban is being funded. And they said that they harvested the crop early. That is what he said. I was there. This is once again not the Tim Ryan report, this is what actually took place. It is very serious.

I know that the Pentagon would like to save the lives of many troops, but it is some of the decisions that are being made at the top, not at the bottom, but at the top that is putting American lives at stake.

Mr. RYAN of Ohio. Mr. Speaker, we want to include our good friend, the gentlewoman from Cleveland, Ohio (Mrs. JONES), from the good old Buckeye State, but before I yield to her, I

want to say that obviously we do not have enough troops in Afghanistan. So here we are in Iraq doing what we are doing with 130,000 troops, we only have between 10,000 and 15,000, I do not know the exact number, I think it is about 13,000 troops in Afghanistan right now. Now, just imagine if we took some of the money that we are spending in Iraq and we used it for homeland security and we took some of the money and some of the troops that we are using there and we had them in Afghanistan, Afghanistan has natural resources we could be developing, the water infrastructure we could be developing in Afghanistan, and setting up an Arab democracy. Is that not what we want to do? Was that not the goal after hearing about weapons of mass destruction, hearing that al Qaeda is tied to Iraq, and Iraq is tied to 9/11 and they have weapons pointed at us, there is an imminent threat and all of this other nonsense that we heard before the war. But then the story eventually changed, and there is always that undercurrent of: we need an Arab democracy in the Middle East for stability purposes. Why did we not do that in Afghanistan?

We have many, many other points to make here, but I would like to begin to include our good friend here from Cleveland, Ohio into the discussion, and I am happy to yield to the gentlewoman, who is my surrogate mother here in the United States Congress.

Mrs. JONES of Ohio. Mr. Speaker, I want to thank my colleagues, the gentleman from Florida (Mr. MEEK) and the gentleman from Ohio (Mr. RYAN), for inviting me to participate in this Special Order this evening. I am so proud of both of them. I am only 2 minutes older than either one of them, but I am very proud of the work and leadership that both of them are showing in the U.S. Congress. I always remind people that both of them remind me of my man child Mervin, who is very tall and very good looking, and 200-plus pounds, and I see TIM pulling his collar here. But I am so proud of the leadership that both of them are showing.

So I suppose my colleagues want to know, what is a woman my age doing with these two young guys on the floor of the House talking about issues. I am just glad to be in the House with them and glad to be a part of the work that they are doing.

As we are talking about this, first of all, let me express my sympathies to the Johnson family on behalf of my entire family and the people of the 11th Congressional District of Ohio. I can empathize with the wife of Mr. Johnson, having lost my husband only in October of last year. It reminds me of all of the terrible things that are going on across the United States of America. It reminds me also of the need for the United States to be aboveboard and the need for the United States to be able to do things that in 20 years will withstand the light of day.

I am reminded of a meeting that I had at the Pentagon with some of my colleagues and Secretary Rumsfeld. This was around the time of military tribunals and the discussion: what are we going to do with military tribunals and how are they going to be handled? Those of my colleagues who do not know, prior to coming to Congress I was a Cuyahoga County prosecutor or DA and, prior to that I was a judge for 10 years.

So I said to Secretary Rumsfeld, Mr. Secretary, I have concerns about military tribunals. What we need to make sure that we do in the course of these tribunals is to assure that the rules of evidence are complied with if, in fact, we are going to use people who have no experience in hearing law and in hearing cases. But if we are going to use people or judges who have had some experience, then the rules of evidence may not be so important. But what is important is that we have in place rules and regulations that will assure that a trial in Afghanistan or a trial in Iraq or a trial in the United States involving the same offenses will be treated commonly and that there will not be any disparity.

But more importantly I said to him, Mr. Secretary, any of our activity needs to be able to withstand the light of day. And I was reminded of that today when I read this article in the Wall Street Journal saying that Rumsfeld defends hiding prisoners at CIA urging. And what it does is it adds another layer of distrust upon the United States and upon the United States military when he says in the article that he suggested, without elaborating, that often this is done. There are instances where it occurs that they hide prisoners from the Red Cross.

The Red Cross in the international community is supposedly the organization that will come in and say to the world that we did not see any problems there and, therefore, you should not be concerned.

Now, if the United States admits to hiding people from the Red Cross, that is another layer of concern or distrust that is put in place.

So I would again encourage Secretary Rumsfeld to not engage in such conduct. In fact, I said not too long ago that Secretary Rumsfeld ought to do the United States a favor and do the President of the United States a favor and withdraw from his position. He should not wait for someone to put him out; he should be man enough to resign and step away from his conduct.

Mr. RYAN of Ohio. Mr. Speaker, if the gentlewoman would yield, as the gentlewoman brought up, this is the latest with the Red Cross, that we first said that this was just an isolated incident. This is just a few wild folks we have working with us and it is an isolated incident. Now we find out that the Secretary of Defense is the one saying pull him aside over here and put him back here and do not put a number on him.

It is the same with the Halliburton contract. Vice President CHENEY for months and months said, I do not have anything to do with it. My office does not have anything to do with this Halliburton contract. Well, we find out earlier this week, it has been a long week, earlier this week that Scooter Libby, the Chief of Staff of the Vice President of the United States, okayed the contract to Halliburton. It went right through his office. You cannot tell me that the Vice President did not know anything about it.

So when you keep looking, we see the subversion of the Geneva Convention. All of a sudden in the United States of America, we have lawyers saying, well, Mr. President, you do not have to follow the Geneva Convention. Why would you want to follow the Geneva Convention? Some people out there are saying, yes, we would like to get these guys and treat them maybe the way they deserve to be treated. But when we look at what has happened today with the beheading and the murder that happened today in Saudi Arabia, where is the moral high ground in the United States? Where do we come out, and what can we possibly say? I yield to the gentleman.

Mr. MEEK of Florida. Mr. Speaker, I just want to say to my colleagues that how the United States is viewed in the world is important. Some people may discount it. Some people may feel, oh, well, who are they to judge us? Well, let me just say that the United States spearheaded the creation of the United Nations. Let us come together. I want the American people to understand. There are a lot of veterans out there that shed a lot of blood for this country, and I am so appreciative of their service. There are a lot of diplomats that have gone and stood in the eyes of communism, stood in the eyes of what was humane, I mean in trying to promote democracy and treating people in a humane way. And then now, for very few individuals at the top, and I am not talking about the troops. It is very interesting, when we start talking about the Pentagon, they have greater knowledge, especially of men and women in uniform than many Members of Congress have, and for Secretary Rumsfeld to okay an investigation by General Taguba to look at the Iraqi prisoner abuse, knowing all along that he was a 2-star general and he could only look at certain people, the first person that was court-martialed was an enlisted man.

Mr. RYAN of Ohio. Mr. Speaker, I want the gentleman to repeat that, because that is a very important point and we need to share this with the American people. Reiterate that point, about the man doing the investigation.

Mr. MEEK of Florida. General Taguba, who is an honorable man, he was doing what he was told just like many men and women in uniform, he was only able to interview MPs, number 1. Number 2, he was not able to go over his rank of a 2-star general. So this means from the very beginning, the fix was on.

Mr. RYAN of Ohio. So the gentleman is saying that if there was a 3-star or a 4-star or any officer above a 2-star, General Taguba could not investigate?

Mr. MEEK of Florida. No, he could not. I mean that is just the way it is.

Mr. RYAN of Ohio. That is the way the military runs. You cannot have someone low on the chain of command investigating Jack Nicholson, the top dog.

Mr. MEEK of Florida. No, you could not. But we would never, through what the Pentagon has said, we would never know whether the mistakes were made at the top. That is pretty much what I am saying.

So the way the deck, if I can, the way the deck is fixed now, that all of the investigations that are taking place need to be reviewed or what have you, will be done from the 4-star on down.

Now, Secretary Rumsfeld has appointed someone out of his office, a 4-star, that is going to go take over the investigation in Iraq. I can tell my colleagues that this Congress does not have what they need to be able to know what is going on with these investigations. This is actually putting American troops at risk. This is putting contractor lives on the line. And we will continue to see this abuse of prisoners that are taking our Americans that are taken and made examples out of, the first thing that this group said that has connections to al Qaeda has said, we are doing this because of Abu Ghraib, and we are not responding. The American Congress, we are not responding in a way to be taking this thing seriously.

We have the chairman of the Armed Services Committee in the other body who dared to have a couple of hearings and then he was chastised by his colleagues, including our chairman of the Committee on Armed Services.

So I think it is important that it is okay for Members to say how they feel. There is nothing wrong with that. We are doing that now. But I think it is fundamentally wrong when we know that we are becoming an incubator for more individuals to fight against American troops that will be in Iraq for some time to come.

So I think it is important that we remember that. I just wanted to mention this U.N. thing before I yield real quick.

I mean the gentleman from Ohio mentioned a minute ago of how the world thinks of us. Kofi Annan, Secretary General Kofi Annan of the United Nations, a very honorable man, who has tried his best to be with us as long as he could. But now, we would like to renew our relationship with the Security Council of not having our troops or our military come before an international criminal court. This international criminal court was established by a treaty in 1998, a conference in Rome that would put forth saying prosecuting individuals responsible for most serious crimes, including genocide, war crimes, and crimes against humanity. The treaty was signed by 135 countries and was ratified by 94, including us, and took effect in 2002.

Just today or yesterday, Secretary General Kofi Annan urged the Security Council on Thursday to oppose renewing the resolution that would shield U.S. troops serving in U.N.-approved peacekeeping missions from prosecution before an international court.

□ 1815

He said, Exemption is wrong. This is from The Washington Post today. In light of what took place, the circumstances of abuse that took place, the detainees of Iraq and Afghanistan, I think it is very, very important that we pay very close attention to this.

Then check this out. China, of all people, said that they may veto the security council approving the United States this blanket exemption.

Mr. Speaker, that article is as follows:

[From the Washington Post, June 18, 2004]

ANNAN OPPOSES EXEMPTING U.S. FROM COURT

(By Colum Lynch)

UNITED NATIONS, June 17—U.N. Secretary General Kofi Annan urged the Security Council on Thursday to oppose renewal of a resolution that would shield U.S. troops serving in U.N.-approved peacekeeping missions from prosecution before the International Criminal Court, saying the ''exemption is wrong.''

Annan noted that the United States is facing international criticism for abuses of detainees in Iraq and Afghanistan. He told reporters: ''It would be unwise to press for an exemption, and it would be even more unwise on the part of the Security Council to grant it. It would discredit the council and the United Nations that stands for the rule of law.''

The U.N. chief's remarks added momentum to a campaign by supporters of the war crimes court to defeat the U.S.-sponsored initiative. Senior U.N. diplomats said Annan would press his case in a closed-door luncheon Friday with the 15 Security Council members.

''Blanket exemption is wrong,'' Annan said. ''It is of dubious judicial value, and I don't think it should be encouraged by the council.''

State Department spokesman Richard Boucher said the United States is well aware of Annan's position but will press the council for renewal. The resolution, first adopted two years ago, applies to ''current or former officials'' from countries that have not ratified the treaty establishing the court—which includes United States—and exempts them from prosecution before the court for crimes committed in U.N.-authorized operations. The council expressed an ''intention'' to renew the resolution each year ''for as long as may be necessary.''

''It should be renewed the way the council said it would,'' Boucher said. ''And so we're still talking to other governments in New York and discussing this with them.

The United States faces fierce resistance within the council as the July 1 deadline for renewal approaches.

China has threatened to veto the resolution, citing concern that it could be used to provide political cover for abuses. U.S. and other Security Council officials say that China—which also has not ratified the court treaty—is confronting the United States because it recently supported Taiwan's bid for observer status in the World Health Assembly. ''This could have an impact,'' said one council ambassador, who spoke anonymously because of the sensitivity of the issue. China is sending a ''signal'' to Washington that this ''will threaten the development of bilateral relations.''

U.S. diplomats acknowledge that they are struggling to line up the nine votes required to pass the resolution. Six countries—Russia, Britain, the Philippines, Pakistan, Algeria and Angola—are expected to support the United States, according to council diplomats.

France, Spain, Germany, Brazil, Benin and Chile have indicated they will abstain. Romania's U.N. ambassador, Mihnea Ioan Motoc, said his government will abstain unless its vote is responsible for defeating the U.S. resolution.

The International Criminal Court was established by treaty at a 1998 conference in Rome to prosecute individuals responsible for the most serious crimes, including genocide, war crimes and crimes against humanity. The treaty has been signed by 135 nations and ratified by 97; it took effect in July 2002.

President Bill Clinton signed the treaty in December 2000, but the Bush administration renounced it in May 2002, warning that it could be used to conduct frivolous trials against U.S. troops. The United States subsequently threatened to shut down U.N. peacekeeping missions in Bosnia and East Timor unless the council exempted U.S. personnel from prosecution.

That strategy has fueled resentment against the Bush administration at the United Nations. More than 40 countries have a standing request to discuss the resolution in a public debate. A senior diplomat said most nations will use the event to criticize the resolution, and to draw attention to U.S. abuses of detainees in Iraq and Afghanistan.

''We think the resolution is not compatible with the U.N. charter,'' one Canadian diplomat said. ''It's harmful to international accountability for serious crimes and the rule of law.''

China. You mean to tell me that we are at the point now that China gets to say something about the United States and how we treat individuals?

Now, American troops did not put us in this posture. This is the culture from the top of the Pentagon. And I will tell you this, if we want to save American lives, if we want to save the ways Americans think about us, if we really care about what happened in World War II, World War I and all of the wars after that up to this point, about the sacrifice, blood their grandfathers and fathers and mothers have shed, on behalf of how the world thinks that we are the good guys on the face of the Earth, then it is important and we should not allow this kind of leadership that is deeply flawed to continue.

I share with the gentleman, I was with the gentlewoman, I was with many Members of this Congress when I asked Secretary Rumsfeld, maybe you have done all that you can do at this point. Maybe you need to just say, I had a good run. Maybe you need to allow someone else to move on and lead the Pentagon in a way that it should be led, on behalf of saving American troops' lives.

Mrs. JONES of Ohio. As with anything, if you propose to resolve a situation, when you put the person in leadership, that gives credibility to the investigation, to the resolution. And

clearly this government, this Secretary knew better than to put a low-level military person in charge of an investigation that would be so very, very important. And it goes back to what would be on your mind. How could you lead and not put in place the people who are needed to give credibility to a situation?

I am just continually reminded as the gentleman talked about the United Nations and China and Kofi Annan being concerned about what the United States is doing, that again, what we do must be able to withstand the light of day, because we are set aside or set out as the country who is trying to move forward and permit or encourage democracy or freedom and trust around the world. And if we are not encouraging freedom and trust right here in our own Nation or in areas where we have control, then who is going to believe us? Who is going to be behind us?

I am with you once again, gentlemen, that this country has to continue to show leadership.

Mr. Speaker, the article I referred to previously is as follows:

[From the Wall Street Journal, Jun. 18, 2004]

RUMSFELD DEFENDS HIDING PRISONER AT CIA URGING

(By Christopher Cooper)

WASHINGTON.—Defense Secretary Donald Rumsfeld defended his decision to hold a prisoner incommunicado in Iraq last year, taking pains yesterday to separate the incident from the unfolding detainee abuse scandal involving U.S. soldiers.

Mr. Rumsfeld said he made his decision to hold a suspected combatant out of the sight of international monitors when he was asked to do so last October by George Tenet, director of the Central Intelligence Agency. He suggested, without elaborating, that concealing detainees from Red Cross monitors is done from time to time, despite international conventions that forbid it. ''There are instances where that occurs,'' Mr. Rumsfeld said.

But the secretary bristled at what he said was an attempt to link the decision he made in the case of the ''ghost detainee'' with the scandal at Abu Ghraib prison in Iraq, where a handful of low-ranking U.S. soldiers stand accused of abusing prisoners. ''The implication that's out there is the United States government is engaging in torture as a matter of policy, and that's not true,'' Mr. Rumsfeld said, adding he has seen no evidence that senior Pentagon officials were complicit in the abuse at Abu Ghraib or elsewhere.

An Army general assigned to investigate abusers at Abu Gharaib prison, Antonio Taguba, criticized the military for housing what he called ''ghost detainees'' for the CIA, saying in a report that the practice was ''deceptive, contrary to Army Doctrine, and in violation of international law.''

Mr. Rumsfeld's comments to the press came a few hours after President Bush told reporters he remained confident in his appointee. Mr. Bush said he hadn't previously known about the detainee who was held incommunicado. ''I'm never disappointed in my secretary of defense,'' Mr. Bush said. ''He's doing a fabulous job and America's lucky to have him in the position he's in.''

But nearly every day for the past month the Bush administration has found itself on the defensive about treatment of detainees in Iraq or Afghanistan. In Afghanistan, the U.S. Army is investigating several suspicious detainee deaths. Yesterday, a federal grand jury indicted a CIA civilian contractor in one of the cases. David A. Passaro, described by a CIA spokesman as a retired Army special forces officer on contract to the agency, was charged with beating an Afghani to death with a flashlight last summer. The indictment said Mr. Passaro murdered a detainee who had turned himself in to military forces at Asadabad military base.

Investigators have said they are looking into three prisoner deaths in Iraq and Afghanistan that may have come at the hands of CIA agents or their proxies. The CIA said Mr. Passaro's relationship with the agency was a short one. He signed a contract to work for the agency in December 2002 and arrived in Afghanistan in mid-May. The alleged murder occurred the following month.

''We take allegations of wrongdoing very seriously, and it's important to bear in mind that CIA immediately reported this allegation to the [CIA] inspector general,'' said spokesman Mark Mansfield.

The case of the ghost detainee doesn't involve abuse allegations. CIA and Pentagon officials say the man was captured last June in northern Iraq and spirited out of the country by CIA operatives. When the Justice Department ruled several months later that the man shouldn't have been taken from Iraq, he was returned and placed in the custody of the U.S. Army.

According to two U.S. officials, the CIA asked that the man be held without an identifying serial number because making his arrest public might hinder an ongoing operation. Because his case wasn't recorded in Pentagon prisoner files, however, U.S. officials acknowledged they lost track of him for a time. He resurfaced in May when senior Pentagon officials got wind of his case. Pentagon spokesman Bryan Whitman said the man will soon be issued an identifying number, and placed in the general prison population in Iraq if the CIA voices no objections.

Let me say one more thing. I want to send out kudos to all the veterans across this country, those who are from World War II, from the Korean War. One of my favorite veterans is my father, Andrew Tubbs, who is now 84 years old. But to all the young people serving, the ones that I met when I went over to the United Arab Emirates and when I went to Turkey and when I went to all these places in the military and Kosovo, we are so very proud of you. The reason we are standing here on the floor this evening is not because we are ashamed of your conduct. We are standing on this floor this evening, not because we are patriotic, because we are all patriotic.

We are standing on the floor of the House this evening to say to the world that the United States wants people in leadership who are going to set an example. We want people in leadership who are going to allow our troops to do what they need to, but not have the work of the troops diminished by the conduct of those in leadership.

I thank the gentlemen for the opportunity to be heard.

Mr. RYAN of Ohio. As I begin to wrap up here, I want to make a final statement that maybe next week, to the gentleman from Florida, I have about 6 pages here that a member of my staff put together for me, Dean Thomas who does my military work, that has about 6 pages' worth of claims by the administration, President, Vice President, different Secretaries; and then it has the facts.

Let me suggest that maybe next week the gentleman and I come down here, whether it is with our 30-something hour or maybe another Special Order, and we go through these because it is astonishing to me that in the United States of America we can have a commission put together, a bipartisan commission, the likes of Lee Hamilton and Senator KERRY and the distinguished group that we have with the 9/11 Commission, and the commission issues a report and the report says what we have known for many, many months, and that is that there is absolutely no connection between Iraq, Saddam Hussein, and al Qaeda, Osama bin Laden, two separate entities that did not want to work together.

And to have the administration just come out and just keep repeating the fact that they have a connection is a slap in the face to the American people. And that is not the only claim. We talked about the Halliburton claim that was denied and found out to be true. We found out the claim, it was only a couple of soldiers; now we found out it is more of a systemic problem.

The American people need to know what the facts are, and just because the administration wants to keep repeating what they want the world to be like and what they want the situation to be like, as opposed to what the truth is; and hopefully next week and over the course of the next few weeks and the next few months we can really try to shape the debate here and move the ship back to the truth. Because I get very, very frightened when the majority of the American people think that Saddam Hussein had something to do with 9/11 and Iraq has connections, direct connection, military connections and terrorist connections with al Qaeda, when everyone is saying it is not true, when the experts are saying it is not true, when the CIA is saying it is not true, when the 9/11 Commission says it is not true.

And the administration keeps repeating it just to muck up the waters, just to make it unclear, just because people are working two or three jobs and they are worried about getting their kid a pair of tennis shoes and some health care, and they do not have time to pay attention.

So, hopefully, over the course of the next few months, the gentleman and I and maybe other Members of this Chamber, we can try to establish what the truth is and what the facts are and let the American people make the kind of decision that they want to make it, and they can make it at least in an informed way.

Mr. MEEK of Florida. I will tell the gentleman, we have maybe 10 more minutes. We shared with the majority side that we were going to go about 40 minutes so that their Member can get down here.

So I just want to say very quickly, it is important that we share that information. This is a Special Order that we thought that was important. As members of the Committee on Armed Services, to come to the floor to talk not about politics but to talk about our troops, to talk about the leadership of our troops as it relates to the shirts and ties over at the Pentagon, the folks that are not supplying the information that we need in the Committee on Armed Services for the correct oversight.

I believe there should be more oversight because that is the only way we are going to find out what actually took place, what memo was written so that we do not have to read about it in the newspaper. The thing is that I do not like coming in here and quoting the newspaper. I would much rather have some sort of memorandum or some sort of committee testimony that I can make reference to, saying that General X told me Y, or Secretary X told us this. We do not have that privilege. We have to read about it in the paper. We have to read about it in Time magazine. We have to read about it in Newsweek.

And for us to be 60-something-odd members of the Committee on Armed Services, the largest military on the face of the Earth, the most capable, able, agile, mobile military on the face of the Earth, for us to have to read the newspaper to understand what is going on, and taking from General Myers's testimony when he did come before us and in his 30-plus years of service he has never seen anything like this Abu Ghraib issue. He said that to us. He has never seen it.

So for us to have an event that has not happened in 30-some-odds years, or I do not see anywhere in U.S. history that this has happened, it is documented the way that it is documented, for that to happen and for us to put a two-star, as much respect that we have for him, to investigate the little guys and gals that were a part of this bad behavior, it sets forth a culture that it is okay. If you are in the Pentagon, you are okay. You are a protected class. Do not worry. No one will look into you or no one will call you down to the Hill and ask you some tough questions, because if they do, they will be chastised by members of the Committee on Armed Services. Unfortunately, from the majority.

And it is also unfortunate that we have to come to the floor to be able to share thoughts in a way that we should be able to share thoughts with members of the military. I would love to ask Secretary Rumsfeld questions about why he came before the committee, shared with us what he shared with us at that particular time.

We received the Taguba report 2 weeks after that. I have taken a look at the Taguba report. Many members of the Committee on Armed Services have looked at the Taguba report. But now we just received new information from the Pentagon.

So when are we going to get all the information so that we can represent our constituents in the way that we should and be able to protect and make changes in legislation that is moving through this process now to protect American troops, to save American troops' lives, to be able to carry out all of our missions as we look abroad in what we are trying to do. But if we are not getting the information, then who is? And if they are getting the information and it is continuing to be suppressed, then it is not going to help save the lives of American troops.

Mr. RYAN of Ohio. Then when we get this information through the newspapers or through some other entity where we can get it, and then when we get the information and we try to share the information, people were questioning, why are we doing this? And I think the short answer is with the war and all the preliminaries of the war, with the weapons of mass destruction, and the ties to 9/11 and greeted as liberators and we do not need 200,000 troops, we are going to use the oil as revenue to fund the war, all of these things that have been said and now denial of Halliburton, and then saying it is an isolated incident when in fact it seems like more of a systemic problem that we have, detaining prisoners and keeping them away from the Red Cross.

Why are we bringing this up? Because it is wrong. That is wrong. It is not right that you do that. The way we got into the predicament right now, I just could not disagree more with how this all transpired. And if the original reason was you wanted to go to the Middle East to set up an Arab democracy, tell the American people that and let them answer yes or no with their support for or against it. But do not give us all those reasons that there is going to be a mushroom cloud in Cincinnati when we have a dictator that is writing romance novels, boxed in in the fly zone and the sanctions were working.

So do not mislead the American public with this. This is wrong, and we have to say it is wrong. We have to call a spade a spade here.

Hopefully, over the hours of the next few weeks and months, we can be able to do that.

Mr. MEEK of Florida. In closing, Mr. Speaker, I just wanted to thank the gentleman from Ohio (Mr. RYAN) and the gentlewoman from Ohio (Mrs. JONES) for coming down here this evening.

I also want to share with the gentleman that on the upcoming Tuesday we have the first Democratic hour, and we can share the information that the gentleman has pulled together.

We look forward to seeing that and sharing with the American people. A part of the reason why we came down to the floor was to bring to light some of the issues that needed to be illuminated a bit more and also talk about solutions. Solutions are having the Congress do what it is supposed to do, an oversight of the Department of Defense. Solutions are doing what the junior Senator from Missouri, Senator Truman, who became President Truman, in his committee that he had from 1941 to 1948 during World War II. To say that we do not have time to do this, we are at war, does not reflect on past history.

So I think it is important even if it is the good, bad and ugly, it helps the American troops, our troops be able to get the up-armor that they deserve.

□ 1830

It will probably have avoided us from having to put in this Armed Services bill reimbursing families for bulletproof vests that they bought. Why should they have to buy them in the first place? If someone is going into harm's way, they should have the equipment that they need. I think that is so very, very important.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore (Mr. GARRETT of New Jersey) laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, June 18, 2004.

Hon. J. DENNIS HASTERT,
The Speaker, U.S. 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, the Clerk received the following message from the Secretary of the Senate on June 18, 2004 at 3:24 p.m.:

That the Senate passed without amendment H.R. 3378.

That the Senate passed without amendment H.R. 3504.

With best wishes, I am

Sincerely,

JEFF TRANDAHL,
Clerk of the House.

ECONOMIC GROWTH

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 2003, the gentleman from California (Mr. DREIER) is recognized for 60 minutes.

Mr. DREIER. Mr. Speaker, I have some prepared remarks that I would like to offer to our colleagues this evening about economic growth and how important that is, but before that I would like to join, as my colleagues did earlier, in extending condolences and our thoughts and prayers to the family of Paul Marshall Johnson, as we have all seen in the last couple of hours, who was tragically killed in Riyadh, Saudi Arabia, and it clearly has underscored our Nation's resolve and the resolve of the civilized world to deal with this issue.

It is out of this tragedy we have gotten the news that Abdulaziz Muqrin, who has links to al Qaeda, was shot in the gunfire that took place afterward,

and he reportedly is responsible for the tragic death of Mr. Johnson, and we hope very much that this will play a role in moving us down towards victory in this global war on terrorism.

My remarks, Mr. Speaker, are on the issue of the economy, and there is, in fact, a direct correlation because a strong, dynamic, growing U.S. economy will do a couple of things.

First, it will help us ensure that we have the revenues necessary to fight the global war on terrorism. A strong, growing U.S. economy clearly will have a ripple effect to other parts of the world, developing Nations in our quest to deal with this war on terrorism as we know many people who have been attracted to terrorist activities have been doing so in part seeking economic opportunity. So economic growth is something that is very important as we tackle and continue to expand on this global war on terrorism.

Mr. Speaker, the word ''revolution'' gets a lot of talk these days, perhaps even some overuse. A Google search comes up with everything from the yoga revolution to the low-carb revolution to something called a stencil revolution. I had no idea that the art of stenciling even could be revolutionized, but tonight, I am going to talk about a phenomenon that is truly deserving of the label, and that is the productivity revolution.

Large, sustained bursts of productivity growth have fundamentally changed our entire economy in the past, and I believe we are witnessing a new wave of productivity growth that is changing the face of our economy once again. I would like to note that I believe this discussion is particularly timely given the recent onslaught of policy proposals, most notably coming from the presumptive Democratic presidential nominee Mr. KERRY. Those would actually reduce the productivity of American companies.

Currently, productivity is booming in this country. Last year, U.S. nonfinancial businesses increased productivity by 5.7 percent, the largest increase since we began collecting data. Again, that increase was 5.7 percent, the largest since 1959 when the data was first being collected.

Private sector productivity overall grew nearly as much, at a rate of 5.5 percent. Manufacturing productivity jumped 5.1 percent last year which followed a spike of 7.2 percent in the previous year, but these sharp increases over the last several quarters are part of a long-term trend of growing productivity throughout our entire economy.

Nowhere is this revolution more apparent than in manufacturing, where productivity has grown an astonishing 72 percent. That is over the last 20 years, which is nearly double the rate of productivity growth in the economy that we have overall, a 72 percent productivity growth in the manufacturing sector of our economy, nearly twice the overall rate of productivity growth.

American companies that produce goods have been at the front of the line of businesses adopting new technologies and business strategies to be more productive. As a result, the American manufacturing sector today is stronger than ever before, and it is getting even stronger as we speak. They make more from less, and that is vitally good news for the overall economy, but in order to get a full understanding of exactly what I mean by productivity revolution and the fundamental changes to U.S. manufacturing that are taking place as a result, I think we need to take a big step back and take a look at much of our economic history.

By looking at an earlier productivity revolution that also brought about fundamental change, we can get a sense of how things are changing today. We can see what it means for our economy, and even more important, what it means to people who work in manufacturing jobs.

The first major transformation in American economic history was from an agrarian economy to the heavy industrial economy. It was such a major change that it really meant a change in our entire society, from the agrarian society of the late 1700s to the post-World War II America that our Nation experienced.

The American farm did not wither away. American farmers did not become unproductive. In fact, the driving force behind the transformation was just the opposite. American farms became the most productive in the world and are among the most productive today. They produce vastly more than they have at any time in our Nation's history, but if we just look at the jobs side, the number of Americans working on farms, we could think that things went horribly wrong if we just looked at jobs.

In the early years of our country, 95 percent of Americans worked on the farm, but at the start of the 20th century, well into transition from that agrarian to an industrial economy, farm jobs still accounted for 40 percent of all America, going from 95 percent down to 40 percent.

Today, the number of farm jobs in the United States of America is just 3 percent of our economy. So the question is, did we lose millions of farm jobs in America in the 20th century? Think about the fact that 40 percent of American jobs were agriculture jobs. Today, there are 140 million working Americans. Based on the 1900 economy, we should have 56 million farm jobs here in the United States, but instead, as I said, we have 4.2 million farm jobs. Have we really lost over 50 million American farm jobs?

The real question we must ask, Mr. Speaker, is the American farm economy better off than it was at the start of the 20th century? Is the American economy, the farm economy, actually better off than it was 100 years ago, and the answer is an unquestionable yes. American farms produce vastly more than they ever could have produced without modern technology, and they are doing it with a tiny fraction of the human capital that was necessary before the agricultural productivity revolution began, and perhaps most significantly, these productivity gains freed up millions of workers to initiate and advance the industrial revolution, paving the way for our modern economy.

So American farms today produce more food, more cheaply, with fewer people than ever before. Food is so cheap that our biggest emerging health problem is what? Obesity.

Now, what does this have to do with the American manufacturing sector? Just like our agriculture sector over a century ago, productivity in American manufacturing industries is on a long-term upward path.

□ 1845

U.S. manufacturing workers are producing more with less. They are reducing waste. They are harnessing new technologies and making the entire sector more efficient and competitive.

At the same time, wages have been steadily climbing. Technology is a huge part of the equation, with computers and robotics doing what tractors and fertilizers did on the farm over the past 200 years and steam engines did in an earlier generation of factories.

The result is that U.S. manufacturing has grown to be so large, the sector is now bigger than the entire Chinese economy. Again, the U.S. manufacturing sector of our economy is so large that it is larger than the entire economy of the People's Republic of China.

At the same time, employment has fallen for 25 years, while the average wages and productivity of the remaining workers have continued to go up.

And just like the productivity revolution that swept our agrarian economy, huge advances in our manufacturing sector have led to a fundamental transformation of our entire economy, from heavy industry to our high-tech 21st century economy.

As U.S. manufacturers have become increasingly productive and efficient over the past 2 decades, more and more Americans have found jobs in cutting-edge fields in the services sector. They are working as financial advisers and wedding coordinators and software engineers, among other areas.

And just like their counterparts in the manufacturing sector, booming productivity is changing the way that they work too. Technology gains and better business practices, not to mention the lower costs brought about by open trade, have empowered Americans in virtually every part of our economy to become more productive. The tech boom of the 1990s clearly changed the way Americans do business. The Internet and the rapid proliferation of personal computers allowed workers to communicate efficiently and quickly.

Data could be transferred with the click of a mouse. The world became a

smaller place, and we all were able to accomplish more in less time and with fewer resources.

But the real story of the productivity revolution is not just greater efficiency. If we look at the impact on the overall economy, the results are even more significant. American consumers now purchase more products and better products for less money. That increase in purchasing power means that our standard of living has gone up and continues to go up, and Americans with the skills and energy to contribute to the economy are able to move into other more productive work, enlarging the overall economic pie.

In fact, Mr. Speaker, productivity growth is so fundamental to both growth in GDP and a rising standard of living that most economists agree it is the single most important economic factor for improving our quality of life.

Now, the economist Paul Krugman, whom I have debated on more than a few occasions and has a tendency to look at the world a little differently than I, writes in his book ''The Age of Diminished Expectations'': ''A country's ability to improve its standard of living over time depends almost entirely on productivity growth.''

Now, Princeton economist William Baumol and Susan Blackman with New York University, along with New York University economist Edward Wolff, write in their book entitled ''Productivity and American Leadership'': ''It can be said without exaggeration that in the long run, probably nothing is as important for economic welfare as the rate of productivity growth.''

Our Joint Economic Committee's recent productivity primer states that ''labor productivity is the most important driver of our standard of living, and its continued rapid growth is great news for the long-run prosperity of the American people.''

Mr. Speaker, the report goes on to say that high productivity is a sign of a healthy, growing economy and points out that if productivity had not fallen during the stagflation days of the 1970s and early 1980s, it says, ''Our standard of living today would be approximately 50 percent higher, adding an extra $5 trillion to the U.S. economy.''

We have an $11 trillion economy today; and had we not seen that productivity slow down during the stagflation period of the 1970s, the economy of the United States would be roughly $16 trillion.

But there has been a lot of anxiety and stress in the American economy caused by this productivity-led long-term transition. This, by the way, was also the case during the height of the Industrial Revolution, when similar long-term economic trends caused great anxiety among the many people impacted by changes in the agrarian society.

Manufacturing workers, in particular, have had to cope with a great deal of anxiety. While productivity growth has steadily reduced employment even as the sector becomes bigger and stronger, recent short-term cycles have made times even tougher.

The 2001 recession led to a sharp drop in business investment, which left U.S. manufacturers struggling. This weak domestic demand was made worse by a worldwide downturn that clearly hurt U.S. exports. This temporary, but very painful, loss of customers, both here at home and abroad, delivered a tough blow to America's manufacturing workers. We all acknowledge that.

But the past couple of months have brought us very good news, Mr. Speaker. Our booming economy has stepped up demand for manufactured goods, particularly high-tech goods. Consumer spending is strong, and business investment is on the rise, causing manufacturing output to increase steadily for a year, and growing markets overseas, like China and India, are importing U.S. products at rapidly growing rates. Our exports to China alone grew by almost 30 percent in the past year.

Let me underscore that again as we got the news today of the current account deficit. Our exports alone last year to the People's Republic of China grew by almost 30 percent.

These strong economic gains have led the turnaround in manufacturing employment. Last month 32,000 manufacturing jobs were created, the fourth straight monthly increase and the strongest employment gains in manufacturing in 45 months. With demand for U.S. goods steadily rising, our manufacturing sector is on track for regaining the jobs that were lost due to the short-term downturn.

But what about the long-term trend of fewer and fewer manufacturing workers and the anxiety that comes with it? The productivity revolution is improving the quality of life for nearly everyone; but just like millions of farm workers, many generations ago, American workers today must increasingly find work outside of the manufacturing sector. Where will these Americans find work? What are the kinds of jobs that are being created? An easy and logical way to find booming job creation is to take a look at the booming consumer demand. What are we spending our money on? What areas of our economy are witnessing big increases in demand?

Mr. Speaker, one of those areas happens to be health care. We have an aging and more health-conscious population. We have had major breakthroughs in pharmaceuticals and biotechnology. Many people believe we are on the cusp of a new wave of biotechnology advancements and investments that will lead to new cures and help Americans live longer, healthier lives.

These factors have led to a greater share of our economy being dedicated to health care. This trend is not just being led by the elderly. I know there is a sense that as we look at the aging population, that all health care costs are focused on the elderly. In fact, while health care spending by the 65-and-older set edged up by only 2.7 percent last year, spending by the under-25 demographic increased by a remarkable 20.8 percent.

Mr. Speaker, as Americans become more and more health conscious, health-related spending across all demographics from the very young to the very old will continue to rise. This strong demand for health-related products and services is driving job creation at the same time. In the past year, physicians' offices hired an additional 45,000 employees, outpatient care centers grew by 9,000 workers, and hospitals added 59,000 people. In just 12 months, the health care industry created nearly a quarter of a million jobs, 225,000 new jobs to be precise.

But this trend in job creation is more than just a year old. Virtually every health-related field has been growing rapidly over the past decade. Physical therapists have grown by 90 percent. Medical assistants have grown by over 70 percent. Home health aides have grown by 138 percent. Rising demand in health care is not just a product, as I said, of an aging population. It is also due to the fact that Americans, particularly younger Americans, are becoming more health conscious. As a result, job creation in more nontraditional forms of health services is growing rapidly as well.

I frequently cite the example of the tremendous increase of massage therapists; and my comments when I talk about that are usually greeted with snickers, but let us keep in mind that massage therapy is a service that more and more Americans are incorporating into their health care regimes. Whether it is for treatment of chronic pain or ailments or simply to promote general well-being, more and more people are relying on massage therapy. And in terms of job quality, this is a profession that pays upwards of $35 an hour, often quite a bit more than that. Furthermore, massage therapists often have the privilege of working independently, which is something that draws a lot of people to that sector. Greater demand for this type of health service has again resulted in greater job creation.

In the past 8 years, the number of massage therapists in this country has more than doubled, growing from 120,000 back in 1996 to nearly 300,000 today. The rapid growth of spa centers across the country indicates that the pace of job creation in this field is going to quicken as well. And with baby boomers set to begin retiring in the near future, the dual trends of increasing demand and increasing job creation in the health care industry overall show no sign whatsoever of slowing down anytime soon.

Mr. Speaker, the Department of Labor's Bureau of Labor Statistics estimates that the health care industry will be one of the largest job creators over the next decade. Home health care services, offices of physicians, outpatient care centers, and hospitals will

all increase employment over the next 4 years by over 16 percent. Over the next 8 to 10 years, the BLS, the Bureau of Labor Statistics, predicts that they will grow nearly 50 percent.

Rising consumer spending on health care is obviously spurring a vigorous debate in Congress over how we will ultimately pay for health services and products. It is an important debate and will no doubt be ongoing as the industry continues to evolve. But there is no question that this rapidly increasing demand is fueling robust job growth and will continue to do so for many years to come.

Another broad area of consumer spending that continues on the rise is housing. Today, the homeownership rate is nearly 70 percent, the highest ever in this country. Nearly 70 percent of the American people own homes. Last year, more houses were bought and sold than ever before in our Nation's history and new-home sales increased by 22 percent.

The rate of spending on real estate in 2004 is still very strong. While new-home sales have tapered slightly over the past 2 months, they are still up nearly 13 percent over the past 12 months, an almost unprecedented increase. In addition, second homeownership is growing rapidly as well. Fueled by baby boomers with empty nests, spending on second homes now exceeds $19 billion a year. That is nearly double what it was 10 years ago.

Of course the housing boom spurs growth in sectors like real estate and construction, but a number of related sectors benefit as well, marketing, finance, home improvement and insurance among others. The housing sector directly accounts for about 13 percent of total gross domestic product in any given year. But this figure is expanded by another 6 percent when you include the indirect boost in spending on items like utilities, furniture, and other housing-related expenses. The multiplier effect is 1.4 to 1.6 in real estate, or, in other words, for every $1 spent on housing, GDP increases by $1.40 to $1.60. Because of this, a dramatic increase in homeownership is very good news for our economy.

The increased spending on housing has also had a direct impact on employment in related sectors. In the past year, real estate employment, including brokers and agents, grew by 24,000 jobs. Architectural and engineering services grew by 7,000 jobs, and the BLS predicts 18 percent growth over the next 4 years.

An interesting twist to this homeownership trend is that while more Americans own homes than ever before, people are spending less and less time at home. One effect this is having on consumer spending and in turn job creation is greater reliance on services than goods. For example, homeowners are increasingly likely to hire a lawn specialist rather than purchase new lawn mowers. This, of course, mirrors the overall trend in our labor force in which more and more workers are finding jobs that provide skilled and often individualized services.

Another growing area of our consumer spending can actually be found in the increasingly significant spending habits of teenagers and college students. Spending in these age groups has grown extremely quickly in recent years. While this category generally doubled every 10 years for most of the second half of the 20th century, it tripled during the 1990s.

So what are these consumers spending their money on? One trend among members of Generation X and Generation Y, particularly males, is that they are watching less and less TV and are turning to other forms of entertainment, particularly the Internet, computer gaming and DVDs. While spending on TVs increased by 5 percent last year, spending on other forms of electronic entertainment like video gaming jumped by almost 11 percent. The result has been growing employment in high-tech entertainment industries. For example, companies that create Web content like eBay and Yahoo have created several thousand new jobs in just the last few months.

Growing Internet use has also spurred growth in online advertising and e-commerce. Large employers in these sectors like Amazon.com and Google are also hiring at a rapid rate for the first time in several years. Employment in Internet publishing and broadcasting is on the rise, growing 7 percent in the past year. This trend appears to have staying power, with the BLS predicting growth in these sectors of over 21 percent in the next 4 years. But demand for Internet content and computer gaming and the jobs they help create are obviously just a narrow slice of the much bigger high-tech picture, and demand for high-tech products overall is just a narrow slice of the total impact that the industry has on our economy at large.

As I discussed earlier, the high-tech boom has been the key factor in the emergence of our 21st century economy and the productivity revolution that ushered it in. Experts and analysts agree that our 1990s tech boom was to a great extent made possible by the falling prices of IT hardware. As demand met supply, companies across America incorporated high-tech products and services in their business plans and the results were nothing less than revolutionary. This process resulted in job creation in fields like systems administration and IT product manufacturing.

But looking at the impact of the high-tech boom in terms of job creation in directly related fields is like saying the significance of the invention of the wheel was that it created wheel-producing jobs. The real significance of the information technology revolution is that it went hand in hand with our productivity revolution. It fundamentally changed how business does business and made American workers tremendously more productive. And it unleashed a powerful new wave of innovation and entrepreneurship.

Online advertising and computer gaming are just the very tip of the iceberg. The high-tech boom has, for example, enabled 430,000 Americans, nearly half a million Americans, to make their entire living by selling and buying on eBay. As I said, that is nearly half a million Americans who run their own business by using a service that was not in existence just 10 years ago. Our IT and productivity revolutions are giving more and more Americans the ability to work independently.

□ 1900

And this is incredibly good news. A recent FedEx survey found that while 10 percent of Americans own their own business, two-thirds said they dreamed of owning their own business some day, and an astonishing 55 percent said that they would leave their current job and start a business if they had a chance to do so. Almost half of the respondents, according to that survey, said that the primary reason they would start a business was that they wanted to do something that they loved or enjoyed.

By making opportunities for entrepreneurship cheaper and more accessible, the Internet and our high tech economy are helping millions of Americans realize their dream of being their own boss and doing something that they love. This powerful American drive to innovate and create and work independently is at the crux of our productivity revolution. American innovation led to the creation of new information technologies, but it did not just stop there. IT products do not integrate themselves into the economy. Hard working and creative Americans harnessed technology, incorporated it into nearly every aspect of our lives, and brought about a wave of productivity that is transforming our entire economy.

This productivity revolution about which I have been speaking has been sustained as Americans continue to find new ways of harnessing these technologies. The Internet, for example, instantly changed how we viewed communications. But it takes time for new advancements to be fully implemented. Even today with PCs and millions of businesses, schools, and homes across America, we are only just beginning to understand the ways that technology can facilitate the things we do every day. As with any technological advancement, there are always lag times between invention, marketing, mass production, and full implementation. As creative Americans learn more and more about the technologies they are using, they will continue to drive our productivity revolution.

As I discussed earlier, productivity growth is the single greatest factor in improving our quality of life and economists across the board and observers have come to that same conclusion. The average productivity growth

throughout most of the latter half of the 20th century meant that the American standard of living would double every 40 years. But the 1990's productivity revolution has accelerated that rate so much that we are now on track to double our standard of living every 25 years, a generation faster than it was increased before.

This is hugely significant to any working family. For any parent working hard to ensure that their kids have the best education and the best opportunities possible, doubling the standard of living a generation faster makes all the difference in the world. And this is why any economic debate, whether it centers on trade or taxes or regulation, should come down to productivity. As policymakers, the question we should always be asking ourselves is, are we empowering Americans to be more productive or are we hindering them?

Today I believe that we are on the right path. Productivity growth continues to strengthen our economy and the effects can be seen in virtually every economic indicator. Growth in GDP, gross domestic product, as we all know, is very strong, running at over 4 percent for 2004. Consumer confidence, industrial production, and home ownership, as I said, are all on the upward trend, and job creation is booming. The Bureau of Labor Statistics' Household Survey shows the creation of 1.5 million jobs since last August, 1.5 million jobs created since last August. Even the Payroll Survey, which does not count for any of the self-employed workers about whom I have been speaking, workers and independent contractors, that we know are rapidly increasing in number, that survey, the Payroll Survey, shows 1.1 million new jobs created since August and over 800,000 jobs created in the first 4 months of this year alone.

But as Will Rogers once said, ''Even if you are on the right track, you will get run over if you just sit there.'' Today we have a number of opportunities to tear down remaining barriers to innovation and entrepreneurship, our chief engines of the productivity revolution.

American companies face a number of factors that restrain productivity. Factors like frivolous litigation and excessive regulation diminish the ability of U.S. companies to boost their productivity the way they would like, thereby hindering job creation. The National Association of Manufacturers estimates that these barriers from frivolous litigation raise the cost of doing business in this country by as much as 25 percent. Those extra costs can be formidable to any company, especially small businesses, and they are holding Americans back from their full productivity potential. Our pro-growth productivity agenda must focus on our efforts to break down these barriers, and I am very happy that this week out of the House we were able to pass the American Jobs Creation Act of 2004, which is specifically designed to decrease the tax burden for job creators so that we can again have an even greater incentive for job growth.

Unfortunately, there are many politicians, led by our colleague Mr. KERRY, who is, as I said, the presumptive Democratic presidential nominee, they are advocating just the opposite, just the opposite to the things that we have been pushing and, frankly, the policies that have led to the very positive growth about which I have been speaking. They are proposing policies that would actually reduce our productivity, a proposition that should be unthinkable in today's economy.

Remarkably, the Senator from Massachusetts claimed in a recent speech to the Teamsters members in Las Vegas that his policies ''will make American businesses more competitive'' and give Americans ''a chance to get ahead.'' And yet Senator KERRY has actually proposed raising taxes on companies that have boosted their productivity and competitiveness by investing in growing overseas markets. He wants to renegotiate trade agreements that have made companies more productive by opening up new markets for American exports and reducing costs through inexpensive high-quality imports.

But we know that the key to strengths being our economy and improving the standard of living for Americans is through productivity growth. We also know that tearing down barriers to innovation, not erecting new ones, is the key to increasing our Nation's productivity.

Today we are at an economic crossroads, Mr. Speaker. Our decisions will have far-reaching effects that could impact our ability to grow and create new opportunities for many years to come. The choice is quite simple: Do we allow our productivity revolution to progress and continue to raise the American standard of living more quickly than ever before, or do we change course and adopt policies that slow productivity, stifle innovation, and diminish our ability to improve our quality of life?

Mr. Speaker, I believe the latter choice is really no choice at all, and I have confidence that this Congress will instead choose to continue down the path toward a brighter future for all Americans.

CORRECTION TO THE CONGRESSIONAL RECORD OF THURSDAY, JUNE 17, 2004 AT PAGE H4388

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BEREUTER (at the request of Mr. DELAY) for today after 6:00 p.m. through June 25 on account of personal business.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ISAKSON (at the request of Mr. DELAY) for today on account of addressing the Georgia School Board Association.

Mr. GERLACH (at the request of Mr. DELAY) for today on account of attending his son's high school graduation.

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. MCDERMOTT) to revise and extend their remarks and include extraneous material):

Ms. WOOLSEY, for 5 minutes, today.

Mr. GEORGE MILLER of California, for 5 minutes, today.

Mr. BROWN of Ohio, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. FILNER, for 5 minutes, today.

Mr. MCGOVERN, for 5 minutes, today.

Mr. STRICKLAND, for 5 minutes, today.

Mr. BLUMENAUER, for 5 minutes, today.

Mr. INSLEE, for 5 minutes, today.

Mr. MCDERMOTT, for 5 minutes, today.

(The following Members (at the request of Mr. FOLEY) to revise and extend their remarks and include extraneous material):

Mr. GINGREY, for 5 minutes, today.

Mr. JONES of North Carolina, for 5 minutes, June 21.

Mr. FOLEY, for 5 minutes, today.

ADJOURNMENT

Mr. DREIER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 8 minutes p.m.), under its previous order, the House adjourned until Monday, June 21, 2004, at 12:30 p.m., for morning hour debates.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

8624. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Sulfuryl Fluoride; Pesticide Tolerance; Technical Correction [OPP–2003–0373; FRL–7346–1] received June 16, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8625. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Air Quality Designations and Classifications for the 8-Hour National Ambient Air Quality Standards; Deferral of Effective Date [OAR–2003–0083; FRL–7775–5] received June 16, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8626. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final

rule—Air Quality Designations and Classifications for the 8-Hour Ozone National Ambient Air Quality Standards; Early Action Compact Areas With Deferred Effective Dates [OAR–2003–0083–1; FRL–7774–8] received June 16, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8627. A letter from the Deputy Associate Adminiatrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Delaware; Update to Materials Incorporated by Reference [DE101–1037; FRL–7668–1] received June 16, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8628. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans Georgia: Approval of Revisions to the State Implementation Plan [GA–62, GA–64–200418; FRL–7672–4] received June 16, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8629. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; Florida Broward County Aviation Department Variance [R04–OAR–2003–FL–0001–200414(f); FRL–7773–8] received June 16, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8630. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; Ohio [OH–159–1a; FRL–7774–7] received June 16, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8631. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—National Emission Standards for Hazardous Air Pollutants; National Emission Standards for Emission of Radionuclides Other Than Radon From Department of Energy Facilities; National Emission Standards for Radionuclide Emissions from Federal Facilites Other Than Nuclear Regulatory Commission Licenses and Not Covered by Subpart H; Final Amendment—Correction [FRL–7773–5] (RIN: 2060–AI90) received June 16, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8632. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Protection of Stratospheric Ozone; Allowance System for Controlling HCFC Production, Import and Export [OAR–2003–0130; FRL–7774–1] received June 16, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8633. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Transportation Conformity Rule Amendment for the New 8-hour Ozone and PM2.5 National Ambient Air Quality Standards and Miscellaneous Revisions for Existing Areas; Transportation Conformity Rule Amendment: Response to Court Decision and Additional Rule Changes [FRL–7774–6] (RIN: 2060–AL73) (RIN: 2060–AI56) received June 16, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8634. A letter from the Legal Advisor, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Implementation of Section 25 of the Cable Television Consumer Protection and Competition Act of 1992; Direct Broadcast Satellite Public Interest Obligations; Sua Sponte Reconsideration [MM Docket No. 93–25] received June 16, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8635. A letter from the Legal Advisor to Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Part 76 of the Commission's Rules to Extend Interference Protection in the Marine and Aeronautical Distress and Safety Frequency 406.025 MHz [MB Docket No. 03–50] received June 16, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8636. A letter from the Deputy Chief, WCB/PPD, Federal Communications Commission, transmitting the Commission's final rule—Access Charge Reform [CC Docket No. 96–262]; Reform of Access Charges Imposed by Competitive Local Exchange Carriers; Petition of Z-Tel Communications, Inc. For Temporary Waiver of Commission Rule 61.26(d) to Facilitate Deployment of Competitive Service in Certain Metropolitan Statistical Areas [CCB/CPD File No. 01–19] received June 16, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8637. A letter from the Legal Advisor to the Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations. (Bloomington, Indiana) [MM Docket No. 03–230; RM–10816] received June 16, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8638. A letter from the Legal Advisor to the Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Braodcast Station. (Ocilla and Ambrose, Georgia) [MB Docket No. 03–246; RM–10830] received June 16, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8639. A letter from the Legal Advisor to Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations. (Colby, Kansas) [MB Docket No. 04–11; RM–10841] received June 16, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8640. A letter from the Legal Advisor to Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations. (Jackson, Mississippi) [MM Docket No. 01–43; RM–10041] received June 16, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8641. A letter from the Deputy Chief, WCB/TAPD, Federal Communications Commission, transmitting the Commission's final rule—Lifeline and Link-Up [WC Docket No. 03–109] received June 16, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8642. A letter from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b) FM Table of Allotments, FM Broadcast Stations. (Vinton, Louisiana, Crystal Beach, Lumbarton, and Winnie, Texas) [MB Docket No. 02–212; RM–10516; RM–10618] received June 16, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8643. A letter from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Post, O'Donnell and Roaring Springs, Texas) [MM Docket No. 01–271; RM–10278; RM–10380] received June 16, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8644. A letter from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Cameron, First Mesa, Flagstaff, Dewey-Humboldt, Parker, Bagdad, Globe, Safford, Grand Canyon Village, Gilbert, and Chino Valley, Arizona) [MM Docket No. 02–73; RM–10356; RM–10551; RM–10553; RM–10554] received June 16, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8645. A letter from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Ashland, Coaling, Cordova, Decartur, Dora, Hackleburg, Hobson City, Holly Pond, Killen, Midfield, Scottsboro, Sylaocauga, and Tuscaloosa, Alabama, Atlanta, Georgia, and Pulaski, Tennessee) [MB Docket No. 03–77; RM–10660; RM–10835] received June 16, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8646. A letter from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), FM Table of Allotments, FM Broadcast Stations. (Mt. Vernon and Okawville, Illinois) [MB Docket No. 03–196; RM–10626] Reclassification of License of Station KEZK-FM, St. Louis, Missouri—received June 16, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8647. A letter from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Encinal, Texas) [MB Docket No. 02–349; RM–10600] received June 16, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8648. A letter from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Linden and Marion, Alabama) MB Docket No. 03–162; RM–10723] received June 16, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8649. A letter from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b) FM Table of Allotments, FM Broadcast Stations. (Russellville and Littleville, Alabama) [MB Docket No. 04–12; RM–10834] received June 16, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8650. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a

contract to Pakistan (Transmittal No. DDTC 014–04), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

8651. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Japan (Transmittal No. DDTC 034–04), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

8652. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed manufacturing license agreement for the manufacture of significant military equipment abroad and the export of defense articles or defense services sold commercially under a contract with Japan (Transmittal No. DDTC 036–04), pursuant to 22 U.S.C. 2776(c) 22 U.S.C. 2776(d); to the Committee on International Relations.

8653. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed manufacturing license agreement for the manufacture of significant military equipment abroad and the export of defense articles or defense services under contract with Japan (Transmittal No. DDTC 033–04), pursuant to 22 U.S.C. 2776(c) 22 U.S.C. 2776(d); to the Committee on International Relations.

8654. A letter from the Administrator, National Nuclear Security Administration, Department of Energy, transmitting an amendment to the Agreement Between the Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland for Cooperation on the Uses of Atomic Energy for Mutual Defense Purposes, having been negotiated and approved by the President pursuant to the Atomic Energy Act of 1954, as amended; to the Committee on International Relations.

8655. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting as required by Section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1641(c) and section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), the six-month periodic report on the national emergency with respect to the proliferation of weapons of mass destruction that was declared in Executive Order 12938 of November 14, 1994; to the Committee on International Relations.

8656. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to Section 620C(c) of the Foreign Assistance Act of 1961, as amended, and in accordance with section 1(a)(6) of Executive Order 13313, a report prepared by the Department of State and the National Security Council on the progress toward a negotiated solution of the Cyprus question covering the period February 1, 2004 through March 31, 2004; to the Committee on International Relations.

8657. A letter from the Secretary, Department of Education, transmitting the semiannual report of the activities of the Office of Inspector General during the six month period ending March 31, 2004, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

8658. A letter from the Director, Office of Personnel Policy, Department of the Interior, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

8659. A letter from the Director, Office of Personnel Policy, Department of the Interior, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

8660. A letter from the White House Liaison, Department of Education, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

8661. A letter from the Chairman, Nuclear Regulatory Commission, transmitting in accordance with Section 647(b) of Division F of the Consolidated Appropriations Act, FY 2004, Pub. L. 108–199, the Commission's report on FY 2003 Competitive Sourcing Efforts; to the Committee on Government Reform.

8662. A letter from the Director, Office of National Drug Control Policy, transmitting a report on the ''Fiscal Year 2003 Accounting of Drug Control Funds,'' pursuant to 21 U.S.C. 1704(d); to the Committee on Government Reform.

8663. A letter from the Secretary to the Board, Railroad Retirement Board, transmitting in accordance with Division F, Section 647(b) of Pub. L. 108–199, the Board's FY 2003 report on competitive sourcing efforts; to the Committee on Government Reform.

8664. A letter from the Chairman, Tennessee Valley Authority, transmitting the report in compliance with the Government in the Sunshine Act for Calendar Year 2003, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Reform.

8665. A letter from the Director, U.S. Trade and Development Agency, transmitting the Agency's report on FY 2003 competitive sourcing efforts as required by Section 647(b) of Division F of the Consolidated Appropriations Act, 2004, Pub. L. 108–199; to the Committee on Government Reform.

8666. A letter from the Staff Director, United States Commission on Civil Rights, transmitting the FY 2003 annual report under the Federal Managers' Financial Integrity Act (FMFIA), pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform.

8667. A letter from the Commissioner, Social Security Administration, transmitting the 2004 Annual Report of the Supplemental Security Income Program, pursuant to Public Law 104—193, section 231 (110 Stat. 2197); to the Committee on Ways and Means.

8668. A letter from the Chairman, U.S. International Trade Commission, transmitting pursuant to Section 2104(f) of the Trade Act of 2002, a report on the Commission's investigation entitled ''U.S.-Australia Free Trade Agreement: Potential Economywide and Selected Sectoral Effects, Inv. No. TA 2104–11''; to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. LEWIS of California: Committee on Appropriations. H.R. 4613. A bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2005, and for other purposes. (Rept. 108–553). Referred to the Committee of the Whole House on the State of the Union.

Mr. HOBSON: Committee on Appropriations. H.R. 4614. A bill making appropriations for energy and water development for the fiscal year ending September 30, 2005, and for other purposes (Rept. 108–554). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. H.R. 3706. A bill to adjust the boundary of the John Muir National Historic Site, and for other purposes (Rept. 108–555). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. WALDEN of Oregon (for himself and Mr. DAVIS of Florida):

H.R. 4612. A bill to amend the Federal Food, Drug, and Cosmetic Act to create a uniform certification standard for Internet pharmacies and to prohibit Internet pharmacies from engaging in certain advertising activities, to prohibit the use of certain bank instruments for purchases associated with illegal Internet pharmacies, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Financial 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. COBLE (for himself, Mr. CONYERS, Mr. HYDE, and Mr. FRANK of Massachusetts):

H.R. 4615. A bill to modify the application of the antitrust laws to permit collective development and implementation of a standard contract form for playwrights for the licensing of their plays; to the Committee on the Judiciary.

By Mrs. DAVIS of California (for herself, Mr. EVANS, and Mr. MICHAUD):

H.R. 4616. A bill to amend title 38, United States Code, to extend for four years the operation of the demonstration project of the Secretary of Veterans Affairs to guarantee hybrid adjustable rate mortgages for the construction or purchase of homes by veterans; to the Committee on Veterans' Affairs.

By Mr. DOOLITTLE:

H.R. 4617. A bill to amend the Small Tracts Act to facilitate the exchange of small tracts of land, and for other purposes; to the Committee on Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ENGEL (for himself, Mr. ISRAEL, Mr. NADLER, Mr. MCNULTY, Mr. ACKERMAN, Ms. SLAUGHTER, Mrs. MCCARTHY of New York, Mr. TOWNS, Mr. MEEKS of New York, Mr. SWEENEY, Mr. SERRANO, Mr. BISHOP of New York, Mr. FOSSELLA, Mr. CROWLEY, Mr. KING of New York, Mr. OWENS, Mr. WALSH, Mr. RANGEL, Mr. REYNOLDS, Ms. VELAZQUEZ, Mrs. LOWEY, Mr. HINCHEY, Mr. WEINER, Mrs. MALONEY, Mr. HOUGHTON, Mrs. KELLY, Mr. BOEHLERT, Mr. MCHUGH, and Mr. QUINN):

H.R. 4618. A bill to designate the facility of the United States Postal Service located at 10 West Prospect Street in Nanuet, New York, as the ''Anthony I. Lombardi Memorial Post Office Building''; to the Committee on Government Reform.

By Mr. GERLACH:

H.R. 4619. A bill to authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of Ukraine; to the Committee on Ways and Means.

By Mr. NETHERCUTT (for himself and Mr. HASTINGS of Washington):

H.R. 4620. A bill to confirm the authority of the Secretary of Agriculture and the Commodity Credit Corporation to enter into memorandums of understanding with a State

regarding the collection of approved State commodity assessments on behalf of the State from the proceeds of marketing assistance loans; to the Committee on Agriculture.

By Mr. RENZI (for himself, Mr. BROWN of Ohio, Mr. STRICKLAND, Mr. FLAKE, Ms. KAPTUR, Mr. KUCINICH, and Mr. SMITH of New Jersey):

H.R. 4621. A bill to amend title 38, United States Code, to provide that an injury or death sustained as a result of participation in a medical research program of the Department of Veterans Affairs shall be treated for purpose of benefits under laws administered by the Secretary of Veterans Affairs in the same manner as if the injury were incurred as a result of military service, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. SIMPSON (for himself, Mr. DINGELL, Mr. PALLONE, Mr. WAXMAN, Mr. NORWOOD, Ms. ROYBAL-ALLARD, Mr. CRAMER, Mr. MCNULTY, Mr. BLUNT, Mr. LINDER, Mr. BOUCHER, Mr. PASTOR, Mrs. CHRISTENSEN, Mr. TOWNS, Mr. DICKS, Mr. ANDREWS, Mr. MEEHAN, Mr. KENNEDY of Rhode Island, Mr. SERRANO, Mr. MCINTYRE, Mr. MATSUI, Mr. LARSEN of Washington, Mr. ENGEL, Mr. CONYERS, Mr. CUNNINGHAM, Mrs. MCCARTHY of New York, Mr. KILDEE, Mr. PASCRELL, Ms. BORDALLO, Mr. SHUSTER, Mr. FERGUSON, Mr. LOBIONDO, Mr. TURNER of Texas, Mr. BROWN of Ohio, Mr. STUPAK, Mr. STRICKLAND, Mr. SIMMONS, and Mr. ALLEN):

H.R. 4622. A bill to provide disadvantaged children with access to dental services; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. UDALL of New Mexico:

H.R. 4623. A bill to authorize the Secretary of the Interior to provide financial assistance to the Eastern New Mexico Rural Water Authority for the planning, design, and construction of the Eastern New Mexico Rural Water System, and for other purposes; to the Committee on Resources.

By Ms. WATSON:

H.R. 4624. A bill to designate the facility of the United States Postal Service located at 4960 West Washington Boulevard in Los Angeles, California, as the ''Ray Charles Post Office Building''; to the Committee on Government Reform.

By Mrs. JO ANN DAVIS of Virginia:

H.J. Res. 98. A joint resolution to acknowledge a long history of official depredations and ill-conceived policies by the United States Government regarding Indian tribes and offer an apology to all Native Peoples on behalf of the United States; to the Committee on Resources.

By Mr. THOMPSON of Mississippi (for himself, Mr. LEWIS of Georgia, Mr. BISHOP of Georgia, Mr. CLAY, Mr. CLYBURN, Mr. CUMMINGS, Mr. DAVIS of Alabama, Mr. DAVIS of Illinois, Mr. FATTAH, Mr. FORD, Mr. JACKSON of Illinois, Mr. JEFFERSON, Mr. MEEKS of New York, Ms. NORTON, Mr. OWENS, Mr. RANGEL, Mr. RUSH, Mr. TOWNS, Ms. WATERS, Ms. WATSON, and Mr. WYNN):

H. Con. Res. 457. Concurrent resolution expressing the sense of Congress with respect to the murders of James E. Chaney, Michael Schwerner, and Andrew Goodman; to the Committee on the Judiciary.

By Mr. UDALL of Colorado:

H. Res. 682. A resolution supporting the goals and ideas of National Time Out Day to promote the adoption of the Joint Commission on Accreditation of Healthcare Organization's universal protocol for preventing errors in the operating room; to the Committee on Energy and Commerce.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

356. The SPEAKER presented a memorial of the Legislature of the State of New Hampshire, relative to House Concurrent Resolution No. 17 memorializing the United States Congress to posthumously promote Colonel Edward Ephraim Cross to brigadier general; to the Committee on Armed Services.

357. Also, a memorial of the Legislature of the State of Louisiana, relative to Senate Concurrent Resolution No. 40 memorializing the United States Congress to provide funding for the Louisiana University of Medical Sciences, Inc., College of Primary Care Medicine; to the Committee on Energy and Commerce.

358. Also, a memorial of the House of Delegates of the Commonwealth of Virginia, relative to House Joint Resolution No. 247 memorializing the United States Congress to enact the State Waste Empowerment and Enforcement Provision Act of 2003 (H.R. 1123); to the Committee on Energy and Commerce.

359. Also, a memorial of the House of Delegates of the Commonwealth of Virginia, relative to House Joint Resolution No. 187 memorializing the United States Congress to propose a constitutional amendment to protect the fundamental institution of marriage as a union between a man and a woman; to the Committee on the Judiciary.

360. Also, a memorial of the House of Delegates of the Commonwealth of Virginia, relative to House Joint Resolution No. 194 rescinding and withdrawing all past resolutions of the General Assembly applying to the Congress of the United States to call a constitutional convention to amend the Constitution of the United States; to the Committee on the Judiciary.

361. Also, a memorial of the Senate of the State of Louisiana, relative to Senate Resolution No. 65 memorializing the United States Congress to oppose the proposed federal funding cuts to maintenance and operation of locks and dams along the Ouachita and Black River navigational system; to the Committee on Transportation and Infrastructure.

362. Also, a memorial of the Senate of the State of Michigan, relative to Senate Resolution No. 234 memorializing the United States Congress to provide funding for the dredging of canals around the city of Gibraltar; to the Committee on Transportation and Infrastructure.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 58: Mr. ISTOOK.
H.R. 97: Ms. MILLENDER-MCDONALD.
H.R. 107: Mr. COX.
H.R. 548: Ms. HERSETH.
H.R. 577: Mr. RODRIGUEZ and Mr. NADLER.
H.R. 792: Mr. GREEN of Texas and Mr. LAMPSON.
H.R. 1105: Mr. WU.
H.R. 1359: Mrs. JONES of Ohio.
H.R. 1555: Mr. BERMAN, Ms. DEGETTE, and Ms. MAJETTE.
H.R. 1736: Mr. EMANUEL and Mr. ETHERIDGE.
H.R. 1811: Mr. MICHAUD, Mr. GRIJALVA, and Mr. RAMSTAD.
H.R. 1823: Mr. MCNULTY
H.R. 1914: Mr. CALVERT.
H.R. 1919: Mr. SERRANO.
H.R. 2011: Mr. MARKEY.
H.R. 2023: Ms. BORDALLO.
H.R. 2247: Mr. EMANUEL.
H.R. 2442: Ms. VELAZQUEZ and Mrs. KELLY.
H.R. 2674: Ms. WATSON, Mr. CUMMINGS, and Mr. RANGEL.
H.R. 2814: Mr. BEREUTER.
H.R. 2929: Mr. DOOLITTLE and Mr. UPTON.
H.R. 2959: Mr. SANDLIN.
H.R. 2966: Mr. FILNER.
H.R. 3148: Ms. WATSON, Mr. GREEN of Texas, Mr. HASTINGS of Florida, Mr. GREENWOOD, Mr. KILDEE, Mr. MCDERMOTT, Mr. COSTELLO, Mr. SULLIVAN, Mr. FARR, Mr. GREEN of Wisconsin, Mr. PETRI, and Mr. CRANE.
H.R. 3193: Mr. GILLMOR.
H.R. 3266: Mr. LANGEVIN, Mr. WEINER, Mr. SMITH of Texas, Mr. HUNTER, Mr. BOEHLERT, Mr. HOLDEN, Mr. GALLEGLY, Mr. NADLER, Mrs. CHRISTENSEN, Mr. CARDIN, Mr. DICKS, Mr. FEENEY, Ms. HARMAN, Mr. KELLER, Mr. ANDREWS, Mr. MEEK of Florida, Mr. WELDON of Florida, Mr. MARIO DIAZ-BALART of Florida, Mr. ROGERS of Michigan, Mr. GOSS, Mr. GOODLATTE, Mr. HOLT, Mr. LEWIS of California, and Mr. BECERRA.
H.R. 3361: Ms. NORTON.
H.R. 3523: Mr. GONZALEZ.
H.R. 3634: Mr. PAYNE.
H.R. 3729: Mr. LOBIONDO, Mrs. LOWEY, Mr. BROWN of South Carolina, Mrs. BLACKBURN, Mr. KIND, and Mr. GARRETT of New Jersey.
H.R. 3764: Mr. FILNER.
H.R. 3799: Mr. HERGER.
H.R. 3858: Mr. AKIN.
H.R. 3886: Mr. MORAN of Kansas and Mr. MOORE.
H.R. 3921: Mr. ALLEN.
H.R. 3947: Mr. BISHOP of Georgia and Mrs. LOWEY.
H.R. 3965: Mr. TIERNEY.
H.R. 3988: Mr. BISHOP of Georgia, Ms. CORRINE BROWN of Florida, Mr. CONYERS, Mr. LEWIS of Georgia, Mr. ALLEN, and Ms. WATSON.
H.R. 4046: Mr. WELLER, Mr. MCDERMOTT, Mr. BISHOP of Georgia, Mr. BACA, Mr. ACKERMAN, Mr. GONZALEZ, and Mr. MCNULTY.
H.R. 4101: Mr. EHLERS and Mr. SAXTON.
H.R. 4110: Mr. MCKEON, Ms. SCHAKOWSKY, Ms. WOOLSEY, and Mr. GALLEGLY.
H.R. 4234: Mr. WAXMAN and Mr. COSTELLO.
H.R. 4258: Mr. SANDLIN, Mr. LEWIS of Georgia, Mr. HILL, Ms. HOOLEY of Oregon, Mrs. JONES of Ohio, Mr. GREEN of Texas, Mr. SKELTON, Mr. HASTINGS of Florida, Mr. MOORE, Mrs. CAPPS, Mr. NADLER, Ms. ROYBAL-ALLARD, Mrs. MALONEY, and Ms. KILPATRICK.
H.R. 4276: Mr. LARSEN of Washington.
H.R. 4306: Mr. FORD.
H.R. 4341: Ms. BERKLEY.
H.R. 4365: Mr. BERMAN.
H.R. 4367: Mr. TURNER of Texas, Mr. SCHIFF, and Mr. ORTIZ.
H.R. 4395: Mr. LARSEN of Washington.
H.R. 4420: Mr. FORBES and Mr. BOOZMAN.
H.R. 4423: Mr. PASTOR and Mr. FRANK of Massachusetts.
H.R. 4425: Ms. NORTON, Mr. DOYLE, and Mr. WEXLER.
H.R. 4431: Mr. OWENS, Mr. GREEN of Texas, and Mr. FORD.
H.R. 4472: Mr. PLATTS.
H.R. 4530: Mr. GALLEGLY.
H.R. 4550: Mr. DICKS, Mr. CARDOZA, and Mr. SANDLIN.
H.R. 4561: Mr. OWENS, Mr. MCDERMOTT, Mr. KENNEDY of Rhode Island, Ms. MCCARTHY of Missouri, Mr. MCNULTY, Mr. WAXMAN, Mr. GRIJALVA, Mr. FARR, Mr. PAUL, and Mr. PAYNE.
H.R. 4597: Mr. KING of New York.
H. Con. Res. 332: Mr. CRENSHAW.
H. Con. Res. 344: Mr. CROWLEY.

H. Con. Res. 375: Ms. WATSON, Ms. BERKLEY, and Mr. CALVERT.

H. Con. Res. 377: Mr. SESSIONS.

H. Con. Res. 434: Mr. RANGEL.

H. Con. Res. 436: Mr. EDDIE BERNICE JOHNSON of Texas, Mr. BISHOP of Georgia, Ms. WATSON, Mr. CLAY, and Mr. SCOTT of Virginia.

H. Con. Res. 440: Mr. SOUDER and Mr. FRANKS of Arizona.

H. Con. Res. 442: Mr. KLINE.

H. Con. Res. 449: Mr. NORWOOD, Mr. ISAKSON, Mr. LEWIS of Georgia, Mr. KINGSTON, Mr. MARSHALL, Ms. MAJETTE, Mr. LINDER, Mr. ROSS, Mrs. MCCARTHY of New York, Mr. GRIJALVA, Mr. OTTER, Mr. GONZALEZ, Mr. MCGOVERN, Mr. SHIMKUS, Mr. FORD, Mr. SERRANO, Mr. HAYWORTH, and Mr. RUSH.

H. Res. 629: Mr. STARK

H. Res. 632: Mr. WEXLER.

H. Res. 667: Mr. ROHRABACHER, Mr. KING of Iowa, Mr. ROYCE, Mr. VITTER, Mr. WILSON of South Carolina, Mr. SOUDER, Mr. MCGOVERN, Mr. FRANK of Massachusetts, Mr. SMITH of New Jersey, Mr. HAYWORTH, and Mr. SMITH of Michigan.

United States of America

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Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. STEVENS).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Lord, God, we lift our hearts to You. You are the one who is, and was, and always will be. You have taken Your great power and have begun to reign. Teach us to trust in Your love and in Your promises. Make Your grace abound toward us so that we will have sufficiency in all things.

Give knowledge and understanding to our Senators as they work for Your glory. Free them from entanglements that dishonor You. Fill them with gratitude for this opportunity to invest their lives in something that will outlive them. Give them each day an awareness of Your presence, and may they work for Your honor.

Teach us all to trust You, even when the road is difficult to find in life's darkness.

We pray this in Your living name. Amen.

PLEDGE OF ALLEGIANCE

The PRESIDENT pro tempore led the Pledge of Allegiance, as follows:

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

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. FRIST. Mr. President, this morning we will immediately resume consideration of the Defense authorization bill. Although I announced no rollcall votes will occur today, we expect a number of Senators to come to the floor of the Senate to offer their amendments throughout the day. It is our expectation that some of those amendments can be fully debated today and Monday, and then we will schedule votes for Monday night.

Last night I stated that we will have our next series of rollcall votes on Monday and those votes to start around 5:30 p.m. We will have a busy day and evening on Monday and throughout Tuesday as we complete the Defense authorization bill. I continue to remind my colleagues we will be scheduling votes on the available judicial nominations each day next week.

Next week is the final week prior to the scheduled Fourth of July recess. It is expected it will be a very busy week. I advise my colleagues in advance to keep their schedules flexible in anticipation of busy floor sessions with votes each day throughout the week.

Also, as a reminder, we will be taking the official photograph of the Senate this Tuesday at 2:15. Members should be seated at their desks promptly at 2:15 to avoid missing this photograph.

I do want to thank all for their attention, and I particularly thank Senators WARNER and LEVIN for being here today managing the bill and for their continuing efforts at finishing this bill. They have been here each evening and early each morning. I appreciate their continued hard work on the bill.

MEETING IRAQI PRESIDENT SHEIK GHAZI AL-YAWR

Mr. FRIST. Mr. President, I want to make a brief statement in leader time on a visit I had last week with the new President of the Iraqi interim government, Sheik Ghazi al-Yawr. The distinguished minority leader, the distinguished President pro tempore, and Senators LEAHY, WARNER, LUGAR, REID, and LEVIN all participated in what was a fascinating luncheon discussion.

Our meeting was a timely one. I traveled about 12 days ago to Baghdad and had the opportunity to spend time with other leaders in Baghdad. To be able to host the President here and have a discussion about his perspective was very useful, very productive.

Two weeks ago, I was in Baghdad with Senators ENSIGN and BENNETT, and while we were there we had the opportunity to meet with the new Iraqi Prime Minister, Dr. Ayad al-Alawi. I mentioned our discussions with him on the Senate floor yesterday morning.

Our meeting this week also came on the heels of the unanimous passage on Tuesday a week ago of the U.N. Security Council resolution that governs the transfer of sovereignty to the Iraqi people as we move from occupiers to a mission presence in Iraq.

President al-Yawr at our meeting last week laid out his vision of a free Iraq. He reminded us that the Iraqi people want a free society that is governed by a rule of law. A rule of law has become a real goal of his as he looks over the next 6 months in terms of the operation of this interim government. The Iraqi people want to do what you would expect, and that is to be able to raise their children in peace and to be able to live their lives in peace. That element of security coupled with preparing for these elections 6 months from now are his dual objectives.

The President did point out and underscored the importance of the date that will occur now in 2 weeks, and that is June 30, which is the formal transfer of sovereignty. He stressed the importance of maintaining a coalition presence posthandover in order to preserve security while the new Iraqi police forces are being built and rebuilt, and the Iraqi Armed Forces are being equipped, appropriately armed, and trained. He rejected those who commit acts of terror against the Iraqi people. No Iraqi wants to return to the days when a single individual ruled that country with fear.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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He pledged that Iraq would serve as an example of peace and of freedom—for Iraq, yes, but even more, or equally important, I should say, as an example for the entire region.

The Iraqi people look forward to holding democratic elections and to governing themselves, he told us. But he was quick to say the Iraqi people must have that security in order to rebuild their lives.

It was interesting. When we asked him about the coalition and how broad a coalition, what he said is what the Iraqi people need is not just a broad coalition, but he needs—the Iraqi people need—an effective coalition. It is that effectiveness that ultimately is most important to him as the new President of that country. He needs people who can get the job done for him.

The President was quick to express his thanks on behalf of the Iraqi people and asked us to extend that thanks, that appreciation of the sacrifices Americans have made so the Iraqi people could live in a free country, that they would have that opportunity to live freely and to pursue democracy. He made it clear the full pursuit of democracy will take time. The first step is the election 6 months from now. It may be a series of elections before full-blown democracy, as we generally conceive of democracy, will take hold.

In these difficult times, the President of Iraq stated Iraq would need the full support of the United States of America, both politically, financially, and militarily, as they go through this transition and over the coming months.

He recognized that without a secure and stable environment the U.S. coalition provided, a democratic Iraq simply would not succeed.

President al-Yawr recognized the huge task confronting the new Iraqi government, but he was determined. He expressed that determination in every sentence, in every thought he shared with us. He stated he was encouraged by the widespread support of the Iraqi people for the new interim government.

He clearly draws his strength from the aspirations to transform Iraq into a thriving democracy. President al-Yawr made clear that what is called TAL, transitional administrative law, the law of the land during this interim period, would govern their actions in the coming months, and the rights of all would be protected under this transitional administrative law. His immediate focus is to build those professional security forces to establish an independent judiciary that can uphold that rule of law.

As Iraqis rebuild their capacity to maintain security and govern themselves, the President said the world would see an Iraqi face on the war against terrorism in Iraq. Having met the Prime Minister in Baghdad a week and a half ago, and now the President of Iraq here in the Nation's Capital, the impact of having that Iraqi face, telling the Iraqi story, having it not told just by Americans or by an occupying force, will make a huge difference on the world stage. It is for the Iraqi people, it is by the Iraqi people, and it is up to the Iraqi people at this point.

No nation wants to rely on another for its security. The President of Iraq expressed that. The Iraqi people want to stand on their own strength. But they need help through this transition period. He also made it clear that to rely upon a coalition while they are rebuilding their police and their army is not a surrender of their sovereignty in any way. Indeed, it is in Iraq's vital national security interests to accept the coalition's help, he stated.

Having now met with Iraq's two most senior leaders over the last 12 days, I am confident these two leaders and this new government is a strong one. They have the vision, they have the fortitude, they clearly have the courage, but they also have the resolve to lead the Iraqi people on this path toward freedom and democracy.

Indeed, Iraq's new leaders have the confidence of our friends in the region. Senator DASCHLE, Senator MCCONNELL, Senator BIDEN, and I all met with King Abdullah of Jordan this week in the Capitol. His Majesty expressed his confidence in and support of the new Iraqi government, as well. That is, again, a perspective from a very important, very significant leader in that part of the world.

It is important to praise President Bush and his team for their vision, for their resolve, and their efforts to get the United Nations and the international community behind this government. That has been a successful endeavor.

We are all concerned about the recent terrorist activity in Iraq. As I have mentioned in the Senate in the last couple of days, an increase in terrorist activity is anticipated. It is expected by the Iraqi leaders and by our civilian and military leaders because the terrorist groups—whether it is the Zarqawi network, whether it is the former regime loyalists, or whether it is the insurgents—will increase activity to derail this transition of sovereignty to the new government. They are not going to be successful. Yet we will see that increased terrorist activity. Indeed, we see the increased activity when we open the news each morning.

The terrorists want to disrupt this handoff. They are simply not going to be successful. They do not want to see the Iraqi people breathe that fresh air of freedom. They will not be successful. Indeed, we will win.

I yield the floor.

RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order the remainder of the leadership time is reserved.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2005

The PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 2400, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 2400) to authorize appropriations for fiscal year 2005 for military activities for the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, so forth and for other purposes.

Pending:

Bond modified amendment No. 3384, to include certain former nuclear weapons program workers in the Special Exposure Cohort under the Energy Employees Occupational Illness compensation Program and to provide for the disposal of certain excess Department of Defense stocks for funds for that purpose.

Brownback amendment No. 3235, to increase the penalties for violations by television and radio broadcasters of the prohibitions against transmission of obscene, indecent, and profane language.

Burns amendment No. 3457 (to amendment No. 3235), to provide for additional factors in indecency penalties issued by the Federal Communications Commission.

Mr. REID. Mr. President, on behalf of the two managers, I am reporting today that we will have two amendments by the Senator from Illinois that will be offered, two amendments by the Senator from New Jersey will be offered, an amendment by the Senator from Rhode Island will be offered, and I will offer an amendment. That is the schedule for today's session.

Of course, as the majority indicated, there will not be any votes. If the managers require votes, and these are not accepted, these votes will be stacked for Monday night in addition to amendments offered Monday that were announced at an earlier time.

The PRESIDENT pro tempore. The Senator from Illinois.

AMENDMENT NO. 3196

Mr. DURBIN. I call up amendment No. 3196.

The PRESIDENT pro tempore. The pending amendment will be set aside.

The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Illinois [Mr. DURBIN], for himself, Ms. MIKULSKI, Ms. LANDRIEU, Mrs. MURRAY, Mr. DAYTON, Mr. CORZINE, and Mr. BIDEN, proposes an amendment numbered 3196.

Mr. DURBIN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To ensure that a Federal employee who takes leave without pay in order to perform service as a member of the uniformed services or member of the National Guard shall continue to receive pay in an amount which, when taken together with the pay and allowances such individual is receiving for such service, will be no less than the basic pay such individual would then be receiving if no interruption in employment had occurred)

At the appropriate place, insert the following:

SEC. ___. NONREDUCTION IN PAY WHILE FEDERAL EMPLOYEE IS PERFORMING ACTIVE SERVICE IN THE UNIFORMED SERVICES OR NATIONAL GUARD.

(a) SHORT TITLE.—This section may be cited as the ''Reservists Pay Security Act of 2004''.

(b) IN GENERAL.—Subchapter IV of chapter 55 of title 5, United States Code, is amended by adding at the end the following:

''§ 5538. Nonreduction in pay while serving in the uniformed services or National Guard

''(a) An employee who is absent from a position of employment with the Federal Government in order to perform active duty in the uniformed services pursuant to a call or order to active duty under a provision of law referred to in section 101(a)(13)(B) of title 10 shall be entitled, while serving on active duty, to receive, for each pay period described in subsection (b), an amount equal to the amount by which—

''(1) the amount of basic pay which would otherwise have been payable to such employee for such pay period if such employee's civilian employment with the Government had not been interrupted by that service, exceeds (if at all)

''(2) the amount of pay and allowances which (as determined under subsection (d))—

''(A) is payable to such employee for that service; and

''(B) is allocable to such pay period.

''(b)(1) Amounts under this section shall be payable with respect to each pay period (which would otherwise apply if the employee's civilian employment had not been interrupted)—

''(A) during which such employee is entitled to reemployment rights under chapter 43 of title 38 with respect to the position from which such employee is absent (as referred to in subsection (a)); and

''(B) for which such employee does not otherwise receive basic pay (including by taking any annual, military, or other paid leave) to which such employee is entitled by virtue of such employee's civilian employment with the Government.

''(2) For purposes of this section, the period during which an employee is entitled to reemployment rights under chapter 43 of title 38—

''(A) shall be determined disregarding the provisions of section 4312(d) of title 38; and

''(B) shall include any period of time specified in section 4312(e) of title 38 within which an employee may report or apply for employment or reemployment following completion of service on active duty to which called or ordered as described in subsection (a).

''(c) Any amount payable under this section to an employee shall be paid—

''(1) by such employee's employing agency;

''(2) from the appropriation or fund which would be used to pay the employee if such employee were in a pay status; and

''(3) to the extent practicable, at the same time and in the same manner as would basic pay if such employee's civilian employment had not been interrupted.

''(d) The Office of Personnel Management shall, in consultation with Secretary of Defense, prescribe any regulations necessary to carry out the preceding provisions of this section.

''(e)(1) The head of each agency referred to in section 2302(a)(2)(C)(ii) shall, in consultation with the Office, prescribe procedures to ensure that the rights under this section apply to the employees of such agency.

''(2) The Administrator of the Federal Aviation Administration shall, in consultation with the Office, prescribe procedures to ensure that the rights under this section apply to the employees of that agency.

''(f) For purposes of this section—

''(1) the terms 'employee', 'Federal Government', and 'uniformed services' have the same respective meanings as given them in section 4303 of title 38;

''(2) the term 'employing agency', as used with respect to an employee entitled to any payments under this section, means the agency or other entity of the Government (including an agency referred to in section 2302(a)(2)(C)(ii)) with respect to which such employee has reemployment rights under chapter 43 of title 38; and

''(3) the term 'basic pay' includes any amount payable under section 5304.''.

(c) CLERICAL AMENDMENT.—The table of sections for chapter 55 of title 5, United States Code, is amended by inserting after the item relating to section 5537 the following:

''5538. Nonreduction in pay while serving in the uniformed services or National Guard.''.

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall apply with respect to pay periods (as described in section 5538(b) of title 5, United States Code, as amended by this section) beginning on or after the date of enactment of this Act.

(2) CONDITIONAL RETROACTIVE APPLICATION.—

(A) IN GENERAL.—The amendments made by this section shall apply with respect to pay periods (as described in section 5538(b) of title 5, United States Code, as amended by this section) beginning on or after October 11, 2002 through the date of enactment of this Act, subject to the availability of appropriations.

(B) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $100,000,000 for purposes of subparagraph (A).

Mr. DURBIN. This amendment is being offered by myself, Senators MIKULSKI, LANDRIEU, SARBANES, CORZINE, MURRAY, DAYTON, and BIDEN. This is an amendment that will be a familiar amendment to many Members of the Senate. It is an amendment I offered before on an appropriations bill and was adopted with an overwhelming vote in the Senate. Unfortunately, it was stripped out of the bill in conference.

This amendment to the Defense authorization bill addresses the financial burden facing many of the men and women who serve in the military Reserve and National Guard and are forced to take unpaid leave from their Federal jobs when called to active duty. I offered this amendment to the fiscal year 2004 supplemental. It passed by a margin of 96 to 3 before it was removed in conference. The vote recognized the reality that since the end of the cold war, employment of our Reserve forces has shifted profoundly, from being primarily an expansion force to augment active forces during a major war to the situation today, where the Department of Defense admits that no significant operation can be undertaken by the United States of America without Guard and Reserve components.

Think of how often we, as individuals, both elected and unelected, have come forward to congratulate employers who stand behind their employees when activated. We salute them. We say it is a great show of citizenship that when an employee of a company is activated in a Guard or Reserve capacity that the company makes up the difference in their paycheck; continues their health insurance; of course, promises them a job when they return. We salute all these great employers.

This amendment addresses an employer that has turned out to be a deadbeat when it comes to Guard and Reserve. That employer happens to be the Federal Government. Yes, that is right, the United States Federal Government is an employer which does not offer Guard and Reserve activated employees the same benefits being offered by State governments, local governments, and private companies.

One might ask, How many Federal employees are in the Guard and Reserve? Today, there are about 1.2 million members in the National Guard and Reserve. Of that number, 10 percent, 120,000, are Federal employees. More than 43,000 Federal employees have been activated since 9/11. That is more than one-third of those Federal employees who are members of the Guard and Reserve have actually been activated.

Currently, more than 15,000 Federal employees remain activated with Guard and Reserve. They are dedicated. They are loyal. They are serving their country. They have chosen not only to work for our Federal Government but also to volunteer for the Guard and Reserve. But they do it at a price.

While these individuals receive pay for the time they are on active duty, the salary gap many times between military pay and their Government pay and allowances can be considerable.

A Department of Defense survey of 35,000 reservists, including Federal employees, found that 41 percent of all reservists suffer lost income during mobilization and deployment. Of the 41 percent reporting a loss, approximately 70 percent said their annual income was reduced by almost $4,000. Approximately 7 percent, however, reported an annual loss ranging from $37,000 to $50,000.

So imagine this scenario: Someone works for the Department of Transportation of the United States of America. They have signed up for the Army Reserves. They have a job that pays $60,000 a year, being a Federal employee. Now they have been activated and they are being paid $30,000 a year. What about that salary gap?

A lot of State governments and local governments and private companies say: We will make up the difference. We will stand with you. You are serving your country. You are risking your life. We will stand by you—but not the Federal Government. Many companies, State and local governments—companies such as Ford, IBM, Verizon, Safeway; and the State of California, Los Angeles County, Austin, TX—recognize the burden and voluntarily pay the difference between Active-Duty military salary and civilian salary for reservists. Typically, these employers

cover their reservists anywhere from 90 days on, with possible extensions of up to 18 months.

In my State of Illinois, Boeing Aerospace, State Farm Insurance, Sears, Roebuck & Company, the State of Illinois, the city of Chicago, and many other Illinois companies and local governments and institutions, cover the pay differential for Reserve and Guard members. The State of Alaska has passed legislation, which Governor Murkowski signed into law, that allows the government to make up the difference in pay and continue some or all health benefits for State employees called to active duty in the Reserves and National Guard. The authority would be discretionary, triggered by an order of the Governor. The bill's effective date is retroactive to September 11, 2001.

In addition to Illinois and Alaska, similar legislation has been enacted in at least 21 other States, including the Commonwealth of Virginia. I know the Senator, who is chairman of this committee, is particularly proud that his State stands behind State employees who have been activated for the Guard and Reserves and makes up the difference in salary.

But what an embarrassment it is for us to stand on the floor of the Senate and say the Federal Government does not do the same thing. That is right: The Government of the United States does not offer the same benefits offered by Illinois, Alaska, Virginia, and many other States across the Nation. These States have gone above and beyond the requirements of law in many circumstances. They stand behind these people. In fact, when you look at the private sector, hundreds of companies provide full salary differential for at least 90 days when the Guard and Reserves are activated.

The Federal Government is the Nation's largest employer. We, in Washington, are the first to stand up and salute our troops, as we should. But instead of just saluting, why don't we give these troops a helping hand? For goodness' sake, these Federal employees—activated time and time again, causing great hardship to their family—deserve the same consideration as those employees of State and local governments and private companies.

My amendment will help alleviate some of the financial burdens faced by these Federal employees who have been mobilized. Federal employees, without hesitation, take time off their jobs, away from their families, to serve our Nation.

On October 11, 2002, I voted against the resolution to give the President authority to go forward with this war. That decision was a tough one. The decision was made by this Congress to go forward anyway.

What has happened since? We have found a war that we hoped would be short in duration has become much longer. We now have some 135,000 to 140,000 troops in the field in Iraq. We hope they will come home soon, but there is no end in sight. Many of my activated Guard and Reserve units have been extended. They are over there for extended periods of time, causing great hardship, really assaulting the morale of many of these units. Yet they continue to serve, and they continue to risk their lives. Some have been mobilized for more than a year. Many have had their tours involuntarily extended. Some are subject to stop-loss orders.

Given the increased commitment of Reserve components—the longer tours, particularly in Iraq and Afghanistan—and concerns over recruiting and retention, this legislation is timely and a vote of support for each and every Federal employee who is also a citizen soldier. We have to provide our reservist employees with financial support so they can leave their civilian lives to serve our country without the added burden of worry about whether their loved ones back home can make a monthly mortgage payment or provide new shoes for the kids. They are doing so much for us, we can do no less for them.

Let me also say, this is an authorization, and it is an authorization with a retroactive date back to October 11, 2002, when the Senate initially enacted my reservist pay security bill. The amendment provides for the authorization of $100 million to cover retroactive payments from October 11, 2002, through the date of enactment. Of course, this $100 million is subject to appropriation.

Prospectively, the funds come from discretionary funds for each agency, so that as Federal employees in each agency are activated into Guard and Reserve units, serving and risking their lives overseas, the agencies will understand they are going to stand by these employees while these employees are standing by our country.

I believe this is a reasonable amendment. I think it is one that the Senate has embraced with an overwhelming bipartisan rollcall vote of 96 to 3. It belongs in this authorization bill so we can say to Federal employees: We respect you no less than all of the others who are serving in the Guard and Reserves. We believe you should be given a helping hand to keep your family together as you volunteer to serve this country.

Mr. President, at this point I would ask that this amendment be set aside and I be given an opportunity to call up another amendment which I have pending at the desk.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, I call up amendment No. 3225.

Mr. WARNER. Mr. President, I wonder if we could——

The PRESIDENT pro tempore. Is there objection?

Mr. WARNER. Mr. President, reserving the right to object, could we first discuss this amendment a minute?

Mr. DURBIN. Yes, I would be happy to discuss it. In fact, I did not know the Senator wanted to, but I am anxious to.

The PRESIDENT pro tempore. The Senator from Virginia.

Mr. WARNER. Mr. President, the concern I personally have had—and I think shared by some of our colleagues—is almost less from a fiscal standpoint and more from the fact that when you put a unit together and you bring into that, say, Regular Army unit a guardsman and reservist—the Senator well understands that young people exchange with each other their own pay and background and one thing and another—and suddenly, you have two sergeants, equally competent to operate that tank or artillery piece or Humvee, whatever the case may be, and one is getting this bump up in pay from, again, the Federal Government as opposed to the State and the other is not, it causes a friction. This is the main concern I have. I just wonder to what extent my colleague has thought through that issue.

Mr. DURBIN. Mr. President, I thank the chairman of the committee, and also for his leadership on this bill.

Retired MG Bob McIntosh of the Reserve Officers Association has testified on this same issue. He said he does not believe that people in the military sit around comparing pay stubs. But if they did, I am afraid the Senator's argument would lead us to conclude that we have to stop State and local governments from providing additional pay because that, too, is a differential being provided out of the largess and charity—charity is not the right word; it is really a payment that is made because of a sense of obligation to the family involved. But it is a payment that is made.

In my State of Illinois and your State of Virginia and in the State of Alaska, you have the decision that, when your State employee is activated, the State is going to send them the pay differential. So you will have two sergeants: one in Virginia who might be receiving this pay differential, and one from the Federal Government who does not.

So in my way of thinking, we should be encouraging all of these employers to stand by their people. We are more dependent on the Guard and Reserves now than ever in our history. We want to have good recruitment, good retention. I think if we have more employers standing behind those men and women, it is going to help us keep and attract the very best.

Mr. WARNER. Well, I see that argument very clearly. Of course, you know the Army proudly has this motto: ''We are one,'' which means every soldier can do a variety of things, and whether you are a guard or reservist, you are respected now just as much as that career person.

Do you have that list of 22 States? I think we have it over here on our side. I would like to look at that.

Mr. DURBIN. I would be happy to show you.

Mr. WARNER. Do most of those States do both their National Guard as well as their Reserves or do they just do their Guard?

Mr. DURBIN. I say to the Senator, I am not certain as I stand here. I do not want to mislead him, so I will check into that. But I think they do cover the Guard, and I will find out specifically whether they cover the Reserves as well.

Mr. WARNER. Fine.

Mr. President, I am going to ask that a quorum call be put in while I have an opportunity to take some of the facts which the Senator delivered in his very comprehensive opening statement and check them out.

As I am doing that, would you prefer to go on to your other amendment?

Mr. DURBIN. Yes.

Mr. WARNER. Fine.

The PRESIDING OFFICER (Mr. CHAFEE). Without objection, the pending amendment is set aside so the Senator may offer another amendment.

AMENDMENT NO. 3225

Mr. DURBIN. Mr. President, I call up amendment No. 3225.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Illinois [Mr. DURBIN] proposes an amendment numbered 3225.

Mr. DURBIN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To require certain dietary supplement manufacturers to report certain serious adverse events)

On page 147, after line 21, insert the following:

SEC. 717. REPORTING OF SERIOUS ADVERSE HEALTH EXPERIENCES.

(a) IN GENERAL.—The Secretary of Defense may not permit a dietary supplement containing a stimulant to be sold on a military installation unless the manufacturer of such dietary supplement submits any report of a serious adverse health experience associated with such dietary supplement to the Secretary of Health and Human Services, who shall make such reports available to the Surgeon Generals of the Armed Forces.

(b) EFFECT OF SECTION.—Notwithstanding section 201(ff)(2) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(ff)(2)) and paragraph (3) of subsection (c), this section does not apply to a dietary supplement containing caffeine that is intended to be consumed in liquid form.

(c) DEFINITIONS.—In this section—

(1) The term ''dietary supplement'' has the same meaning given the term in section 201(ff) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(ff)).

(2) The term ''serious adverse health experience'' means an adverse event that is associated with the use of a dietary supplement in a human, without regard to whether the event is known to be causally related to the dietary supplement, that—

(A) results in—

(i) death;

(ii) a life-threatening condition;

(iii) inpatient hospitalization or prolongation of hospitalization;

(iv) a persistent or significant disability or incapacity; or

(v) a congenital anomaly, birth defect, or other effect regarding pregnancy, including premature labor or low birth weight; or

(B) requires medical or surgical intervention to prevent 1 of the outcomes described in clauses (i) through (v) in subparagraph (A).

(3) The term ''stimulant'' means a dietary ingredient that has a stimulant effect on the cardiovascular system or the central nervous system of a human by any means, including—

(A) speeding metabolism;

(B) increasing heart rate;

(C) constricting blood vessels; or

(D) causing the body to release adrenaline.

Mr. DURBIN. Mr. President, I offer this amendment to the bill because of a serious health danger which exists in America and one that has been demonstrated clearly on military bases.

Military personnel are under unusual pressure to be physically fit. The conditions under which they work and train are often harsh and demanding, making physical strength and endurance essential. The pressure makes dietary supplements particularly attractive to members of our armed services, especially products marketed for weight loss and performance enhancement.

A 1999 study by the U.S. Army Research Institute for Environmental Medicine found that 85 percent of the more than 2,200 male soldiers surveyed reported using dietary supplements. A military study conducted by the Department of the Navy found that overall 73 percent of personnel reported a history of supplement use, with the numbers as high as 89 percent among marines. When broken down by supplement category, the survey by the Department of the Navy showed that 26 percent of marines took supplements containing stimulants.

Most dietary supplements are safe and provide health benefits to those who take them. This morning I took my vitamins. I don't know if it will make me live longer. I hope it will. I don't think it did me any harm. Millions of Americans take vitamins and minerals every morning believing it is good for them. They are probably right. Medical science proves that.

Within the category of dietary supplements, however, are not just vitamins and minerals but other combinations of chemicals, some naturally occurring, which are not as benign as the vitamins and minerals we take in the morning. There are some supplements, specifically those containing stimulants, which are often marketed for energy promotion, performance enhancement, and weight loss. We know they can cause harm.

Between 1997 and 2001, 30 Active-Duty personnel in America's Armed Forces died after taking dietary supplements containing ephedra. That was a supplement marketed across the United States with names such as Metabolife for weight loss and energy. Eventually that substance was banned by the Federal Government, by my State of Illinois, and others. It had already been banned by the U.S. military, the nation of Canada, banned for use in athletics on the professional level, and by the NCAA, but it has been banned now by the FDA.

A list of adverse events related to dietary supplements released by the Navy includes health events such as death, rapid heart rate, shortness of breath, severe chest pain, and becoming increasingly delusional. These are members of the Armed Forces who are going to base exchanges and buying dietary supplements which are dangerous. They look at what is printed on the bottle. They think they are safe. They buy them with sometimes disastrous results.

Unfortunately, most of the time adverse events such as those I described are not even known to the Food and Drug Administration or to the public because the companies that make the products don't report these bad results. If you walk into a drugstore today, anyplace in America, and you go to the prescription counter with your prescription from the doctor and you get the pills, here is what you know about the pills you are holding. They have been clinically tested for safety so that you can be reasonably sure that if you ingest them you will not die, and that they are likely to achieve the result they are supposed to achieve.

Secondly, if something goes wrong with one of those pills, if you take it and get sick and notify the company, they are bound by law to notify the Food and Drug Administration. If something happens, the Food and Drug Administration says: We may have to remove this from the market to make sure it is still safe. That is the law that applies to prescription drugs.

Now go to the over-the-counter drugs where you don't need a prescription. Have they been tested? The component parts of virtually all over-the-counter drugs have gone through the same testing to make sure they are safe and effective.

Now move over to the section of the drugstore that has the vitamins, minerals, and dietary supplements. None of those rules apply. There has been no testing of that dietary supplement which says it is going to give you energy or help you lose weight, no testing whatsoever.

Let me take that back. The testing is taking place as you buy it. You are the test case, as the consumer. You are ingesting this compound to see what happens. But safety testing of the dietary supplement is not required. What happens if they are dangerous, like ephedra? What if they cause people to have a stroke, heart attack, high blood pressure, or death? Does the company that makes the dietary supplement have any obligation to notify the Government that the product is dangerous? Absolutely not, no requirement whatsoever. That adverse event reporting for prescription drugs does not apply to dietary supplements.

My amendment would require manufacturers of dietary supplements that sell supplements containing stimulants on military installations to turn over to the FDA serious adverse event reports relating to their products. These would include adverse events such as death, life-threatening condition, hospitalization, persistent disability or incapacity, or birth defects. We made a specific exemption in this amendment for supplement beverages containing caffeine, such as tea and sports drinks.

The Office of the Inspector General at the Department of Health and Human Services estimated in 2001 that less than 1 percent of all adverse events associated with dietary supplements are reported to the FDA. The Institute of Medicine issued a report last month recommending that adverse event reporting become mandatory for dietary supplement manufacturers.

They asserted that:

> While spontaneous adverse event reports have recognized limitations, they have considerable strength as potential warning signals of problems requiring attention, making monitoring by the FDA worthwhile.

The Institute of Medicine recommended that Congress amend the 1994 supplement law, DSHEA, and require manufacturers of supplements to report to the FDA in a timely manner any serious adverse event associated with their products.

The men and women in uniform serving this country face enough danger in the field. They should not have to worry about the so-called health products being sold on military bases with the approval of the Federal Government that may, in fact, be dangerous to their health. This is the minimum we should require of companies selling dietary supplements on military bases, that they be forced to notify the FDA if the product they are selling to our soldiers, sailors, airmen, marines, and members of the Coast Guard are, in fact, dangerous and cause serious adverse health events such as death and stroke.

In closing, let me tell you what the dietary supplement industry is doing to lobby against this amendment. This is an outrage. This multibillion-dollar industry that sells dietary supplement products all across America without testing them to make sure they are safe and without reporting to the Federal Government when they become lethal and kill people opposes my amendment which would require that they notify the FDA when people face stroke and adverse events, death and serious health consequences.

This is what they are saying on their e-mail to their customers: The Durbin bill will hold dietary supplements to a higher level of scrutiny than prescription drugs, over-the-counter drugs, and food additives. They are wrong. Supplements face none of the up-front scrutiny that prescription drugs, over-the-counter drugs and food additives face, nor are they required to report adverse events as prescription drugs are.

The standard we are establishing is the same standard. They should live by the same standard. We lost 30 American soldiers to these dietary supplements, which were lethal. At this point in time, as a minimum, we should require these companies to report to the FDA, when their products are killing people. If they will not report, they should not be allowed to sell their product on military bases. The military banned ephedra when they found out it was killing our soldiers.

We should not test-market dietary supplements on our soldiers. That is what my amendment will do. I hope the Senate will adopt it and that we will show concern for the military and their families and protect them as we should protect every American consumer.

At this point, I ask unanimous consent that my amendment be set aside. I ask for the yeas and nays on my amendment.

Mr. WARNER. Mr. President, reserving the right to object, regarding the second amendment we are currently on, I would like to reserve the right to have an amendment in the second degree. I want to make that clear. We will lay this aside, and one of our colleagues, who is as active in this field as the Senator is, wishes to address a certain aspect of this amendment.

For the time being, this amendment will be laid aside until, hopefully, some time Monday when our colleague will have time.

Mr. REID. Senator DURBIN was only asking for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. WARNER. Mr. President, regarding the first amendment, during the course of the colloquy with the Senator from New Jersey, if he would like to speak with me, I have some thoughts on that.

Mr. DURBIN. I thank the Senator.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey is recognized.

AMENDMENT NO. 3291

Mr. LAUTENBERG. Mr. President, I call up amendment No. 3291.

The PRESIDING OFFICER. Without objection, the pending amendment is laid aside.

The clerk will report.

The assistant legislative clerk read as follows:

> The Senator from New Jersey [Mr. LAUTENBERG] proposes an amendment numbered 3291.

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LAUTENBERG. Mr. President, I rise to offer a fairly straightforward amendment to this bill. The amendment will change the flawed policy that currently prevents media access to the arrival of deceased military personnel from overseas. I include access by the families as well.

On the eve of the Iraq invasion, the Department of Defense issued the following bizarre directive:

> There will be no arrival ceremonies for, or media coverage of, deceased military personnel returning to or departing from Ramstein (Germany) Airbase or Dover (Delaware) base.

With this order, the administration effectively blocked images of flag-draped coffins from appearing in the media coverage of this war. It is very hard to understand that decision. I and my colleague from New Jersey, Senator CORZINE, went to Arlington Cemetery this week to honor the funeral and burial of one of four New Jersey guardsmen who were killed last week. I was struck by the ceremony. I have seen such ceremonies before, but in Arlington it has a special significance. Thousands of our comrades in arms from different wars are at rest there. But in the formal ceremony, it was particularly noteworthy that the flag was handled by the honor guard in such a way that every fold, every edge was perfectly handled by this obviously well-trained honor guard. When the final recipient among the guard was handed the flag, folded in triangular form, he took it, almost reverently, and carried it over to the mother of this young man who was killed. What a touching moment.

Even though there were no direct photographs, it is permanently etched in the minds of those who viewed this ceremony. The symbolism of the American flag covering the coffins of those killed doing their duty has been televised as never before, and journalists are embedded in tanks with combat units. But by the order of the Pentagon, the solemn homecoming of the dead—a time-honored tradition—was forbidden to be photographed or to appear on a television screen. Perhaps—just perhaps—the American people might believe that the reports on the deaths of our soldiers are somehow exaggerated, and this time-honored respect for giving one's life in battle for his country—an honor by having a flag draped over that coffin—was going to be ended. In seeing these coffins, the American public would make it impossible not to share the sorrow of the families who received them. You didn't have to know who was in that coffin, or the family, to know there was another American hero being returned to his country.

Seeing the returning coffins prompted a national sense of shared pain and sacrifice and despair. But during this war, the administration has chosen to fence itself in and ban cameras not only from the central military morgue at Dover Air Force Base but also make it difficult for the press to access the Walter Reed Army Medical Center here in Washington.

I visited Walter Reed this week with Senator CORZINE after we left Arlington Cemetery. We felt it was appropriate to visit with those who were wounded and being treated at Walter Reed from the same contingent, from the Guard company that was attacked so ferociously. We talked to the soldiers who were there with their families. When you see the pain and suffering of those people, you realize how brave and courageous they had been.

I talked to one man, who is now sightless, looking blankly into space. His wife was sitting there with him. He thanked us for visiting. He said he would never again see his 20-month-old daughter. But that would not prevent him from holding her in his arms. He was anxious to get back home to do that. He wanted to return to his fatherly status. He talked of his faith and loyalty to his country. That is a message that ought to go out across America. Why should the press be deprived from an orderly visit, prearranged, to talk to a young man like that, to see the incredible spirit that accompanied this man's faith.

As a result of the current policy at the Pentagon, the over 830 service men and women who died in Iraq passed through a politically imposed void hiding the truth. Even during the Afghanistan war, flag-draped coffins were filmed, and during the Kosovo conflict, President Bill Clinton was on the tarmac to receive U.S. dead.

In 1983, one of the most revered people in American history, President Reagan, personally and publicly received the bodies of 241 marines who were killed by terrorists in Beirut, Lebanon.

I believe the current Pentagon directive is an attempt to manipulate public opinion or make this war pass something that is called the ''Dover test,'' as the Pentagon itself has coined it.

The Dover test dictates that the Pentagon should suppress images of coffins returning from overseas in order to prevent the American people from seeing the real sacrifices that are being made.

The current policy has nothing to do with the privacy of the deceased or their families, as the administration claims. Rather, this policy has everything to do with keeping the country from facing the realities of war, shielding Americans from the high price our young service people are paying.

My amendment is straightforward. It simply instructs the Department of Defense to work out a protocol so that the media can respectfully cover the return to the United States of these heroes who died serving their country.

The amendment specifically states that the new protocol must preserve the dignity of the occasion and protect the privacy of the families. I agree with that statement. The amendment requires the Pentagon to report to Congress on the new protocol within 60 days of enactment of this bill.

The American people deserve to know and see the truth about the cost of the war in Iraq. My amendment will bring an end to this shroud of secrecy cloaking the hard, difficult truth about the war and the sacrifices of our soldiers.

Our soldiers are fighting for democracy, fighting for a free press in Iraq. Yet our Government is censoring the press here. It is not right and is out of line with American values.

My amendment is supported by leading media associations, including the American Society of Newspaper Editors, and in my view, we should embrace a free press in this country and not fear it. There are heroes who have made the ultimate sacrifice in this war for our country. Let's not censor the honor they earn when they return to our shores.

I urge my colleagues to support my amendment. I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I always enjoy debating my good friend from New Jersey. I have fond memories of a recent trip we took to the 60th anniversary of D-day when he told me some of his own personal experiences as a young soldier in the closing moments of World War II, serving with our forces in Germany. He is a modest man and does not talk about it much, but he is one of the few remaining veterans of World War II in the Senate.

I wonder if the Senator might go back to that reference in his statement about the Beirut bombing. Mr. President, would the Senator from New Jersey repeat that because it invoked a memory I have? Did he not talk about how President Reagan went down—I wonder if he will, once again, recite that very important chapter of history.

Mr. LAUTENBERG. Yes. I did say President Reagan made a point of welcoming the bodies back to this country, 241 of those marines who died in Beirut, and I pointed to the fact that this President, to whom we just said goodbye and who was revered by so many in this country, felt in his heart that it was something he should do. It is so contrary to what is happening now. It does not make sense to me.

Mr. WARNER. Mr. President, if my dear friend will indulge me my own recollection, when that tragic incident happened in Beirut, Senator Tower was the leader of the Republican side of our committee, and I was sort of one of the junior members. I remember he came into my office and said: We are leaving for Beirut in 2 hours. If you have time to pack a bag, pack it; otherwise, just bring a toothbrush.

We went over there and saw the tragedy that had befallen our marines. I will never forget it. When we came back on the plane, we talked a little bit, and President Reagan did receive the benefit of our trip. He was deeply moved by that incident.

I cannot recall exactly the days thereafter when we were working with bringing the remains home, but I let it be known to the President that maybe this would be an opportunity to send a strong message of his deep bereavement for the losses and the resolve that he had to challenge those who brought this about and bring to accountability those who perpetrated that crime. We suggested he go down, and sure enough he did go.

I was privileged he asked if I would come down with him. It was a day I will never forget. It was a cold and rainy day. Because of the number of caskets, it was on the outside largely. I recall the schedule, as all Presidential schedules are detailed, and I had a little copy in my pocket.

He went down to speak to some of the families. It was just magnificent the way this President stood in that cold rain and spoke to them. He turned to me and he said: You know, we should stay and speak to every single family member. He did that. We found the time to go down very orderly and speak to every single family member.

The commanding officer of Camp Lejeune was MG Al Gray. Gray is an extraordinary man. He came up through the ranks in the Marine Corps to become a general. He knew the name—I don't recall he even used any notes—of everyone there, and he stood side by side with the President. I was just a few feet to one side going through and talked to the President. If a wife or a loved one wanted to hug the President, the President hugged them. It was remarkable. It was one of the most extraordinary moments in my long career of working with the men and women of the Armed Forces and a series of Presidents over the many years.

I am glad the Senator from New Jersey brought that up because that attack, in a sense, caught this Nation by surprise. We were ill-equipped. I don't know that the Senator from New Jersey would have any reason to remember this, but the guards around the barracks could not even have live ammo in their weapons to try and deter an attack. We were relying on host country security and the like. But that is an incident which I commend the Senator again for bringing up, but we could not, in my judgment, replicate that today because of the regrettable constancy of bringing back our beloved lost ones in the present conflicts, be they Afghanistan or Iraq.

AMENDMENT NO. 3458 TO AMENDMENT NO. 3291

Mr. WARNER. Mr. President, it is for that reason that I send to the desk a second-degree amendment and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Virginia [Mr. WARNER] proposes an amendment numbered 3458 to amendment No. 3291.

Mr. WARNER. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To propose a substitute expressing the sense of Congress on media coverage of the return to the United States of the remains of deceased members of the Armed Forces from overseas)

Strike the matter proposed to be inserted, and insert the following:

SEC. 364. MEDIA COVERAGE OF THE RETURN TO THE UNITED STATES OF THE REMAINS OF DECEASED MEMBERS OF THE ARMED FORCES FROM OVERSEAS.

(a) FINDINGS.—Congress makes the following findings:

(1) The Department of Defense, since 1991, has relied on a policy of no media coverage of the transfers of the remains of members Ramstein Air Force Base, Germany, nor at Dover Air Force Base, Delaware, and the Port Mortuary Facility at Dover Air Force Base, nor at interim stops en route to the point of final destination in the transfer of the remains.

(2) The principal focus and purpose of the policy is to protect the wishes and the privacy of families of deceased members of the Armed Forces during their time of great loss and grief and to give families and friends of the dead the privilege to decide whether to allow media coverage at the member's duty or home station, at the interment site, or at or in connection with funeral and memorial services.

(3) In a 1991 legal challenge to the Department of Defense policy, as applied during Operation Desert Storm, the policy was upheld by the United States District Court for the District of Columbia, and on appeal, by the United States Court of Appeals for the District of Columbia in the case of JB Pictures, Inc. v. Department of Defense and Donald B. Rice, Secretary of the Air Force on the basis that denying the media the right to view the return of remains at Dover Air Force Base does not violate the first amendment guarantees of freedom of speech and of the press.

(4) The United States Court of Appeals for the District of Columbia in that case cited the following two key Government interests that are served by the Department of Defense policy:

(A) Reducing the hardship on the families and friends of the war dead, who may feel obligated to travel great distances to attend arrival ceremonies at Dover Air Force Base if such ceremonies were held.

(B) Protecting the privacy of families and friends of the dead, who may not want media coverage of the unloading of caskets at Dover Air Force Base.

(5) The Court also noted, in that case, that the bereaved may be upset at the public display of the caskets of their loved ones and that the policy gives the family the right to grant or deny access to the media at memorial or funeral services at the home base and that the policy is consistent in its concern for families.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Department of Defense policy regarding no media coverage of the transfer of the remains of deceased members of the Armed Forces appropriately protects the privacy of the members' families and friends of and is consistent with United States constitutional guarantees of freedom of speech and freedom of the press.

Mr. WARNER. I share in many ways the objectives of my good friend and colleague from New Jersey. As I said, I respect his own service in the military where both he and I have been along with the loved ones of those who have given their lives in situations, and I am sure both of us, in the course of our long public careers, have attended many funerals with those loved ones.

This substitute is carefully thought through and I hope the Senator will take a look at it. I would like to read it.

The Department of Defense, since 1991, has relied on a policy of no media coverage of the transfers of the remains of members to Ramstein Air Force Base, Germany, nor at Dover Air Force Base, Delaware, and the Port Mortuary Facility at Dover Air Force Base, nor at interim stops en route to the point of final destination in the transfer of the remains.

Now, that final point is basically where the families of the deceased are located. Continuing:

The principal focus and purpose of the policy is to protect the wishes and the privacy of families of deceased members of the Armed Forces during their time of great loss and grief and to give families and friends of the dead the privilege to decide whether to allow media coverage at the member's duty or home station—

That refers to the final destination of the transfer of the remains—

at the interment site, or at or in connection with funeral or memorial services.

Those could be elsewhere selected by the family.

In a 1991 legal challenge to the Department of Defense policy, as applied during Operation Desert Storm, the policy was upheld by the United States District Court for the District of Columbia, and on appeal, by the United States Court of Appeals for the District of Columbia in the case of JB Pictures, Inc. v. Department of Defense and Donald B. Rice, Secretary of the Air Force [86 Fed. 3rd 236, 1996] on the basis that denying the media the right to view the return of remains at Dover Air Force Base does not violate the first amendment guarantees of freedom of speech and of the press.

The United States Court of Appeals for the District of Columbia in that case cited the following two key Government interests that are served by the Department of Defense policy:

Reducing the hardship on the families and friends of the war dead, who may feel obligated to travel great distances to attend arrival ceremonies at Dover Air Force Base if such ceremonies were held.

Protecting the privacy of families and friends of the dead, who may not want media coverage of the unloading of caskets at Dover Air Force Base.

Especially when their loved one may be among them.

The Court also noted, in that case, that the bereaved may be upset at the public displays of the caskets of their loved ones and that the policy gives the family the right to grant or deny access to the media at memorial or funeral services at the home base and that the policy is consistent in its concern for families.

It is the sense of Congress that the Department of Defense policy regarding no media coverage of the transfer of the remains of deceased members of the Armed Forces appropriately protects the privacy of the members' families and friends and is consistent with United States constitutional guarantees of freedom of speech and freedom of the press—

As determined by the Federal courts. I would like the Senator's views on that approach.

Mr. LAUTENBERG. I thank my colleague and friend from Virginia. We have shared many experiences. One of them is reaching a particular age when memories go back a long, long time.

The recall that the Senator from Virginia just delivered to us about President Reagan's sensitivity and the part that my friend was able to play, viewing all of that and trying to expedite things, it is a wonderful recall as to what happened with a very sensitive President.

I traveled to Beirut—and that was my freshman year in 1983—and I was there between the killing of the 241 and the killing of 8 more that the Senator recalls a few weeks later. It was a disastrous scene and left an impression that one can never forget of these young people in their sleep taken from us. I never recall hearing one family saying too much exposure resulted from that. I did not hear anybody ever say to the public, my son, in an unidentified casket, should not be honored in a generic way with his comrades who also are fallen in pursuit of an American objective.

As the Senator was recalling his views and offering this amendment, I looked at some information we have, a New York Times/CBS poll from September 2003 that found 62 percent of Americans said the public should be allowed to see pictures of the military Honor Guard receiving the coffins of these soldiers killed in Iraq as they return to the United States. There were 27 percent who said no.

In response to our good friend's concerns about whether families might be inconvenienced if they are called to Dover, DE, or perhaps embarrassed somehow or another, they do not have to go. That is not what my amendment says. It says that media should not be prohibited from going there and taking a picture and saying here is a picture of unknown heroes.

We walked in Normandy together just a week ago, and I saw lots of crosses and Stars of David. I looked at some of the stones and saw a lot of them had a New Jersey home when they left, but I looked at one stone and it just gave me such a shock because it said on this stone, here lies a valued comrade known but to God.

The unknown soldier of a family who lost a brother, a son, a father will never know what happened to them, but they were respected in that piece of turf with their colleagues who had fallen.

I get very emotional when I think about the days that I enlisted in the Army. I was 18. My father was on his deathbed, 42 years old. My mother was about to become a 36-year-old widow, and what it meant to me to join with all of my other comrades to try to do something. The promise I had from the Army was they would give me until my father's death so I would know that I would be home with my mother.

I went, and although I did not serve in active combat, lots of people I know

died. We were attacked by German bombs constantly. Those days meant so much. Then there were the opportunities that were given to us: a college education, an opportunity to serve our country even more forthrightly.

So when I look at veterans and visit the hospital, I see a fellow who has one limb remaining, a prosthetic on his arm, prosthetics on his legs, learning to walk that way, I say, by God, what a price we paid. How dare we not honor them in the most obvious ways.

I hope I can have a talk with my friend and colleague from Virginia—not to cover this issue with anything but a determination to say if someone has died for their country and we take that flag and put it on that casket, they have received the honor of their country, every one of the 280 million citizens we have here. When that flag is placed there it says your country loves you and they are terribly saddened by what happened to you. I believe that practice should be made obvious to the public. It is not the display of the coffin I am looking for; it is a display of our honoring this individual. It is the way to do that.

I hope the good Senator's second-degree amendment can stand alone. Let this first amendment be considered. It is just to say we are not going to hide anything. The public is going to know that in that box lies a young man or a young woman who gave his or her life in pursuit of the country's interests.

Mr. WARNER. Mr. President, there are rare moments in the life of the Senate. I have enjoyed our colloquy. The Senator has raised one of the most important issues that will be considered on this bill. Despite all the billions and billions of dollars, some $420 billion involved in this bill, this is a matter of principle of the greatest concern to every single Member. Therefore, I am going to ask that this amendment be laid aside so the Senator and I can resume this debate on Monday and let each one of our colleagues have the benefit of our thoughts and have the opportunity to do some careful study of the different proposals, the one you have submitted and the one I have submitted.

May I suggest, however, with regard to yours, there may be one technical thing you might wish to reflect on, and that is the use of the word ''killed.'' You limit it to the people who have been killed overseas. There are some who lost their lives overseas other than in situations that would be characterized as ''killed.'' I would broaden that definition, if I were you, to include those who for other reasons might have lost their lives but who deserve, no less, the recognition which my distinguished colleague from New Jersey wishes to accord them.

Mr. LAUTENBERG. Toward the end of my amendment I use the term ''died.'' That is an appropriate correction. I would certainly accept that.

Mr. WARNER. Fine. I think you do refer to that. But to make it clear, you might wish to broaden it.

Mr. President, at this time—unless there is further debate from my distinguished colleague?

Mr. LAUTENBERG. I wonder if the Senator from Virginia would confirm at this point that we will vote on this amendment whether it carries the second degree or it does not?

Mr. WARNER. At this point in time I would like to leave it in the status it is in, assuring you that you have my personal assurance, because of my personal respect for you and the contents of this amendment and its importance, that it will be treated with eminent fairness. No procedural mechanisms will be utilized in any way to deprive the Senator of an opportunity for his debate to be heard and considered.

I thank my friend. I would only conclude: One of the great values in making a trip with a fellow Senator—no matter how long you have served with them and visited with them, there are some things about their life which are fascinating. I hope someday you tell the story about how you were in the Army over there, and both you and I were communicators, and at times in our careers we used to climb up the poles to get the wires that transmitted the signals and orders to those at the front. While you were on top of the pole, a Buzz Bomb—I wonder if even a few realize that weapon was employed by Hitler in the final months of the war, which is a very lethal and dangerous weapon. But that is for another day. The Chamber should hear that story.

Mr. LAUTENBERG. In those days the Germans would knock down the wires and I would put them up, they would knock them down, I would put them up, but somehow we survived.

Mr. WARNER. But to be on top of that pole and to get down in safety from the Buzz Bomb—that was a trip.

I yield the floor.

Mr. LAUTENBERG. I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

AMENDMENT NO. 3353

Mr. REED. I call up amendment No. 3353.

The PRESIDING OFFICER. Without objection the pending amendment is laid aside. The clerk will report.

Mr. REID. Mr. President, I am wondering if my friend from Rhode Island would yield? He would get the floor as soon as Senator DAYTON takes a minute to introduce a bill as in morning business. Will the Senator allow us to do that? We promised him some time yesterday.

Mr. REED. I have no objections. I understand Senator SESSIONS also——

Mr. REID. But you already have your amendment pending here. Has it been reported?

Mr. REED. It is being reported right now.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Rhode Island [Mr. REED], proposes an amendment numbered 3353.

The amendment is as follows:

(Purpose: To limit the obligation and expenditure of funds for the Ground-based Midcourse Defense program pending the submission of a report on operational test and evaluation)

On page 33, after line 25, insert the following:

SEC. 224. LIMITATION ON OBLIGATION AND EXPENDITURE OF FUNDS FOR GROUND-BASED MIDCOURSE DEFENSE PROGRAM PENDING SUBMISSION OF OPERATIONAL TEST REPORT.

Of the amount authorized to be appropriated for fiscal year 2005 by section 201(4) for research, development, test, and evaluation, Defense-wide, and available for the Missile Defense Agency for Ground-based Midcourse interceptors, and long-lead items for such interceptors, $550,500,000 may not be obligated or expended until the occurrence of each of the following:

(1) The Director of Operational Test and Evaluation has approved, in writing, the adequacy of the plans (including the projected level of funding) for operational test and evaluation to be conducted in connection with the Ground-based Midcourse Defense program in accordance with section 2399(b)(1) of title 10, United States Code.

(2) Initial operational test and evaluation of the program is completed in accordance with section 2399(a)(1) of such title.

(3) The Director of Operational Test and Evaluation has submitted to the Secretary of Defense and the congressional defense committees a report stating whether the test and evaluation performed were adequate and whether the results of the test and evaluation confirm that the Ground-based Midcourse Defense system is effective and suitable for combat, in accordance with section 2399(b)(3) of such title.

(4) The congressional defense committees have received the report under paragraph (3).

Mr. REID. I ask unanimous consent the Senator from Minnesota be recognized and be able to speak as in morning business for 5 minutes, and the Senator from Rhode Island then regain the floor to discuss his amendment.

Mr. WARNER. No objection, Mr. President.

Mr. REED. Thank you.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNSHACKLE SENIORS ACT

Mr. DAYTON. I thank the Senator from Rhode Island for making that arrangement. I thank the Senator from Rhode Island for giving me that opportunity and also the distinguished chairman of the Armed Services Committee for allowing this as well.

I will be introducing my Unshackle Seniors Act, which will allow seniors and others who are on Medicare to purchase their Medicare discount cards as they choose and to cancel their participation with full refunds and other returns whenever the cards are changed in their coverage or their discounts.

As you know, last year Congress passed a prescription drug coverage plan that was far different from the Senate-passed version which I supported. I voted against the final conference report after voting for the Senate bill. I did so for several reasons, but one was the excessive delay until the actual program would begin, which necessitated these drug discount cards

being made available until the program begins in January of 2006, which is over 2 years after the bill's passage. Until then, seniors are going to be able to sign up for only one, just one drug discount card and only one for that entire year, even though the care plan providers can change the coverage and the amount of the discount they are choosing.

What kind of deal is that, where seniors are stuck with one card for the entire year, but the plan can be changed at the discretion of the provider, yet seniors can't change theirs accordingly? My bill would unshackle seniors from that restriction and would allow them to purchase as many drug discount cards as they choose and also grant them a full refund whenever the card providers change the coverage or the discount, thereby unshackling seniors from this ridiculous restriction that works to the benefit of providers rather than the patients.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

AMENDMENT NO. 3353

Mr. REED. Mr. President, I understand my amendment has been reported and we are on the amendment now. Let me endeavor to explain the amendment and do it as quickly as possible.

The amendment I support today would provide a condition on the acquisition of interceptors 21 through 30 of the national missile defense. The condition would be that the operational testing would be completed—or initiated, at least—prior to the acquisition of these missiles.

In a sense, it embraces two issues. The first issue is the unwise acquisition of another 10 missiles beyond the 20 that already have been designed for this initial rudimentary deployment of the national missile defense system. That issue is one. The second issue, again, is the issue of making sure we have realistic operational testing.

Yesterday we engaged in a very vigorous debate. I believe the debate was productive. My legislation, as amended by that of Chairman WARNER, would require realistic testing. In fact, it set a date of October 1, 2005, to complete such testing. But I do believe it is important to once again look at this issue of testing, particularly in the context of the acquisition of these additional missile systems.

Initially, when the administration talked about the rudimentary deployment of a national missile defense system, they conceived of a system with 20 interceptors. Suddenly, this year, they have moved forward and added an additional 10 interceptors, interceptors 21 through 30. More than that, they requested an additional long lead time funding for interceptors 31 through 40.

That is an unwise use of very scarce resources at a time when we are trying to expand the size of the Army, when we are trying to do so many things that are putting huge pressure on the bottom line of the Department of Defense. It is unwise. We are talking about an extremely premature acquisition of missiles before we have ''proved out'' the system.

I was struck yesterday when Senator ALLARD submitted a letter from Thomas Christie, Director of the Office of Director, Operational Test and Evaluation at the Pentagon. Dr. Christie said:

> The Ground-based Midcourse Defense (GMD) element is currently at a maturity level that requires continued developmental testing with oversight assistance from operational test personnel. Conducting realistic operational testing in the near-term for the GMD element would be premature and not beneficial to the program.

We have the chief testing official in the Department of Defense saying this system is so immature that we cannot even do operational tests. Yet in this proposal, the administration is asking to go ahead and buy additional interceptors that have not yet been adequately proven and adequately tested. Once again, it is a misuse of very scarce resources.

I have no qualm today with acquiring the 20 interceptors initially planned for the system. But to go beyond that is a mistake in terms of using scarce resources for, basically, unproven interceptors.

It is useful to review the situation of this midcourse ground system and where we are in terms of the system. First, as I mentioned yesterday, one of the key elements is a DSP satellite system that will monitor the initial launch of a missile. That is from a cold war legacy system. It is reliable; it is limited. You simply identify the lift-off of the aggression missile.

The second part of the system is the Aegis ships which have been pressed into service. They were originally designed simply to track and to defend against cruise missiles and aircraft. Now they have been given this extra task of trying to monitor the target as it rises out of the North Korean peninsula headed toward—we hope never but at least hypothetically—the United States.

A third element is the Cobra Dane radar, another system of 1970 vintage, designed not for missile defense but for looking at Russian missiles and their missile rangers. It is not even capable, most people concede, of tracking effectively a missile bound for Hawaii. It has been upgraded but still it is not the X-band radar, the big powerful radar originally designed for the system.

Then there is the interceptors element which is the subject of this amendment. Originally, as I indicated, the plan was to have 20. Now the administration is talking about 40. The interceptors have not been tested together with the new ''kill'' vehicle. In fact, the new kill vehicle, the warhead that sits on top, has not even been flight tested. As a result, we are rushing into this deployment. In fact, the whole system has not been tested. So bits and pieces have been tested. It is premature to go ahead now and ramp up production of these missiles.

If it turns out there is a systematic flaw in the missiles, and they have been acquired and deployed, if they have not been worked on in the silo, they will have to be removed from the silo and transported. It is very expensive.

I beg the obvious question. If we have not tested the system adequately, if we are planning for years now to have a 20-interceptor structure of our missiles, why are we rushing ahead now and buying additional missiles? My amendment says, at least before we get to this point of buying the additional missiles, we should be in the area of planning and carrying out realistic operational testing.

Yesterday, again, we had a very good debate. We were able to make some progress. But I point out again, the amendment proposed by Senator WARNER, and adopted to change my language, moves the responsibility from the Office of Director of Operational Test and Evaluation of the Pentagon to the Secretary of Defense. It takes away that objective independent voice, which is the traditional way in which we evaluate any weapon system, not just the missile defense system.

I hope by the time we get around to making these acquisitions, acquiring interceptors 21 through 30 and 21 through 40, that we would not have the specialized testing regime under the Secretary of Defense, and that we would be back in a situation where we are doing operational testing the way it was designed and carried out.

That is the essence of my amendment. It would not in any way inhibit the deployment of the system. It would not in any way try to shrink the number below 20, which has been the plan for years. It would not decrease funding for missile defense. If this operational testing regime was in place, then these 21 through 30 interceptors could be acquired. It is really designed to first highlight and underscore the fact that we are rushing ahead, not just in terms of deployment but in actually building out this system way beyond what has been proven by testing; and, second, also, to emphasize the need for a thorough testing not beyond, frankly, what was required in yesterday's amendment.

Although I think yesterday's amendment was a good step forward, operational realistic testing by October 1 of 2005 is a very laudable goal. I hope we can follow through and carry it out.

Ultimately, we want to get the whole system back into the situation of practically every other major defense program; that is, before deploying the system, build the system, go to production, and that you have actually done operational testing, independent operational testing, supervised, conducted, monitored by Dr. Christie and his colleagues in the Defense Department Office of Director of Operational Testing and Evaluation.

One other point I make, in the discussion yesterday, there was some mention of how this system was going to protect us from threats around the world, including threats from Iran. This system is exclusively designed to protect from a missile launch from North Korea. It will provide no protection from a missile launch from any other point on the globe, as far as I can tell. It is not a comprehensive system defending the United States. It is a limited system focused on North Korea.

One can fairly ask, if North Korea is such a dangerous threat that requires this very hasty emergency deployment of a missile system, why are we withdrawing troops from North Korea, ground forces that could complement our diplomacy? We are we not taking aggressive diplomatic steps to try and disarm North Korea when they have made it clear they have nuclear material. They very well may have fashioned multiple nuclear weapons in the last year while we have been trying to negotiate but doing so unsuccessfully.

Again, this raises the whole question of how do you deal with these threats through this very expensive, very limited missile defense system or through other means complementing the development of the system. I argue, of course, that we have to be much more aggressive diplomatically with the North Korean situation; that we have to do it from a position of strength. That position is not enhanced when we take out troops.

I also suggest if we did that, we would have the time to develop this system properly, to declare it deployed—not now, but when we have had a test of the entire system, of all the elements, so that we know this system will work and it will work effectively.

An interesting final point I make is that in the discussion yesterday about operational testing, there was an example given about the Patriot system, which is the PAC–3 system. That is a complicated missile system, hit-to-kill technology, the same basic technology that will be employed in this national missile defense system.

We talk about this midcourse system. It did extremely well in all its developmental tests, and then it had operational tests. They had four consecutive operational test failures; that is the PAC–3.

Now, certainly we do not want a situation where the first operational test is the acquisition of an incoming missile from a hostile power, and we don't know if we are going to have the PAC–3 record of four failures in a row or we are going to do much better. I think that, essentially, is where we are today.

So my amendment, in summary, which will be disposed of next week, would condition the acquisition of interceptors 21 through 30—the new requirement that sprung up this year, after years of looking at 20—it would condition it on having operational testing according to the standard procedures that are in place in the Department of Defense.

With that, I yield the floor.

The PRESIDING OFFICER (Mrs. DOLE). The Senator from Alabama.

Mr. SESSIONS. Madam President, I rise in opposition to the Reed amendment, but I would note that Senator REED has certainly done a lot of work on this issue. Yesterday, Senator WARNER proposed a second-degree amendment that incorporated a number of the concerns the Senator had about missile defense. This amendment today would cover much of the same ground that was considered in the amendment offered by Senator REED yesterday. That amendment was adopted by the Senate and modified, as I noted, by Senator WARNER.

The amendment today uses the same approach to testing as the amendment yesterday, but it has the additional disadvantage of imposing a very significant cost to the Missile Defense Program and to our ability to defend the Nation from long-range missile attack. It would prohibit expenditure of fiscal year 2005 funds for ground-based interceptors until initial operational test and evaluation is completed. And that has a technical and important legal definition.

I remind my colleagues, the Warner second-degree amendment, adopted yesterday, requires the Secretary of Defense to establish criteria for realistic testing of ballistic missile defense systems and to conduct a test consistent with those criteria in 2005. The Senate approved this approach, rather than the Reed approach, which would require operational tests and evaluation of each configuration of the BMD system.

Indeed, the Senator's amendment today is much more demanding because unlike the one yesterday, it would restrict the ability to acquire additional missile defense interceptors until such testing is completed.

During the debate yesterday, we noted that the Department of Defense Director of Operational Test and Evaluation believes that operational test and evaluation for ground-based midcourse missile defense elements—the kind of testing the Senator is proposing—is premature and not helpful to that effort. We note the need for flexibility to incorporate developmental goals into missile defense testing so that the missile defense system can continue to evolve and improve over time. These developmental goals are precluded, by law, from operational test and evaluation.

We noted that the Warner amendment provides the flexibility to include developmental goals and avoids the cost delay involved in significant replanning of the test program. All these arguments are relative to the amendment before us today as well.

So I note again that the Warner amendment, adopted by the Senate yesterday, requires a test be conducted in 2005, consistent with the Secretary's criteria for realistic testing. Yet the Reed amendment before us would prohibit the Department from using funds for additional interceptors in 2005, until the approach to testing rejected by the Senate yesterday is not only adopted but completed. So the Senate has spoken on this issue.

Further, the amendment we are considering, if adopted, would do serious harm to the Nation's ability to defend itself from long-range missile threats. While we have no defense today against long-range ballistic missile attack, we are on track to field a missile defense test bed that will provide an early, limited capability to defend against long-range missiles later this year.

Our goal is to have five missiles in place in September that have the capability of knocking down attacking missiles whether they come from any place on the globe, protecting the entire United States by placing them in this geographically perfect spot in Alaska that allows us to protect the whole country.

I think most people need to remember that. People made fun of this. They said it could not be done, a system like this would not work. But it is going to be deployed in September. What this amendment would do is stop the assembly of additional missiles that are now ongoing, block the assembly line that really needs to continue for at least a year, maybe two. I think that is the biggest problem we have with it.

The kind of testing and evaluation and development we are doing today, through a spiral development type concept, is to move forward, to get this system up. As Senator REED's chart showed, we have ships at sea. We have early radar warning systems. We have communications systems.

We have to have command systems as well as the missile and its technical capability to hit an incoming missile. The tests so far have proven that the existing capabilities of the guidance systems that we have enable an American antiballistic missile to knock down an incoming missile with remarkable certainty. It is a remarkable scientific achievement. Someone said recently, it is equivalent almost to putting a man on the Moon.

It has been done. We are there. We do not need to slow this down. But there is no doubt in my mind that as we go forward additional tests will be conducted, that additional scientific and technological advancements will be brought on line. We will continue to improve this system as we go forward with it.

We have had a lot of debate on national missile defense. I know people have different ideas about how it ought to be developed. We have put some real faith in General Kadish and his team at National Missile Defense. I think they have proven worthy of the faith we have put in them. We gave them flexibility. We did not try to micromanage what they were going to do. We challenged them to produce a system that

could be deployed this year. We gave them the ability to develop and move forward in a way they thought best. If they believed changes needed to be implemented differently from what they thought when they first started, we gave them flexibility to do that. They are coming forward in a great way.

I am proud of what General Kadish has accomplished and what Admiral Ellis has stated and his confidence in this system. I believe we have been very fortunate to have top-flight people in charge of this program. If not, we would not be nearly as far along as we are. I do not think we ought to constrict them with this amendment.

I respect the Senator's goals. I know he has studied it carefully. He believes this would help. But at this point I think it would do more harm than good, and I oppose the amendment.

Mr. REED. Madam President, will the Senator yield for a question?

Mr. SESSIONS. I am delighted to yield.

Mr. REED. I want to understand and make sure that I am accurate. In reference to the system being deployed this September in Alaska, my understanding, which I stated, is that it would only provide coverage for essentially the North Korean threat. And then I heard you say the system—it might be in the future—but the system would cover all threats. My sense is that this system that will be deployed would cover North Korea.

Mr. SESSIONS. I believe it would cover at least a good bit of the United States against a Middle Eastern threat, and it could be effective against other threats. But, obviously, the main threat at this point—the ultimate goal is to provide a system that can protect us from all threats.

Mr. REED. I understand, as the system is eventually designed to be. But, if you will indulge me, I also understand that other radars have to be put in place beyond Cobra Dane, beyond the Aegis systems that they have not yet put in place. There are other elements that have to be in place for a more comprehensive system.

The other point on which I raise a question is the simple fact reflected in Mr. Christie's letter. This isn't a question of logic as much as technology. He seems to be saying the system is so premature or has a lack of maturity such that you can't do operational testing. I must say, I find it difficult, then, to say we can't do operational testing but we are going to put it in operation. That is the situation we face in September. But that is more of a comment than a question.

I thank the Senator for his kindness.

Mr. SESSIONS. I know the Senator has studied this carefully, and I respect him for that. We have made a commitment to go forward and deploy. We have done a good deal of testing to date. We are going to need to test the whole system. The Senator is right. We may find that some difficulties exist that need to be dealt with. We may find that some things work better than we thought. But until we get the system in the ground, I don't think we can do the kind of realistic testing that we need, testing the command center, the advanced radar, the communications systems, and all of that. I am committed to this spiral development system in which we don't straitjacket ourselves but continue to develop as we test. I think your amendment would limit the development and go back to the more traditional firm testing, step by step. I respect your view on it, but I think we should go the other way.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 3297, AS MODIFIED

Mr. REID. Madam President, I ask unanimous consent that the pending amendment be laid aside and that we now call up amendment No. 3297, as modified, which is at the desk.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 3297, as modified.

Mr. REID. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To repeal the phase-in of concurrent payment of retired pay and veterans' disability compensation for veterans with a service-connected disability rated as 100 percent)

At the end of subtitle D of title VI, add the following:

SEC. 642. REPEAL OF PHASE-IN OF CONCURRENT RECEIPT OF RETIRED PAY AND VETERANS' DISABILITY COMPENSATION FOR VETERANS WITH SERVICE-CONNECTED DISABILITIES RATED AS 100 PERCENT.

Section 1414 of title 10, United States Code, is amended—

(1) in subsection (a)(1)—

(A) by inserting after the first sentence the following new sentence: ''During the period beginning on January 1, 2004, and ending on December 31, 2004, payment of retired pay to such a qualified retiree described in subsection (c)(1)(B) is subject to subsection (c).''; and

(B) in the last sentence, by inserting ''(other than a qualified retiree covered by the preceding sentence)'' after ''such a qualified retiree''; and

(2) in subsection (c)—

(A) in paragraph (1)—

(i) in subparagraph (A), by inserting ''(other than a retiree described by subparagraph (B))'' after ''the retiree'';

(ii) by redesignating subparagraphs (B) through (F) as subparagraphs (C) through (G), respectively; and

(iii) by inserting after subparagraph (A) the following new subparagraph (B):

''(B) For a month for which the retiree receives veterans' disability compensation for a disability rated as 100 percent, $750.'';

(B) by redesignating paragraph (11) as paragraph (12); and

(C) by inserting after paragraph (10) the following new paragraph (11):

''(11) INAPPLICABILITY TO VETERANS WITH DISABILITIES RATED AS 100 PERCENT AFTER CALENDAR YEAR 2004.—This subsection shall not apply to a qualified retiree described by paragraph (1)(B) after calendar year 2004.''.

Mr. REID. Mr. President, it seems that every year at this time I come to the floor to offer an amendment on behalf of America's disabled veterans. It is something that I have become accustomed to and something that the veterans expect of me.

The amendment I offer today, and have for many years, deals with concurrent receipt, a subject first brought to my attention many years ago by a disabled veteran. This is also called the veterans tax.

A disabled veteran told me in Nevada many years ago that he wasn't allowed to receive both his retirement pay and disability compensation at the same time. I thought he misunderstood what the law was all about. His retirement pay was being offset dollar for dollar by the amount of disability compensation he received. He said it was a restriction found in U.S. law. I assumed he was wrong because it seemed so unfair.

He was right. It was a law that had been in effect for more than 100 years. The law was on the books and hundreds of thousands of disabled veterans were having their retirement pay wiped out. No other disabled Federal retiree was being subjected to this tax; only those who retired from the U.S. military.

So with the help of my colleagues, especially Senators WARNER and LEVIN, and at a later time Senator MCCAIN, we have been chipping away at this unfair restriction for a number of years. With their help, we have made some progress, I think considerable progress.

At first, it was a tiny bit, and it became bigger and bigger, until last year we took a major step forward. We had been looking for full concurrent receipt, but last year we ended up with a compromise agreement that ends the restriction on current receipt for combat-disabled retirees and those retirees who have a service-connected disability rated at least 50 percent.

Had we had this law changed 20, 30, or 40 years ago, many more people would have been able to apply for it. Sadly, each day of every year more than 1,000 World War II veterans die. Even though we have almost 30,000 people still eligible for these benefits, many who should have received them are now gone. So our step last year was an important step forward, but it was far from perfect.

Many tens of thousands of disabled veterans are still not covered under last year's agreement, and even those who are covered have to wait a full 10 years before their offset in retirement pay is completely eliminated. That is a long time to wait, particularly for the severely disabled and especially for veterans of the Korean conflict and

World War II because the average age of those individuals is 83 for a World War II veteran and over 70 for a Korean war veteran.

My amendment that I offer today does a simple thing. It eliminates the 10-year phase-in period for the most severely disabled; that is, those who are rated 100-percent disabled. As I indicated, there are about 30,000 of those 100-percent disabled veterans. Their average age is 59 years old, which takes into consideration the conflicts in Vietnam, the Persian Gulf war, and many other battles we have fought over the years.

Most of these thousands of veterans are disabled from their military service, and they cannot work anymore. Rarely do we find someone 100-percent disabled who can work, but there are some. Typically, these cases include conditions that run the whole spectrum. Some are medical concerns. Some are as a result of actual injuries received. Remember, these are service-connected disabilities. There are some with chronic illnesses who have been diagnosed during active duty and the disease progression prevented a second career.

Madam President, 100 percent is the highest disability rating given by the Department of Veterans Affairs, and it is always associated with decreased life expectancy. So a 10-year phase-in for these veterans to receive full disability and retirement payment will not be realized by many of them. Many will simply not live long enough to reap the benefits of full concurrent receipt.

Let me give an example about the harsh financial impact caused by this long phase-in period. One disabled veteran from Nevada who served 24 years in the Air Force wrote to me recently. She is 100-percent disabled. Under last year's 10-year implementation scheme, she still forfeits $1,571 of earned retired pay every month. Since retiring from the Air Force in 1991, she has forfeited $275,000 of retired pay. If we keep the 10-year phase-in period as is, she will forfeit an additional $80,000. For a person unable to work because of a service-connected disability, every dollar counts and this offset becomes punitive.

This amendment that is now before the Senate pays the most severely disabled now at a fraction of the cost of last year's concurrent receipt bill. We do not create a new benefit. We simply want to pay those most severely disabled now, instead of waiting until they are dead and, therefore, not able to receive it.

This is a compromise. I want every disabled American veteran not to have to give up any part of their pay. This is a compromise. We are not expanding the law in the sense that we are going to include people rated differently than 50 percent, but we are going to allow these people, the 100-percent disabled, to get their money now. I think they deserve this. I think it is so unfair we do not do it.

This is a matter that will be voted on. If the committee decides not to accept it, we will vote on this issue. I feel confident that it will be very difficult for people to return home and look a 100-percent disabled veteran in the face and say: We couldn't afford to pay you now. Wait a while.

I cannot ask for the yeas and nays, but I will at the appropriate time. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Madam President, I ask unanimous consent that the order for the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 3196

Mr. REID. Madam President, I ask that my amendment be set aside and we return to amendment No. 3196.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Madam President, there is no further debate on this amendment. I, therefore, ask that we vitiate the yeas and nays. The amendment has been reported. This is the Durbin amendment that has been debated this morning.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 3196.

The amendment (No. 3196) was agreed to.

Mr. REID. I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ALLARD. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 3353

Mr. ALLARD. I rise in strong opposition to Reed amendment No. 3353, which fences the funds for ground-based midcourse interceptors pending completion of initial operational test and evaluation.

In effect we have already had that debate, and I find it perplexing that here we are, having that same issue introduced again in the form of another Reed amendment on the floor of the Senate. I think we adequately addressed it yesterday when we had a Reed amendment at that particular time where he put in some requirements for operational testing, and we second-degreed that with the Warner amendment where we talked about modifying that in a way so that we maintain flexibility with the Secretary of the Department of Defense, yet had some accountability.

There was a policy set forward where we could move forward with the missile defense issue and still show the accountability we needed. We had that vote and the Warner amendment was adopted as a second-degree amendment on the Reed amendment. We resolved that issue. But here again we are talking about the same issue.

I certainly don't quarrel with the need to conduct operational realistic testing. We recognized that yesterday. Everyone supports that, so much so that this body voted, as I said, strongly. They didn't just vote for it, they strongly voted in favor of the Warner amendment yesterday, which requires such a test to be conducted next year so we can get that behind us and move on. We address it in terms of realistic testing instead of operational testing, which would be much more restrictive.

But this amendment would cause serious harm to the effort to defend our Nation from missile attack. It is a delay in our moving forward. In fact, it would disrupt the production lines to a point where it may even put the total program in severe jeopardy. By fencing these funds, the amendment would prevent obligation or expenditure of fiscal year 2005 funds for the next ground-based midcourse missile interceptors until completion of initial operational test and evaluation.

I know some Senators have maintained this is not a cut to the program. To plan, conduct, and assess a formal operational test—just one test—would take the Missile Defense Agency and the Director of Operational Test and Evaluation a year or more.

The fact is, the fiscal year 2005 funds requested could not be executed in fiscal year 2005. That is the problem. In effect, this is a deep cut to a very important effort.

This reduction would cause serious disruption in the effort to acquire additional interceptors. The contractors making the interceptors would have to interrupt their efforts. Subcontractors would be lost. Key personnel would be lost. Valuable manufacturing experience and processes would also be lost.

Requalifying, then, these subcontractors and retraining workers and relearning the manufacturing process takes time and money. The projections are it would delay the program up to 2½ years and cost taxpayers more than $250 million extra.

Ironically, the loss of expertise and experienced personnel, and the effort to retrain and requalify, inevitably involves increased technical risk, exactly the opposite result which I know Senator REED hopes to achieve.

Let me make several key points. First of all, the GMD effort is threat driven. North Korean ballistic missiles already pose a serious threat to the United States. The justification for the additional 10 interceptor missiles is to defend the country. It is clear for all those who want to look at the evidence. Delay will leave us critically short of assets to defend ourselves.

Second, the Commander of U.S. Strategic Command has expressed concern

with efforts to reduce the number of GMD interceptors. He supports the early exploitation of the operational capabilities inherent in the BMD test bed and believes the GMD element provides him with a useful military capability and enhances deterrence.

Third, the Director of Operational Test and Evaluation, the Department's chief tester, as I like to refer to him, wrote in a letter to me that operational testing for a GMD element is premature and would not be helpful to the program. I have introduced that letter into the RECORD in previous debates. This is in direct contradiction to the direction of this amendment.

The Director, Mr. Christie, has testified that he supports the BMD test program and how it is being conducted, that the testing of the ground-based midcourse element is appropriate, and that he provides operational assessments on a continuing basis.

Fourth, this amendment offers no real benefit to the GMD test program. It is characteristic of a spiral development program such as the ballistic missile defense development effort to incorporate both developmental goals and operational goals and testing. The GMD testing already incorporates operational goals in each of its tests and, as I noted, the Director of OT&E already provides operational assessments based on this testing.

I believe this amendment provides no benefit, absolutely no benefit to the GMD effort and, in fact, will do significant harm to our national defense.

I urge my colleagues to oppose this Reed amendment.

I yield the floor.

Mr. WARNER. Mr. President, I thank our colleague. That leaves the Reed amendment for further discussion on Monday. Am I correct on that?

Mr. ALLARD. That should do it, yes.

Mr. WARNER. Thank you.

Speaking with the distinguished Democratic whip, I believe we are closing in on the final matters on this bill. One end I am going to try to tie down, then it would be my intention, subject to leadership concurrence, to close out today's activities on the bill and go into a period for morning business; is that correct?

Mr. REID. Madam President, that is true. We already have people lined up for Monday for amendments. We have Senators DAYTON, BYRD, BINGAMAN, LEVIN, and we have a number of people on Tuesday. We are about to finish this piece of legislation.

Mr. WARNER. If I may say, Madam President, I feel we are mutually reaching the goal established by Senator REID and the majority leader and the distinguished Democratic leader. I think we are getting excellent cooperation from all Senators, and we will be able to conclude this matter.

Mr. REID. We have a couple of votes—maybe as many as three votes—on Monday, if necessary, but we will have to see what happens on Tuesday. There could even be more than that on Tuesday. I have heard the possibility that we could have maybe six or seven amendments on Tuesday. If we are fortunate, we will be able to finish the bill sometime late that night.

Mr. WARNER. I again appreciate the Senator's assistance. We, frankly, have no more amendments on our side that I know of. Possibly one. I appreciate the cooperation which the other side has given to this matter.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SUNUNU). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WARNER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 3297

Mr. WARNER. Mr. President, I see the distinguished Democratic whip on the floor. He has a pending amendment. We are prepared to accept it on this side.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, it is amendment No. 3297.

The PRESIDING OFFICER. The question is on agreeing to the amendment, as modified.

The amendment (No. 3297) was agreed to.

Mr. REID. I move to reconsider the vote.

Mr. WARNER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, may I add, in the many years I have worked with the distinguished leader from Nevada, this is an issue which he has singlehandedly, in so many instances, taken the role to care for veterans, particularly those who carry the wounds of war or the wounds that have been incurred in the course of their service to the country.

I say to the Senator, this is a further chapter in that long and distinguished history of your personal intervention on their behalf, and I commend you, sir.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, the Senator was off the floor when I gave my statement. Senator SESSIONS was covering the floor. But I was quite effusive in my praise of the chairman and the ranking member. These years we have worked on this issue have been tough years. There have been monetary concerns on what we have to do for the military.

Had it not been for the breaking of new ground by the chairman and ranking member—this law has been in effect for more than 100 years—even though I was the person who was advocating this, but for the understanding of the two people we hold out as being our experts in the area of taking care of our military, it would not have been done.

I am so grateful for the help of Senator LEVIN and Senator WARNER. The veterans around the country know that. They know I was the guy out yelling and screaming. But they know the two individuals who made sure we got something done every year—the first year I introduced this, it was not a shutout. The first year we got a little bit. The second year we got more. We have continued to the point where we now are at 50 percent. Those people who are 100-percent disabled will start receiving their money the minute the President signs this most important bill.

I appreciate the comments of the gentleman from Virginia, because certainly he is that. But, also, I want to pat him on the back because he certainly deserves it.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I say to the Senator, I appreciate your sentiments. Thank you very much. And further I sayeth not, except I want to add, we have had a good day on this bill. We have adopted several amendments. We have laid down others that will be completed on Monday and Tuesday. Again, I thank all colleagues for their cooperation, particularly the leadership.

Mr. BIDEN. Mr. President, in a few months, the administration will announce that a national missile defense has been fielded in Alaska. Nobody in this body will be fooled by that announcement. We know smoke and mirrors when we see them, and that is what the so-called ''rudimentary'' missile defense will be.

The Bush campaign will say that he kept his promise to defend America against an attack by intercontinental ballistic missiles, but they won't admit that it doesn't work. And they won't mention the price, both in dollars and in the diversion of high-level attention from the truly pressing threats to our national security.

For those reasons, it is absolutely vital that we approve the amendment offered by Senator REED of Rhode Island. No complex weapons system should be deployed with as little evidence as we have today that the system could ever succeed in wartime. It is astounding that the President's desire to field a system by this October takes precedence over the need to ensure that the system will work. The administration's pursuit of missile defense has been anything but smooth.

First, it put on hold the program inherited from President Clinton. Then it decided on a defense remarkably similar to that one, but with a requirement that a so-called ''Alaska test bed'' be made operational by October 2004. After a test failed in December 2002, the administration actually reduced the number of intercept tests to be conducted before deployment, in order not to delay the deployment date. It

has not conducted a single intercept test since then, let alone one using the intended booster, the actual kill vehicle, the planned radar, the space-based infrared satellite that would be vital to the success of this system, or anything approaching a realistic test geometry or target set.

Very little, if any, of this will be accomplished before the administration claims its schedule-driven success. General Kadish has already said that the next test might be delayed until the fall.

Mr. Thomas Christie, Director of the Pentagon's Office of Operational Test and Evaluation, wrote in his most recent annual report:

> Delays in production and testing of the two booster designs have put tremendous pressure on the test schedule immediately prior to fielding. At this point, it is not clear what mission capability will be demonstrated prior to initial defensive operations.

In February, the General Accounting Office wrote:

> No component of the system to be fielded by September 2004 has been flight-tested in its deployed configuration. Significant uncertainties surround the capability to be fielded by September.

Two months ago before the Senate Armed Services Committee, Mr. Christie agreed with Senator REED's statement that:

> At this time, we cannot be sure that the actual system would work against a real North Korean missile threat.

The Union of Concerned Scientists has noted that, given the limited capabilities of the Cobra Dane radar in Alaska and the SPY–1 radar on a ship in the Pacific Ocean, this system would leave Hawaii essentially undefended. In fairness, there is a precedent for the administration's approach. It is a very old and famous precedent. You can find it in Chapter 1 of Don Quixote by Miguel de Cervantes.

Don Quixote checks out his old helmet, which he has been restoring:

> In order to see if it was strong and fit to stand a cut, he drew his sword and gave it a couple of slashes, the first of which undid in an instant what had taken him a week to do. The ease with which he had knocked it to pieces disconcerted him somewhat, and to guard against that danger he set to work again, fixing bars of iron on the inside until he was satisfied with its strength . . .

So far, so good. This is what we do whenever an interceptor fails to hit its target in a flight test. My guess is that this is what the Missile Defense Agency did after the December 2002 test.

But note what Don Quixote does next:

> . . . and then, not caring to try any more experiments with it, he passed it and adopted it as a helmet of the most perfect construction.

Does that sound familiar? The Missile Defense Agency did about the same thing: they decided to do fewer intercept tests, rather than more, and to defer nearly all of those tests until well after this missile defense ''helmet'' is fielded. So let's give the Pentagon credit where credit is due: they are downright literary. I do wonder, though, whether they ever got beyond Chapter 1. If they had read Chapter 11 of Don Quixote, they would have discovered that his helmet was demolished in its first encounter with an enemy. That is why Don Quixote ended up putting a barber's washbowl on his head.

There is a clear lesson here, and it is a lesson that Cervantes understood fully 400 years ago. Testing is not a one-time exercise. After you make your corrections to the system, you have to test again. and the reason for testing is so as not to field a system that will fail.

The administration will say that it is employing ''spiral development,'' under which weapons are deployed in an initial configuration that is then improved through regular upgrades. That concept assumes, however, that the initial configuration is at least workable. In missile defense, it is not clear that we have even made it to the barber's washbowl.

To declare that a system protects the American people when none of its real components has been tested realistically is really to deceive the American people. The decision to decrease near-term testing in order to maintain a deployment date weeks before the next election demonstrates neither realism nor wisdom.

The administration's fixation on missile defense has also blinded it to the opportunity costs of its pursuit of that goal. As Richard Clarke later reported, the administration was so focused on missile defense and the ABM Treaty in 2001 that it paid too little attention to the growing threat of al Qaeda terrorism.

It also put on hold, throughout 2001, our important nonproliferation programs in the former Soviet Union, which help to keep Russian weapons, materials, and technology out of the hands of rogue states or terrorists.

In the wake of September 11, when the administration was given a choice of spending $1.3 billion on missile defense or on countering terrorism, it still opted to spend the funds on missile defense. The difficult situation in which we find ourselves today regarding North Korea may be yet another result of the administration's missile defense fixation.

The administration inherited a mixed, but hopeful, situation from President Clinton: North Korea's spent nuclear reactor fuel, except for enough to make one or two nuclear weapons, which had been illegally reprocessed in the 1980s, was being safely canned and stored under U.S. and IAEA observation. American access to a suspect underground site had created an inspection precedent that might be enlarged upon in other agreements. Negotiations were proceeding on a deal to end North Korea's long-range missile sales. And while North Korea was engaged in an illegal uranium enrichment program, that was apparently still at an experimental stage.

But the administration refused to build on President Clinton's work. It delayed any engagement with North Korea throughout 2001, insulting South Korea's President and undercutting our own Secretary of State in the process.

There were persistent rumors that administration officials viewed missile defense, rather than negotiations, as the real answer to any North Korean threat. The North Korean threat was, in turn, a widely cited justification for pursuing a national missile defense and withdrawing from the ABM Treaty.

So here we are in 2004, and what do we have? The North Korean missile threat is still uncertain, since there have been no further flight tests of long-range North Korean missiles. But if North Korea ever does field an ICBM, there is a much better chance now that it will carry a nuclear weapon. Four years ago, we guessed that North Korea had one or two nuclear weapons; now we reportedly think they have at least eight, with perhaps more on the way.

Has this administration's policy made us safer? It doesn't look that way to me. What has happened, however, is that the stakes in missile defense have gotten higher. If faulty missile defense were to let a North Korean missile through with a high explosive warhead, or even a chemical weapons warhead, that would be one thing. But if a missile gets through with a nuclear weapon, then say goodbye to Honolulu or Seattle or San Diego.

That gets back to the matter of realistic testing. it is one thing to have ''spiral development'' of a new bomb, or even a new airplane. The loss of life in the ''learning by doing'' phase will be tragic, but limited.

It is quite another thing to tell the American people to put their trust in a ''rudimentary'' missile defense that could well permit the destruction of whole American cities. The Reed amendment won't stop missile defense. All it does is redress the balance, a little, between feckless deployment and desperately needed testing.

Whether we like our missile defense program or not, we should all vote in favor of testing it. If we need a missile defense, then we need one that does more than raise a ''Mission Accomplished'' banner in Alaska. It is time to stop acting like Don Quixote and start heeding the wisdom of Cervantes.

I urge my colleagues to vote for the Reed amendment.

MORNING BUSINESS

Mr. WARNER. Mr. President, I ask unanimous consent that the bill now be laid aside and the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. WARNER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

FATHER'S DAY

Mr. BYRD. Mr. President, as spring turns to summer, as the calendar rolls from Easter to Memorial Day to the Fourth of July, our workaday schedule is pleasantly interrupted by numerous holidays—days of remembrance, for the most part.

We honor the death and the rebirth of the Lord Jesus Christ, and we honor the fallen heroes of our Nation's wars. We honor our mothers and the flag of our Nation. Graduation ceremonies honoring matriculating students have been taking place every weekend around the country as high schools and colleges conclude their academic years. In West Virginia—how sweet the sound—we honor the anniversary of our statehood this month as well. This Sunday, June 20, 2004, the penultimate day of spring, the Nation honors fathers.

The word ''father,'' how sweet that sounds. Jesus taught us to pray, ''Our Father who art in Heaven.'' The Bible says, ''Honor thy father and thy mother.''

We can be sure that fathers will be honored this Sunday because it will be the mothers and the daughters who do the planning for this event—not the often inept party planners who call themselves men. Men can plan military campaigns and vacation travels, but somehow our skills frequently fall short at birthdays and holidays.

Fathers do offer other talents, however. Fathers are builders—builders of tree houses, builders of sand castles, of backyard patios, and model volcanoes for third grade science projects. Fathers are mechanics, for the family car as well as bicycles and, in this increasingly technology-laden day, computers, cell phones, and digital recorders and players of many purposes. Fathers are coaches for softball and junior soccer leagues, and fathers are chauffeurs for piano lessons and school dances. Fathers are workers, striving to keep their families fed and clothed and housed. Fathers are bankers, saving for college educations and making loans to start their youngsters off on a new career.

Fathers do traditional things, such as mow lawns, take out the trash, pay the bills, and change the tires. But fathers are also cooks, launderers, and diaper changers.

Fathers are part of the silent cheering section, rooting on their children with their solid presence at the back of recitals and grandstands, always pleased to mutter, ''That's my kid,'' ''That's my kid,'' ''That's my kid,'' to other spectators.

Fathers may not always show the true depth of their emotions, but there can be no father who does not glow inwardly as his child's shining face seeks theirs, seeks the father's, asking the unspoken question: ''Did I do well, Pa?'' ''Did I do well, Dad?'' ''Did I do well?'' ''And are you proud of me?'' ''Are you proud of me, Dad?'' As fathers, men are honored and humbled by the seeking of their approval, silently savoring the precious father-child bond.

I was raised by just such a silent man. My uncle, Titus Dalton Byrd, worked hard all of his working life in the coal mines of southern West Virginia. He never had much. I have heard others say: Well, I am the first in my line to have a college education. Or I am the first in my line to have a high school education. I am the first in my line to even go to the second grade.

This was my dad. He was not my biological father, but he was my dad. He was the greatest man I have ever met, and I have met with shahs and kings and princes and princesses, Presidents, Senators, Governors. This was the greatest, the greatest of all.

As I say, he never had much. He did not have much of an education. He did not have vacations. He was a man of few words. He walked to work, carrying his lunch in a pail, and he was grateful to be able to walk home at the end of the day, having worked all day, having toiled in the bowels of the Earth, having earned his bread by the sweat of his brow. Yes, I can see him.

He took me in as an infant, less than 1 year old. He did all that he could for me. He gave me his name. He encouraged me in my school work. He never bought me a cowboy suit or a cap buster. He bought me watercolors with which to paint. He bought me my first violin. In these ways, he gave me gifts that have stayed with me throughout my life.

So when I wanted to seek a job working in the mines to be like him, the man I call my dad discouraged me—discouraged me. He took me back into the mountains, into the bowels, into the depths of the Earth on a mine motor so that I could hear the timbers cracking, so that I could see the water holes in which he and other coal miners plodded their way, often on their knees. Yes, he showed me where he worked. He said the mines were dangerous places to work, and they were in those days especially. He wanted better things for me, and he urged me to get an education, a formal education.

He had the heart of a father. He wanted life to be better for his boy than it was for him. He made whatever sacrifices he had to make in order to make his dream come true. He couldn't give me much, but he gave me the best example. He set the best example that he could each and every day of his life.

He could have complained. He could have been a complainer. He could have whined. But he did neither. He just got up day after day and set out to work, and every day he came home tired. But he would save something sweet from his lunch for me. I used to watch him coming down the railroad tracks from a mile away, that tall man with black hair and red mustache. I saw him coming down the railroad tracks, and I would run to meet him. When I came near, he would stop, take the lid from the dinner pail and reach in and get a cake, a 5-cent cake. In those days, these were 5-cent cupcakes—5 cents. My mom had put into his lunch this cake every day. She knew what he would do with it. He took that cake to work, and then when I came near him, as he came walking on those cross-ties down the Virginian Railroad tracks, there in that coal mining camp in southern West Virginia, that tall man reached into the dinner pail and he pulled out that 5-cent cake, and he gave the cake to me.

From the morning when he arose to toil in the mines, he must have looked forward to the time in the afternoon when he would be giving that cake to me. He always gave the cake to me.

I wonder if I appreciated, as I should have, I wonder if I even understood all of his efforts, all of his sacrifices at the time of their commission. I am sure I did not, but age and fatherhood have given me greater insight into the life of this quiet man, this good dad, my dad.

Yes, I have walked with the greatest of the Earth, the leaders of the world. I sat down, as I said, with kings, princes, shahs, Governors and Presidents, but this was the greatest of them all. He was great because he was good.

This Nation is full of good fathers, fathers who work hard, fathers who come home tired, fathers who take care of their families. Most days they do not get much attention, these armies of good fathers. Headlines are not made by them. Unfortunately, headlines are made by bad fathers, not the good ones.

This Sunday, the good fathers will be fussed over, but they will enjoy every moment of attention. Some men will spend their Father's Day far away from home, serving in Iraq, Afghanistan, or in other dangerous places. Some men will work on Father's Day protecting the Nation at home in police and fire departments. For these men, Father's Day celebrations may be delayed but nonetheless sweeter for the wait.

I am the father of two daughters, mothers now themselves, even grandmothers. I am a great-grandfather, and I can attest that it is indeed great to be a great-grandfather.

As my sweet wife Erma and I celebrated our 67th wedding anniversary 3 weeks ago, I had the very special pleasure of sharing that occasion with most of my family and with friends. I could look around the long table past my wife's beautiful face and see small snatches of her and of myself in the voices, the gestures, the faces of three generations looking back at me. I am so proud of these.

''Yet, in my lineaments they trace, some features of my father's face.'' So

wrote the poet George Gordon Byron, Lord Byron, in his poem. It is at times like these that one can feel the tide of history flowing from the generations before me to the young faces just setting out on the long ride of life.

We strive to be remembered by our loved ones, as my dad strove to be remembered. To all the good fathers out there and in honor of my own dad, who is looking down today from heaven, I close with a few lines that I learned and recited when the days were young.

In those days, children routinely did such things as memorize poetry. And I say to the fine Senator who presides today over this body, it is one of a multitude of poems that were taught to children in order to teach them lessons, and this one is just a few lines titled, ''The Little Chap That Follows Me,'' or in some instances, ''A Little Fellow Follows Me.'' This was written by the Reverend Claude Wisdom White, Sr., and it reminds me of how my dad lived, a noble man whom I never heard once, in all of the years, use God's name in vain. I never heard him tell an off-colored joke. That was the man whom I remember this day. Thank God for a man like Titus Dalton Byrd.

A careful man I ought to be,
A little fellow follows me.
I dare not go astray,
For fear he'll go the self-same way.

I cannot once escape his eyes,
Whatever he see me do, he tries.
Like me, he says, he's going to be,
The little chap who follows me.

He thinks that I am good and fine,
Believes in every word of mine.
The base in me he must not see,
That little fellow who follows me.

I must remember as I go,
Thru summers' sun and winters' snow.
I am building for the years to be,
In the little chap who follows me.

WEST VIRGINIA DAY, 2004

Mr. BYRD. Mr. President, as I mentioned a moment ago, Sunday will be June 20, and it will be West Virginia Day. West Virginia Day.

On this day before West Virginia eve, there are so many things I would like to say about my great and proud and glorious State.

I would like to talk about her rolling hills, how each year scores of thousands of people come to West Virginia to camp in our State and in our parks, to hike the Appalachian Trail, to fish in our mountain streams, or simply to relax and enjoy our majestic mountain scenery. The only thing more beautiful than the Sun setting over the hills of West Virginia is the Sun rising over our beautiful green peaks.

I would like to brag a little. You know, Dizzy Dean said it is all right to brag if you have done it. I would like to brag a little about West Virginia's ''firsts.'' The first patent for a soda fountain was granted to George Dulty, of Wheeling, in 1833. The first bare knuckle world heavyweight championship was held near Colliers on June 1, 1880—Colliers, WV. The first rural free mail delivery was started in Charles Town, just a few miles from here, on October 6, 1896. The first female jockey to win a horse race was Barbara Jo Rubin, at the Charles Town Racetrack on February 22, 1969.

And, of course, I would like to boast, and I shall boast—why not? Why not? Why should I say I would like to boast? I am going to boast.

I want to boast about all of the biggest and the best of West Virginia. The world's largest axe factory was located—where? In Charleston; Charleston, WV. The world's largest clothespin factory was located in Richwood, in Nicholas County, WV.

The world's largest sycamore tree—where? Why, in Webster Springs, WV.

And the town of Weirton, right up there in that northern panhandle, is the only city in the United States that extends from one State to another, one State border to another, the only city in the United States that extends from one State border to the other.

And, of course, I will talk about the people of West Virginia, how they have endured disasters, exploitation, national scoffs—we are called hillbillies, you know. Hillbillies? How blessed the name, hillbillies. Count me in. How they have endured neglect but still they remain among the friendliest, the warmest, the most courageous, and most patriotic people in the United States.

West Virginians are good people who care about each other and care about you, even if you are a stranger. And it has been said that West Virginians ''don't just loan someone a socket wrench, we help them fix their cars.''

And then I want to talk about the West Virginia coal industry. I could point out how West Virginia coal helped to fuel the Industrial Revolution and for over a century heated American homes. Look about you.

You know the Great Fire in London occurred in 1666 and the great architect who drew the designs for the buildings that replaced those that were swept away with the fires, the great architect of that period was Christopher Wren. As my wife and I walked the halls of Saint Paul's Cathedral in London, we looked upon the floor and there on the floor, inscribed, were these words:

If you seek my monument, look about you.

That was Christopher Wren, who was the architect for perhaps more than 50 of those cathedrals and great buildings that grew up in the place that had been swept by the disastrous fire.

If you seek my monument, look about you.

I would point out how West Virginia coal helped to fuel the Industrial Revolution, as I say, and for a century heated American homes and fueled our warships and provided energy for our industries. Yes, these lights we have in the Chamber, where do you think that power is coming from? Not very far away. West Virginia coal made it possible.

But as the great and glorious day known as West Virginia Day approaches, I decided not to do all these things but to discuss another aspect: the West Virginia apple industry. I have to wonder how many people listening to me even realize that West Virginia has a significant apple industry, but it does. In fact, West Virginia ranks ninth in the Nation in apple production. Furthermore, West Virginia is the home of two important—now listen to this. When you go to the store, to the Giant food store tomorrow, with your husband or your wife or your brother or your sister, take a look at those apples as you go by. And just remember this, that two important and very popular and delicious, delectable, tasty apple varieties originated in West Virginia. In 1775, Thomas W. Grimes produced the first Grimes golden apple since Adam and Eve walked together as evening came and enjoyed the apple.

Thomas Grimes produced the first Grimes Golden apple in Wellsburg, WV. The Grimes Golden became a highly esteemed dessert apple.

In the early 1900s, Anderson Mullins discovered on his family property in Clay County, WV, a mysterious tree bearing the Golden Delicious apple.

Did you know that? I am looking at these bright faces that greet me with smiles every day—the wonderful young people who work for Senators and work for their Nation, who perform services for this Nation in this Senate, these wonderful young people—we call them pages. How wonderful they are.

I pause from time to time to talk to these pages and to tell them wholesome stories and talk a little about Nathan Hale, talk with them about this great institution, the Senate of the United States. I talk with them about the Great Compromise that was hammered out in Philadelphia on July 16, 1787.

Look how attentive these pages are. They are listening. They are listening. That smile, that radiant smile that I see on each page's face—Republican on the Republican side, and on the Democratic side—I will carry that smile with me all day, all day long, and it will warm my heart.

Great it is to believe the dream as we stand in youth by the starry stream, but greater still to live life through and find at the end that the dream is true.

As these young people go tomorrow perhaps to the Giant food or to the Safeway store or the corner grocery, they will look at the apples. When you do, remember that this Golden Delicious apple originated in Clay County, WV.

Clay County is where I attended a Democratic rally one night 50 years ago. Just before I got into my car, I put my fiddle—it is a violin, but some people call it a fiddle—on the trunk of my car. And I began talking with one of the others who was departing late or last from that rally. I forgot about leaving my fiddle on the trunk of my car. When I got into my car and turned the ignition on and backed it up, I heard something. I heard the sound

like something was being crunched under the rear wheels of my car. Lo and behold, it was my fiddle case and the fiddle that was in it. That happened in Clay County.

But I like to remember Clay County for that oval-shaped apple with a golden-yellow skin and the juicy, firm flesh and sweet flavor which won wide acclaim. Dr. John Harvey Kellogg, the founder of Kellogg's breakfast food company—have you tried Kellogg's Corn Flakes lately? I had them just this morning. He wrote that he considered ''the Golden Delicious, the finest apple I have ever tasted.'' That is a quotation from Dr. John Harvey Kellogg.

Listen to that again. Here is what he said:

> The Golden Delicious, the finest apple I have ever tasted.

Where does it start? Where was its beginning? Where was its genesis? West Virginia.

The world renowned horticulturist Luther Burbank agreed, as he stated:

> I have no hesitancy in stating that it is the greatest apple in all the world.

How about that? The ''greatest apple'' in all the world. And it came from where? West Virginia.

Offsprings of the Golden Delicious have now been developed in every area of the United States and on every continent. It is recognized as West Virginia's most famous contribution to horticulture. In 1995, the West Virginia State Senate designated the Golden Delicious apple as the official State fruit.

The apple industry in West Virginia began in a story book fashion. Around the year 1800, a young man by the name of John Chapman traveled the northern regions of what would become the State of West Virginia where mountaineers are always free. John Chapman traveled the northern regions of what would become the State of West Virginia planting apple trees throughout the region.

Chapman was born in 1774, and he spent 50 years of his life planting tiny apple trees throughout the frontiers of the Eastern and Midwestern States. He was a simple man, John Chapman, whose clothes were said to have been made from sacks, and he wore a tin pot for a hat, which he used for cooking—cooking out of your hat. His dream was for a land with blossoming apple trees everywhere and no one was ever hungry.

On the frontier, apples were not only a source of nutritious food, they were also used for the making of cider, vinegar, and apple butter as well.

Have you been to the Apple Butter Festival? We have the Apple Butter Festival over in Berkeley Springs. Where is that? In West Virginia.

Mr. Chapman is known to us today as the legendary Johnny Appleseed.

Many people think of Johnny Appleseed as a fictional character, but he was a real person. I like to think of him, perhaps, as the ''Father of the West Virginia Apple Industry.''

As the apple nurseries that Johnny Appleseed planted in West Virginia developed, apple trees were distributed throughout the region, and apple production blossomed. It wasn't long until West Virginia apples were being loaded on flat boats and shipped down the Ohio and the Mississippi Rivers to as far south as New Orleans, or loaded on canal boats and shipped to the Capital City of Washington.

By 1889, West Virginia was producing nearly 5 million bushels of apples a year. Apple production in West Virginia peaked in 1931, when the State produced over 12 million bushels of apples.

Today, apple production in West Virginia averages 143 million pounds—3.4 million bushels. Apple production takes place on an average of 9,000 acres, representing 126 commercial fruit growers.

I am sure you have heard of Senator Harry Byrd of Virginia. Harry Byrd owned some great apple orchards. Some of them were in the Eastern Panhandle of West Virginia.

In the autumn, drive through southern Berkeley County, and you will find the strong, sweet smell of apples being processed into sauces, juices, ciders, and jams. On any Saturday, ride through the Eastern Panhandle and see civic groups, church groups, or groups of high school youngsters stirring apple butter in old, cast iron, copper-plated kettles set over the open fire.

Apples have become an important part of the culture as well as the economies of West Virginia communities. In Inwood, for example, in the heart of old apple orchards, is Musselman High School, named after the world renowned maker of apple products, Christian H. Musselman, who started one of his first plants in West Virginia. And the school's mascot is the apple, while the spirited students are known as ''Applemen.'' The school newspaper is the ''Cider Press.''

Each year, the towns of Martinsburg and Burlington celebrate apple harvest festivals, while the towns of Salem and Berkeley Springs celebrate apple butter festivals. Clay County, the home of the Golden Delicious apple, celebrates with the Golden Delicious festival.

On Sunday, as we mark another glorious West Virginia Day, I suggest that you celebrate by biting into a piece of homemade apple pie, or tangy apple crisp, or savoring a delicious apple dumpling, or a sweet-candied apple and thinking of West Virginia.

West Virginia, how I love you!
Every steamlet, shrub and stone,
Even the clouds that flit above you
Always seem to be my own.

Your steep hillsides clad in grandeur,
Alays rugged, bold and free,
Sing with ever swelling chorus:
Montani, Semper, Liberi!

Always free! The little streamlets,
As they glide and race along,
Join their music to the anthem
And the zephyrs swell the song.

Always free! The mountain torrent
In its haste to reach the sea,
Shouts its challenges to the hillsides
And the echo answers ''FREE!''

Always free! Repeats the river
In a deeper, fuller tone
And the West wind in the treetops
Adds a chorus all its own.

Aways Free! The crashing thunder,
Madly flung from hill to hill,
In a wild reverberation
Makes our hearts with rapture fill.

Always free! The Bob White whistles
And the whippoorwill replies,
Always free! The robin twitters
As the sunset gilds the skies.

Perched upon the tallest timber,
Far above the sheltered lea,
There the eagle screams defiance
To a hostile world: ''I'm free!''

And two million happy people,
Hearts attuned in holy glee,
Add the hallelujah chorus:
''Mountaineers are always free!''

It is that time of year again.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CORNYN). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HARKIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARKIN. Mr. President, my remarks I am going to give now on health care and the health care system in America will not be as filled with rhapsody and melodic utterances as what we have heard from the distinguished Senator from West Virginia.

I noticed all the pages, I say to my friend from West Virginia, listening raptly to the Senator's comments. I can understand why. There is no one who can express himself or herself in such vivid terms, in such a vivid way that brings to life his beloved State of West Virginia, his youth, and his experiences. No one can do it and paint the picture with such clarity and color and meaning as the Senator from West Virginia.

Mr. BYRD. Will the Senator yield?

Mr. HARKIN. I would be delighted to, my mentor and my good friend from West Virginia.

Mr. BYRD. Mr. President, I thank the distinguished Senator. His father, I believe, was a coal miner.

Mr. HARKIN. That is right.

Mr. BYRD. You know, the coal miner is a very special breed of man. He goes into the smokey, hot bowels of the Earth to seek comrades who may be still alive. He risks his life for them. I have a special bond with the distinguished Senator through that coal miner background.

I thank him for his words, which were so well spoken, about these young pages. I thank him for what he does for his State. I thank him for what he does for his country. I hope he will have a happy Father's Day on this coming Sunday. I thank the Senator.

Mr. HARKIN. I thank the Senator from West Virginia for those very kind words. I, too, wish him the happiest of

Father's Days this week. I will be privileged to have at least one of my children home, and my wife. The other one will not be there, but I am sure we will be connected by telephone and talking on Father's Day.

The Senator from West Virginia has taken great pride in his family. We have shared in the past some of the tragedies that have happened to the Senator from West Virginia in his own family. I know how deeply the Senator from West Virginia feels about family and what family means to Americans in this country.

Through the example of the Senator from West Virginia, through his example of public service, I say to the young pages, through his example of public service through his entire lifetime, through his service to his State but most importantly to his wife Erma and his family, that is the example we all need to follow. It is a great example.

I thank the Senator.

HELP AMERICA ACT

Mr. HARKIN. Mr. President, for more than a decade I have spoken out about the need to fundamentally reorient our approach to health care in America, to reorient it toward prevention and wellness and self-care.

I don't think too many people would argue with the statement, if you get sick, the best place to get the needed care is here in America. We have the best trained, highest skilled health professionals in the world. In fact, I have one here with me on my staff who is joining me in the Senate today.

We have great health professionals and cutting edge, state-of-the-art technology.

Just a few weeks ago, because of a recurring back problem I have, I had an open MRI. I never liked going into those MRI machines. Now we have one that is open. Great technology. Great technology.

We have world-class health care facilities and research institutions. But when it comes to helping people stay healthy and stay out of the hospital—and prevent illness—we in America fall short.

In the U.S., we spend in excess of $1.8 trillion a year on health care. Fully 75 percent of that total is accounted for by chronic diseases, such as heart disease, cancer, diabetes. What these diseases have in common is that in so many cases they are preventable.

In the United States, we fail to make an upfront investment in prevention, so we end up spending hundreds of billions on hospitalization, treatment, and disability.

Well, this is foolish, and, clearly, it is unsustainable. In fact, I have long said that we do not have a health care system in America, we have a ''sick care'' system. If you are sick, you get care, but there is nothing there that will give you incentives and promotions to stay healthy in the first place.

This ''sick care'' system is costing us dearly in terms of health care costs, chronic illness, and premature deaths. Consider the cost of major chronic diseases, diseases, as I have said, that are so often preventable.

I will have a series of charts today. The first one is a chart from the 2001 Surgeon General's report. It points out that obesity cost the United States $117 billion in public health costs in 2000. Obesity—$117 billion in just 1 year. And it is getting worse.

Other things: cardiovascular disease, about a $352 billion cost per year; for diabetes, about $132 billion per year; for smoking, a more than $75 billion cost per year; for mental illness, about $150 billion a year it is costing our society. Indeed, major depression is the leading cause of disability in the United States.

Now, if I bought a new car, and I drove it off the lot, and I never maintained it, I never checked the oil, never checked the transmission fluid, never got it tuned up, you would think I was crazy, not to mention grossly irresponsible. The commonsense principle with an automobile is this: You pay a little now to keep the car maintained or you are going to pay a whole lot later when it breaks down.

Well, it is the same with our national health care system. Right now our health care system is in a downward spiral. We are not paying a little now. We are not doing the preventive maintenance. So we are paying a whole lot later. And guess what. It is breaking down.

For example, we are failing to address the Nation's obesity epidemic. I have some charts that will show just what has happened in the United States in the last few years. This is a chart that shows what the incidence of obesity was in the United States in 1990. As you will see, some States had less than 10-percent obesity. No State exceeded 15 percent, and most of the States fell between 10 to 14 percent of the population being obese. That was in 1990. So keep that in mind. Nowhere in America did we exceed 15 percent. And some States were less than 10 percent. That was 1990.

Now here we are in 2002. This is the real shocker. By 2002, the majority of our States were over 20 percent. A few States were over 25 percent. One in four of the individuals in these States is obese. No State now is less than 10 to 14 percent. And this all happened in 12 years.

Actually, the story is even worse. The data on these charts is based on—guess what—self-reported weight, which tends to be significantly underestimated. So as catastrophic as this chart looks—and it is—it is even worse because it understates the extent of the obesity epidemic.

If you use recorded data rather than self-reported information, these rates are much higher. In fact, using this more scientific approach, we learn that almost two out of every three Americans are either overweight or obese. Today, 65 percent of our population falls in that category. The Centers for Disease Control and Prevention recently warned that poor nutrition and physical inactivity could soon overtake smoking as the No. 1 cause of death in the United States. So let's make no mistake, this is a major public health crisis.

Now, a lot of times people say: Well, that is all well and good, but these are individuals. That is an individual choice—an individual choice. Well, I understand that, except when these individual choices lead to more hospital utilization—when these individual choices lead to higher insurance costs for the rest of our population, when these individual choices lead to prolonged chronic illnesses—then we have a public health crisis. And if you have a public health crisis, then it is time for those of us in government to look at what we can do to help change this course.

Another contributing factor to our health care crisis is tobacco. We do not hear as much about the dangers of tobacco use today as we used to. There is a perception that we have turned the corner, that we have done all we need to do. But that perception is not accurate. In 2002, 61 million Americans regularly smoked cigarettes. That is 26 percent of our population. What that means is, after decades of education and efforts to stop tobacco use, more than one in four Americans are still addicted to nicotine and smoking.

Mental health is another enormous challenge we are grossly neglecting. Mental health and chronic disease are intertwined, and they can trigger one another. It is about time we stopped separating the mind and the body when we discuss health. Prevention and mental health promotion programs should be integrated into our schools, workplaces, and communities along with physical health screenings and education. Surely, at the outset of the 21st century, it is time to move beyond the lingering shame and stigma that often attends mental health illness.

Fully 70 percent of all of the deaths in the U.S. are now linked to chronic conditions, such as heart disease, cancer, and diabetes. In so many cases, these chronic diseases are caused by poor nutrition, physical inactivity, tobacco use, and untreated mental illness.

Again, this is unacceptable to us as a society. So after many months of meetings, discussions with Iowans, discussions with experts around the Nation, and thanks to the help of my great staff, I will shortly be introducing comprehensive legislation designed to transform America's ''sick care'' system into a true health care system, one that emphasizes prevention and health promotion.

This bill, which I have here, which is a comprehensive bill, is one that will help promote healthy lifestyles and prevention to help us keep from getting sick in the first place. I will have more to say about that in a couple

minutes. But I am calling this bill the HELP America Act—HELP being an acronym for Healthy Lifestyles and Prevention.

The aim of this bill is to give individuals and communities, schools and workplaces, the information and the tools and the incentives they need to take charge of their own health and to prevent illness because if we are serious about getting control of health care costs and health insurance premiums, then we must give people access to preventive care. We must give people the tools they need to stay healthy and stay out of the hospital.

This will take a sustained commitment from government, schools, communities, employers, health officials, insurance companies, and, yes, tobacco and food industries. But a sustained effort can have a huge payoff for individuals and families, for employers, for society, for government budgets, and the economy at large.

As I said, the HELP America Act is comprehensive legislation. It is a multifaceted bill. But this afternoon I would like to outline the bill's major elements. The first title and the first component of the bill addresses healthy kids in schools.

Prevention and the development of healthy habits and lifestyles must begin in the early years with our children. Unfortunately, today, we are heading our kids in the wrong direction. More and more kids all across America are suffering from poor nutrition, physical inactivity, mental health issues, and tobacco use.

For example, just since the 1980s, the rates of obesity have doubled in children and tripled in teens.

Even more alarming is the fact that a growing number of children are experiencing what used to be thought of as primarily adult health problems. What I mean by that is almost two-thirds or 60 percent of overweight children have at least one cardiovascular disease risk factor. We know that the onset of diabetes is happening at even earlier and earlier ages.

Recent studies have shown that increasing weight, greater salt consumption from fast foods, and poor eating habits have contributed to a rise in blood pressure, higher cholesterol levels, and a shockingly rapid increase in adult onset diabetes happening in our kids.

The HELP America Act will more than double funding for the successful PEP program, Physical Education Program, which promotes health and physical education programs in our public schools.

I find it disturbing that more than one-third of youngsters in grades 9 through 12 do not regularly engage in adequate physical activity. More and more of our elementary school kids have no recess. They have no time during the day to engage in any kind of physical activity. This is a shame because studies show that regular physical activity not only improves health but boosts self-esteem.

For example, I heard from a Mr. Rick Schupbach, who is the physical education teacher at Grundy Center High School in Iowa. His school was recognized as a premier model school for physical education by the PE for Life national organization. Just this week I met with Lois Boeyink, the national elementary school PE teacher of the year from Iowa. As they pointed out, there are dozens of innovative programs and activities that can help kids become more physically active, but these programs are languishing for lack of funding and support.

The HELP America Act will also expand the fruit and vegetable program. These are basically the elements of title I of the bill. It promotes physical activity, doubling the PEP grants, getting down into our elementary schools to get kids to be more active, and to get school boards and principals thinking about incorporating into the school day some physical activity for the kids. To me that is just as important as learning a course or spending time studying during the day. They need some time for physical activity.

It also expands the food and vegetable program, which we started a couple of years ago, to provide free fresh fruits and vegetables in public schools. Right now that is happening in four States, about 100 schools, a couple of Indian reservations. It has been a tremendous success. What we have shown is that if you provide free fresh fruits and vegetables to kids in school, they will eat fresh fruits and vegetables, and they won't be going to the vending machines. They won't be eating potato chips and candy and snack foods. And they are getting healthier. Every place we have had the fresh fruit and vegetable program, it has been a tremendous success. The only problem is, we only have it in 100 schools. We need to expand it. That is what this bill will do.

The bill would also give schools incentives to create healthier environments, including goals for nutrition, education, physical activity, and to give grants to schools to get them to change their settings, to change their curriculum, that type of thing, to give more nutrition and activity in the schools.

Lastly, we would provide a grant program to provide mental health screenings and mental health prevention programs in schools, along with training for school staff to help them recognize children exhibiting early warning signs. It will improve access to mental health services for students and their families.

This is a comprehensive bill. We wanted to address wellness in everything from kids early on, through schools, workplaces, communities, the elderly, through Medicare. This is comprehensive.

The second part is healthier communities and workplaces. For example, the bill aims to create a healthier workforce by providing tax credits to businesses that offer wellness programs and health club memberships. Studies show that on average, every dollar that is invested in workplace wellness returns $3 in savings on health costs, absences from work, and so on.

I note for the record that the present occupant of the chair, the distinguished Senator from Texas, is a strong supporter and sponsor of what we call the WHIP bill. I was glad to join him as a cosponsor of that bill to promote employer wellness incentives. The Senator from Texas is right on the mark because right now there really are not any incentives out there. For example, if you work for a business—let's say it is a small business. They can't really put a wellness center in, but let's say their employees wanted to join a health club, a wellness center. The business could pay for that and have that as an expensable item, deductible, expensable item, and at the same time it would not be a taxable benefit to the employee. That is the WHIP bill. I thank the Senator from Texas for his great leadership. I hope the Senator does not mind that we have also included that in this bill. Whichever way, whether it is standalone or whatever, I say to my friend from Texas, he is right on the mark. I thank him for his leadership in this area.

We had a lot of hearings and field hearings. I heard from Mr. Lynn Olson, CEO of the Ottumwa, Iowa Regional Health Center. This center offers a comprehensive wellness program for its employees, including reduced health insurance premiums for those employees who meet individual health goals. The center has seen tremendous savings from their investment in health promotion.

My bill also goes beyond just the workplace. It creates a grant program for communities to be involved in promoting healthier lifestyles. For example, we want to support efforts such as those going on in two places in Iowa: Webster County and Mason City, where they have mall walking programs, basically for the elderly but, quite frankly, a lot of other people are joining in. Of course in Iowa, where you don't walk too much outside in the wintertime it is so cold, they have mall walking programs, and they have it set out for quarter-mile, one-half-mile, one-mile walks around the malls. The owners of the malls have been very helpful and supportive. But we need to expand it, and we need to expand it into communitywide initiatives to promote wellness.

At the same time our bill also provides new incentives for the construction of bike paths and sidewalks to encourage more physical activity, especially walking. It is shocking to this Senator, who grew up in a small community—sidewalks were a part of life; you always had a sidewalk; I walked to school every day on the sidewalk—new subdivisions and housing developments are being built without sidewalks.

Right away that discourages you from walking.

Roughly one-quarter of walking trips today take place on roads without sidewalks or shoulders. Bike lanes are available for only about 5 percent of bike trips. I saw some figures the other day about how fewer kids today ride bikes than they did just 20 years ago. I assume some of that is attributable to video games and surfing the Net, and watching TV. I understand that. But might not some of it also be attributable to the fact that there are really not too many places to ride bikes.

I can tell you that as a father of two daughters who rode bicycles, we were fortunate that we lived on a small cul-de-sac where you would ride around without traffic. We also, fortunately, lived in a neighborhood with sidewalks, so they could ride their bikes on the sidewalks.

If I were a parent with young children riding a bike today and I lived on a street and I didn't have sidewalks, I am not certain I would want my kids riding those bikes out on the streets. So we are discouraging young people from biking and discouraging adults from biking.

Lastly, as many colleagues know, I have been a longstanding advocate for the rights of people with disabilities. So I have given special attention to programs and activities to include people with disabilities. I just mentioned the bills and incentives to create bike lanes and sidewalks. This will make a difference to people with disabilities, who are often forced to travel in streets alongside cars because there are no sidewalks available for people using wheelchairs.

The Centers for Disease Control funded a program called Living Well With a Disability, which has actually decreased secondary conditions among people who have a disability, and it has led to improved health for participants. The program is an eight-session workshop that teaches individuals with disabilities how to change their nutrition and level of physical activity. The program not only increases healthy activities for people with disabilities, but has also led—get this—to a 10-percent decline in the cost for medical services, particularly emergency room care and hospital stays.

In addition, my bill includes a Working Well With a Disability Program, which will build partnerships between employers and vocational rehabilitation offices, with the aim of developing wellness programs in the workplace.

Moving on to the next title of the bill, which is responsible marketing and consumer awareness, basically, that has two major components. It has to do with menu labeling in restaurants and protecting our kids from unfair junk food advertising. Having accurate, readily available information about the nutritional value of the foods we eat is the first step toward improving our overall nutrition. Unfortunately, because of all the gimmicks and hype that marketers use to entice us to buy their products, determining the nutritional value of the foods we buy can be problematic, especially for kids.

I will refer to this chart again. Here we have counting books for kids, by which kids get to learn how to count. We have the Oreo Cookie counting books, where they can count up to 10 Oreo Cookies. This is the Cheerios counting book, the Fruitloops counting book, and the Goldfish counting book. Here is another Goldfish book. This is the M&Ms counting book. So you can teach little kids to count by counting Oreo Cookies, Fruitloops, M&Ms, or Goldfish—all not good nutritional value for our kids.

Why don't we have a peaches and pears counting book? Why don't we have a carrots and broccoli counting book? Why don't we have fruits and vegetables counting books? Why is it always sugar or things that are high in fat, high in sodium? Well, you can see what happens. The kids absorb this as they go along. It is because we don't have incentives for anybody to put out a pear counting book, an apple counting book, or a carrot counting book. These people have incentives: They make money. They get that brand identification out to the kids and parents early on. I can see this little kid doing the M&M counting book, and they learn to count to 10. When they go to the store with mom or dad and go down that aisle and they see that package of M&Ms, that is what they want because they recognize it from their counting book. So we need to get away from the gimmicks and hype. That is what that is.

Now, there is another chart I wanted to show. This is what I am talking about—putting nutrition labeling in restaurant menus. These are called cheese fries. This is actually something you can get in a restaurant not too far from the Capitol. Actually, it is ordered as a side plate. You can order a hamburger or cheeseburger and order cheese fries on the side. One serving of cheese fries has 3,010 calories, which is 1½ days worth of total calories. But you would never know it when you order it. You would have no idea how many calories are there.

A few weeks ago, I suggested that we have a mandate that restaurants—chain restaurants—put on their menu how much fat, transfat, calories, and sodium is in each entree. The National Restaurant Association sort of went into orbit, saying, we cannot do that; it is going to cost too much money; you don't understand, they change menus a lot; you would have to reprint them every time; it would be too burdensome, and on and on.

Well, about 1 week after the National Restaurant Association came out blasting my approach, one chain, called Ruby Tuesday's, decided on their own that they were going to print that exact information for every entree on their menu. You can go to any Ruby Tuesday's right now, pick up the menu, and for every entree, you can see total fat, transfats, calories, and sodium. If Ruby Tuesday's can do it, anybody can do it. People can now look at their menu and decide, armed with that information, if they want to have something that is high in fat. They might say, maybe I ought to cut back a little here. Maybe I don't want to order the cheese fries today. By the way, it is not Ruby Tuesday's that carries the cheese fries. That way, customers can make a more informed choice. That is what we are calling responsible marketing and consumer awareness. It has to do with menus and labeling in restaurants. More and more people are eating out, Mr. President. They really don't have the knowledge.

We also know that advertising to kids is getting worse. It is estimated that junk food marketers alone spent $15 billion in 2002 advertising to kids. As I said, they are not advertising broccoli and apples; they are advertising items that are high in sugar, salt, fat, and calories.

Here is a chart. Look at this on the left of the chart. This is the USDA Food Guide Pyramid. This is what you eat for a healthy lifestyle. Here is bread, cereal, rice and pasta, vegetables, fruits, milk, cheese, yogurt, meat, and beans, and nuts. Last would be fats, oils, and sweets. That is the USDA food chart.

Look at a typical Saturday morning advertising choices for our kids. This is what they get: Fifty percent of every ad they see is for something that has fats, oils, and sweets in it—things they should not be eating. They are advertising only 4.5 percent for milk, cheese, and yogurt; 1.8 percent for eggs, dried beans, poultry, fish, and nuts; and about 43 percent for bread, cereal, rice, and pasta. Usually, they are sugar-laden cereals. There is not one ad for vegetables or fruits—not one. So when kids see these ads, they think that is what they are supposed to eat. When they don't see anything advertising vegetables and fruits, they think that is not to be eaten. So that is why children under 8 years of age don't always have the ability to distinguish fact from fiction.

We know the number of TV ads kids see over the course of their childhood has doubled, from 20,000 to 40,000. The sad fact is and what few people know is that back in the 1970s—1978, if I am not mistaken—the FTC recommended banning TV advertising to kids.

What did Congress do? Why, Congress went into orbit. What? We can't ban TV advertising to kids. So we basically took away their authority to do that. We made it harder for the FTC. Right now it is harder for the Federal Trade Commission to regulate advertising for kids than for adults. You probably think I made a mistake in what I just said. I didn't make a mistake. What I said is, it is harder right now for the Federal Trade Commission to regulate

advertising for kids than it is to regulate advertising for adults, and that happened after 1978.

It is time to change that, and my bill will restore the authority of the Federal Trade Commission to regulate marketing to kids, just as they do for adults, and it encourages them to do so.

The fourth component of my bill, the HELP America Act, addresses reimbursements for prevention services. Right now, our medical system is set up to pay doctors to perform a $20,000 gastric bypass instead of offering advice on how to avoid such risky procedures in the beginning.

My bill will reimburse and reward health care professionals for practicing prevention and screenings. It will expand Medicare coverage to pay for counseling on nutrition and physical activity, mental health screenings, and smoking cessation programs for the elderly.

Time and again—and I am sure the present occupant of the chair has seen it in his own State—if you go to, let's say, a senior citizens center where they have an active program for wellness, where they have physical exercise, where they have nutrition counseling, mental health counseling, getting elderly people who have been smoking all their life off tobacco, you will find those elderly people use less hospital care services, they go to the hospital less; they go to the doctor less than elderly people who either do not go to a senior citizens center or go to a senior citizens center where they simply sit around and play cards. We know that. We need to expand Medicare coverage to pay for that kind of physical activity, mental health screenings, and smoking cessation programs.

Does it cost money? You bet. But think of the money we are going to save in the long run. Again, I get back to my car. If you bought a new car and drove it home, and you never changed the oil, you never changed the transmission fluid, you never had it tuned up, and you just drove it until the engine seized up because it ran out of oil, yes, you can go down and put a new engine in it. I think that will cost you a lot more than if you just change the oil periodically and gave it a tuneup periodically. That is what we are talking about here. We are doing the same thing.

Finally, let me point out that the HELP America Act will be funded by creating a new national health promotion trust fund paid for through a penalty on tobacco companies that fail to cut smoking rates among children, and also by ending the taxpayer subsidy of tobacco advertising and closing a few other tax loopholes.

I want to mention the subsidy of tobacco advertising. We see a lot of ads for tobacco. That is a tax-deductible expense for tobacco companies. Billions of dollars every year are spent advertising tobacco. Everything from the Marlboro Man to Kool Lights—we see them all the time; I cannot remember them all—all paid for by a tax deduction.

I am not saying that a tobacco company cannot advertise tobacco. It is still legal to buy it. They have the right to advertise it, but they do not have any constitutional right to get a tax deduction for it.

A lot of people say to me: Senator HARKIN, you want to take away their constitutional right to advertise.

I said: No, I do not. It is free speech. It is a legal product. So far it is legal. They can advertise it, but there is no constitutional right for a tax deduction for them to advertise tobacco, and I think it is time that we remove that and put that savings into a health promotion trust fund.

It is time for the Congress to lead America in a new direction. We need a new health care paradigm, a prevention paradigm.

As I said in the beginning, some will argue avoiding obesity and preventable disease is strictly a matter of personal responsibility. We all agree individuals should act responsibly, and I am all for personal responsibility. But when something reaches the proportions that we have today where it is a public health crisis, where it is impacting every single American and the insurance we have to pay for our own health insurance, where it is clogging up our hospitals with people who are in for chronic illnesses and diseases, where it is costing more and more on Medicare, which we subsidize, or Medicaid, then it is time for the Government to act responsibly.

We have a responsibility, at a minimum, to ensure that people have the information, the tools, the incentives, and the support they need to take charge of their own health. That is what the HELP America Act is all about.

Again, the description I have just given of this quite comprehensive bill is just scratching the surface. I obviously did not go into all the parts of it. I do not want to take any more time here today. But the HELP America Act is a comprehensive bill addressing health promotion, illness prevention, physical activity, everything from early childhood to late adulthood, everything from schools to communities to workplaces to government.

I know it probably will not pass right away, but I hope this becomes a part of our national debate. This is a political year. Fortunately, I am not running. Fortunately, the Senator from Texas is not running. Obviously, there are a lot of people out there running for political office this year, and there will be a lot of talk about health care and how we are going to do Medicare and how we do Medicaid and how we do the health insurance crisis and prescription drugs, and all this is going to be talked about.

It is time for our Presidential candidates on both sides to begin talking about keeping people healthy, preventing illness, and what do we need to do to change this paradigm from a sick care system to a health care system. We need that public debate because I believe the American people want that shift. They want to be healthier. They want to eat better. They want to have a healthier lifestyle. But it just seems as if everything in our country is tilted against that healthier lifestyle.

When you do not have a sidewalk on which to walk, when you do not have a bike path on which to ride your bike, when kids in school have no physical activity whatsoever, when kids in school have junk food shoved at them in vending machines up and down one aisle and another, when kids at the earliest age watch their Saturday morning TV shows and all they see is candy, sugar, and fats pushed at them, when our workplaces have no incentives to provide wellness to their employees, when the elderly get Medicare and if they get sick, right to the hospital, right to a doctor, Medicare pays; thank God for Medicare. But shouldn't Medicare also be trying to keep them healthy in the first place?

People want this. The American public wants this kind of support. They want this paradigm shift to lead healthier lifestyles.

It is time for us to get on with this business of doing so.

In closing, it is time to heed the golden rule of holes, which says, when you are in a hole, stop digging. Well, we have dug one whopper of a hole in our health care system by only addressing illness and by failing to emphasize prevention and wellness. It is time to stop digging that hole. It is time to commit ourselves to healthier lifestyles and changing the incentive structure, changing this paradigm that we have in this country, a paradigm shift from a sick care system to a health care system.

I thank the indulgence of the occupant of the chair for giving me this time on a Friday afternoon.

Mr. HARKIN. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. DOLE). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

WORLD REFUGEE DAY 2004

Mr. BROWNBACK. Madam President, from the central highlands of Vietnam to the Darfur region of Sudan, and from the Tumen river dividing North Korea and China to the roof of the world in Bhutan and Nepal, nearly 12 million people worldwide are refugees. Sunday, June 20, 2004 is World Refugee Day. This week, at events both in Washington and around the world, policymakers, advocates and concerned individuals will direct our attention to

the plight of those who seek safety from persecution in their homelands.

Refugees face the most difficult of circumstances. Their stories of escape from persecution are more dramatic than anything Hollywood could script and often too horrific for most of us to imagine. Stories of unspeakable brutality, long journeys, and family separation are not the exception but the rule. Often, refugees are alive only because of a faith in God and an unshakeable will to survive.

Tragically, however, the plight of a refugee does not end with escape from persecution. Refugees frequently have nothing but their lives to bring into a new country. Most refugees would love to return to their homelands, but this is often impossible. Absent a dramatic change in conditions at home, refugees have few choices.

I am proud that the United States leads the world in one of those choices: refugee resettlement. From its founding, America has been the dream destination for the world's oppressed peoples, and that dream endures today. I want to applaud the determination of the State Department to resettle as many as 50,000 refugees this year—a significant increase over recent annual totals. I look forward to working with the State Department for the rest of this year and into the next, to return our refugee resettlement program to its historical averages and preserve America's commitment to the world's most vulnerable people.

Some might say ''Why should we bother?'' Some might ask why the United States should play such a role. But such questions are ultimately short-sighted. America's principles are never better upheld than when we assist the oppressed. American's image is nowhere better polished than in the minds of refugees who receive our assistance. And no, the United States cannot solve every refugee problem, so it should be clear that America's interests are well-served by setting an example for the rest of the world to follow.

There is much work to be done. Hundreds of thousands of refugees are fleeing the Darfur region of Sudan. They stream into Chad bringing nothing with them and finding little across the border. Within a few months, the region has become the world's most acute humanitarian crisis. The United States has already directed millions of dollars in emergency funds to this region, and as we find additional ways to respond, I hope the international community will commit itself to assisting these refugees.

In similar fashion, I hope that the international community will not allow discussions of nuclear weapons to obscure the plight of thousands of North Koreans who have fled into northeast China. Not only are they living testimonies to the brutality of the regime of Kim Jong-il, they remind us that sometimes refugees are forced to trade one set of horrors for another. China must stop forcibly repatriating North Koreans and should allow the international community to provide assistance to these people.

In other parts of the world, refugees find safe haven in camps where they await a change of conditions at home or some other long-term resolution of their exiled status. While camps are intended to be way stations, however, they too often become warehouses. Seven million of the world's 12 million refugees have lived in camps or segregated settlements for more than 10 years. Think of that: seven million people who have each forfeited a decade of human potential. The international community never intended that it be this way. The 1951 Convention Relating to the Status of Refugees and its 1967 Protocol—signed by the United States—give refugees the right to be recognized before the law, to move freely, to earn a living, and to own property. But in many cases, these rights are not respected and the loss of human potential endures.

There are no easy solutions to the warehousing problem, but such treatment is unacceptable. I hope that as we respond to the Darfur situation and others around the world, the State Department and other members of the international community will take steps to ensure that refugees who receive our emergency assistance today will gain opportunities for self-sufficiency tomorrow.

Unfortunately, as long as there is conflict, there will be refugees. But strong United States responses to these humanitarian crises mean more than a dollar figure in the budget. When the United States emphasizes refugee assistance and refugees, it demonstrates a commitment for other nations to emulate. Truly global responses to refugee crises begin here with America's strong, compassionate leadership.

As we mark World Refugee Day 2004 this Sunday, I look forward to extending that leadership in the days ahead, and I hope my colleagues will join me in working on this crucial part of our foreign and humanitarian policy.

IN RECOGNITION OF THE JUNETEENTH FESTIVAL CELEBRATION

Mr. LEVIN. Madam President, this week people all across the Nation are engaging in the oldest known celebration of the ending of slavery. It was in June of 1865, that the Union soldiers landed in Galveston, TX with the news that the war had ended and that slavery finally had come to an end in the United States. This was 2½ years after the Emancipation Proclamation, which had become official January 1, 1863. This week and specifically on June 19, we celebrate what is known as ''Juneteenth Independence Day.'' It was on this date, June 19, that slaves in the Southwest finally learned of the end of slavery. Although passage of the Thirteenth Amendment in January 1863, legally abolished slavery, many African Americans remained in servitude due to the slow dissemination of this news across the country.

In recognition of Juneteenth, I would like to call my colleagues' attention the Juneteenth Creative Cultural Center and Museum founded in Saginaw, MI by Lula Briggs Galloway on June 19, 2003. The Juneteenth Creative Cultural Center & Museum will be celebrating its first year anniversary with the Juneteenth Independence Day Celebration on Saturday, June 19, 2004, hosted by its founder and volunteers. They are proud to present the ''Tuskegee Airmen'' and the ''Triple Nickles'' who will be performing as part of the Juneteenth Independence Day Celebration.

Many years before ''black pride'' became a popular slogan, a small group of black soldiers gave life and meaning to those words. This is their story. Born within an army that had traditionally relegated blacks to menial jobs and programmed them for failure, the 555th Parachute Infantry Battalion, or ''Triple Nickles'' Succeeded in becoming the Nation's first all-black parachute infantry test platoon, company, and battalion.

The Tuskegee Airmen, a black Army Air Force unit, were dedicated, determined young men who enlisted to become America's first black military airmen, at a time when there were many people who thought that black men lacked intelligence, skill, and courage to become pilots. Although the Tuskegee Airmen flew more than 15,000 combat missions, once home, they had to give up their seats on the bus to Nazi prisoners of war who were being transferred to holding camps.

Since that time, men like Chuck Simms Sr., John Weldon, and Toney Muzon, have continued the legacy for the Triple Nickles and the Tuskegee Airmen. This celebration will honor them, and their fellow soldiers and airmen, who have since passed away.

The Triple Nickles' and the Tuskegee Airmen's families can be proud of their dedication to their country, and their great commitment to honor the values and principles of democracy and freedom. We as a nation have benefitted from the extraordinary contributions—and sacrifices—of these veterans who bravely went off to war, despite turmoil and racism at home.

I am sure that my Senate colleagues join me in recognizing and honoring the Juneteenth Creative Cultural Center and Museum's first year anniversary, and the Juneteenth Independence Day Celebration honoring the Triple Nickles and Tuskegee Airmen veterans.

LOCAL LAW ENFORCEMENT ACT OF 2003

Mr. SMITH. Madam President, I rise today to speak about the need for hate crimes legislation. On May 1, 2003, Senator KENNEDY and I introduced the Local Law Enforcement Enhancement

Act, a bill that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society.

On January 14, 1999, in El Dorado, CA, Thomas Gary, 38, died after being run over by a truck and shot with a shot gun. The assailant claimed that Gary had made a pass at him.

I believe that Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

NATIONAL DAIRY EQUITY ACT

Ms. SNOWE. Madam President, I support the legislation introduced by my colleagues Senator SPECTER and Senator SCHUMER, the National Dairy Equity Act. I am pleased to be an original cosponsor of this bill. This introduction is well timed as this month we are celebrating National Dairy Month and the positive aspects that eating dairy products have on our health. From calcium to potassium, dairy products contain essential nutrients that help to manage weight, reduce the risk for high blood pressure, osteoporosis and certain cancers, among other health benefits.

In fact, each year 7 billion gallons of fluid milk are marketed in the United States, yielding about $22 billion in annual sales. However, the growing price spread between what the farmer receives and what the retail price is don't equal out. This is a concern to me.

I applaud the sponsors of this legislation, Senators SPECTER and SCHUMER, for their hard work and commitment to the cause of bringing equity into the dairy industry. It should be noted that MILC replaced the very successful Northeast Dairy Compact during the reauthorization of the 2002 Farm bill. I fought very hard to reauthorize the Northeast Dairy Compact at that time because the Northeast Dairy Compact was not structured around payments from the government like the new MILC program. I ultimately voted for MILC because it was the best alternative to the Northeast Dairy Compact. I commend the resolve of Senators SPECTER and SCHUMER to craft a solution that is fair to farmers in all regions of the United States as their efforts have been nothing short of extraordinary.

The National Dairy Equity Act is a win-win proposal that lends dairy farmers a hand, without tapping into the federal treasury. Price volatility in the milk market, coupled with growing production costs, has made it difficult for family dairy farmers to stay in business. The National Dairy Equity Act will work for both the people and the dairy farmers of New England as well as other parts of the United States by providing dairy farmers with a safety net and by helping to maintain a stable price for fluid milk. This legislation will also help to preserve a New England way of life. The legislation gives states the ability to work closely together to price milk in their own areas, giving states the power to determine fair prices. Of the milk sold in New England, a vast majority—more than 85 percent—is produced from herds in the New England area.

The National Dairy Equity Act allows farmers in each of the five Regional Diary Marketing Areas, RDMAs, to establish minimum prices for Class I, fluid, milk based on the federal pricing structure. Under the bill, the Governor of each state, in consultation with producers and dairy industry representatives, nominates three members to the regional board. Participation by farmers and—importantly—participation by consumers is required. This regional approach effectively balances the needs of consumers and producers, while ensuring a healthier dairy industry in the future.

The Regional Dairy Marketing Boards also have the authority to conduct effective supply management for their region, including the use of traditional and creative development and implementation of incentive-based supply management programs. To protect against overproduction, regions in which the growth in milk production is higher than the national average will be required to reimburse the Secretary of the Treasury for the cost of government dairy surplus purchases up to the amount that the region is receiving under the NDEA. This system of checks and balances protects against any overproduction.

While the Northeast, Southern, and Upper Midwest regions are automatically considered as participating states, the National Dairy Equity Act has a mechanism for any State to opt into or out of the program. I consider this to be a strong provision in the bill precisely because it allows states to choose the option that is best for them. States that choose not to participate are eligible to participate in the current federal MILC program through September 2005. Individual farmers in states that opt for the MILC program can choose to continue receiving payments through the MILC contract until that legislation expires in September 2005. This legislation has been constructed to give flexibility and certainty to family dairy farmers.

Further, the costs of operating the Regional Dairy Marketing Boards are borne entirely by those participating in the dairy industry in each of the respective regions, at no expense to the federal government. In addition, the Regional Dairy Marketing Boards provide environmental benefits through preservation of dwindling agricultural land and open spaces that help to combat the growing problem of urban sprawl, particularly near large cities, but which is starting to affect more rural areas as well.

The National Dairy Equity Act provides farmers with the safety net they need to continue providing the resources for the myriad of dairy products we rely on to meet our health needs. I urge my colleagues to take this opportunity, during National Dairy Month to celebrate this creative policy solution presented by Senators SPECTER and SCHUMER that brings equity to dairy industry and could save the Federal treasury billions of dollars. This legislation is supported by the Maine Dairy Industry Association.

I ask unanimous consent that the letter be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MAINE DAIRY INDUSTRY ASSOCIATION,
Augusta, ME, June 15, 2004.

Senator OLYMPIA J. SNOWE,
U.S. Senate, Washington, DC.

DEAR SENATOR SNOWE: On behalf of the 392 dairy farmers operating small businesses in Maine, I thank you for your support of the effort to create regionally flexibility in dairy pricing through your sponsorship of the National Dairy Equity Act. You have consistently been a strong advocate for Maine dairy and all of Maine agriculture and we are proud of your steady leadership in Congress.

Dairy farming is a difficult profession. The cows work 365 days a year regardless holidays, weekends or illness. The weather cannot be made to order. And farmers have very little to say about what they will get paid for their milk, regardless of the quality, quantity or freshness. In spite of these challenges, Maine has a strong dairy farming tradition and our farmers are proud to produce over 50 million gallons of milk (605 million pounds) every year to Maine consumers. Milk is a bulky, perishable product. When it is processed it can be made into products that have a longer shelf life. But fresh fluid milk has many more limitations.

The USDA Federal Order system was put in place in the 1930s to stabilize the price of milk and help the farmers get a fair price for their product. Over the years, this program has been tweaked and twisted in directions that no longer achieve its original aim. Over the years the national demographic profile of dairy farms has changed from small family farms with local creameries serving small geographic areas to larger farming operations concentrated by region and shipping milk to a few large corporate processors with multiple plant locations. Milk is priced on the commodity market, responding to shifting trends of supply and demand that are measured on a nationwide scale. The farmers are again the Davids in an industry of Goliaths.

Milk pricing is an incredible complex series of market calculations. Simply, when the ration between supply and demand shifts 1–2 percent one way or the other, the price the Federal order sets for the farmer to get paid can shift 20–30 percent. If you mapped out the prices for a year on a chart, it would look more like a blueprint for a roller coaster ride than government-controlled pricing structure. And dairy farmers are only told what price they will be paid for their milk AFTER they have sent it to market. Can you imagine any other business working under these conditions?

In Maine, we are fortunate that our style of dairy farming has vestiges of the old days. Most of our farms are family owned, many supporting multiple generations. The farmers live on the farm in the ''homestead.'' Most farmers can track their milk to the

dairy case in their local store. Visitors from states to our south frequently come to Maine to see our green pastures with grazing cows against the backdrop of a white farmhouse and a red barn not only as tourists, but as prospective homeowners and future Maine residents looking to find a simpler, more traditional way of life. In fact, some of the most valuable land for housing developments is adjacent to working farms.

But the size of our farms and the beauty of the landscape are coupled with innovative production techniques and creative marketing efforts. Many farmers have discovered the value of organic production operations and marketing to the organic food niche market. Most dairy farmers have diversified farm operations to include other agricultural products to supplement the dairy operation, such as selling hay or other silage crops, raising replacement dairy animals or a variety of animals for meat and byproducts. And studies have found that 89 percent of Maine dairy farms are operating at 85 percent of higher rates of efficiency, utilizing new techniques and technology.

However, no amount of diversification can make up for low milk prices. Farmers are just coming back from over 25 straight months of record low prices that resulted in a loss of 68 Maine dairy farms (15 percent of the total). The irony is that Maine has fared better than many other states, including most of those in New England, thanks in part to innovative state and regional solutions to help bolster the price to farmers when the Federal Order Price drops.

Maine has long been a leader in finding new and creative solutions to the challenges in agriculture. In dairy, our legacy is in finding ways to allow regional flexibility in a pricing system that clumps farmers from all 50 States into one big commodity category. In the early 1990s, Maine dairy farmers worked with state leaders to create a Vendor Fee system that supported the milk price paid to farmers when the price fell below the cost of production. This became the model for the Northeast Dairy Compact, which successfully operated in the 6 New England states from 1997 until September 2001.

The Vendor Fee, its successor the Maine Dairy Stabilization Act, and the Northeast Dairy Compact all recognized that not all parts of the country can produce milk for the same amount of money. Farmers in the western U.S. can take advantage of federal water subsidies to turn desert into prime grazing land. Some areas have longer growing seasons than others and some are not suited to growing the types of grain and feeds needed for dairy cattle. These three programs utilized their regional marketplace to support the dairy operations that supplied the consumers in that area. Consumers were willing to pay more to ensure a fresh, quality supply of local milk and dairy products. It was a symbiotic relationship.

The National Dairy Equity Act is an attempt to recognize and build on the simple concept begun in the state of Maine—that regional flexibility is necessary when it comes to milk pricing in order to sustain a consistent supply of fresh milk to all our citizens. Our dairy farms are too valuable to our economy and our way of life to risk losing due to rigid, one-size-fits-all policies that have been mutated to protect the consumer and the processor, but do little for the farmer.

Without the dairy farmer, we would not have fresh milk. A robotic cow operating in a mass production plant is not a solution. We need a vibrant, diversified dairy industry peppered throughout this country. Today, we have one in Maine. Passage of the National Dairy Equity Act could mean that we will continue to enjoy quality Maine milk for generations to come.

Thank you again for your support.

Sincerely,

DALE COLE,
Maine Dairy Industry Association.

ADDITIONAL STATEMENTS

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

NATIONAL PEACE ESSAY CONTEST

• Mr. DASCHLE. Mr. President, I am honored today to present to my colleagues in the Senate an essay by Adam Hofer of Rapid City, SD. Adam is a student at St. Thomas More High School, and he has been awarded first place in the annual National Peace Essay Contest for South Dakota. ''Rebuilding Societies After Conflict'' examines how postconflict states transition to free elections, develop a national constitution, and incorporate demobilized soldiers into society. By using the case studies of Nicaragua and Mozambique, Adam deftly illustrates the importance of all three factors in a nation's transition to peace following civil war. I commend his essay to my colleagues' attention. I ask consent that Adam Hofer's essay be printed in the RECORD.

The material follows.

REBUILDING SOCIETIES AFTER CONFLICT

(By Adam Hofer)

The Greek philosopher Aristotle noted, ''It is more difficult to organize peace than to win a war; but the fruits of victory will be lost if the peace is not organized.'' This idea of organization as central to lasting peace is as applicable today as it was over 2000 years ago. Yet, the question remains as to the *means* by which peace efforts should be organized. In the twentieth century, post-war countries like Nicaragua and Mozambique strove to organize peaceful, reconstructed nations. An analysis of the post-conflict reconstruction methods used in these countries shows that free elections, a national constitution, and the reintegration of demobilized soldiers are necessary conditions that must be incorporated for a post-conflict reconstruction program to achieve the stability and reconciliation necessary for lasting peace.

In Nicaragua, several developments led to the end of almost a decade of civil war between the Sandinista government of Nicaragua and members of the Nicaraguan Resistance known as the Contras. The initial spark to end the violence was a negotiated stalemate between the two factions that occurred because foreign military support to both sides discontinued. The military stalemate gave Nicaragua the opportunity to sign a regional plan for peace in Central America, known as the Arias Plan, in 1987. Apart from bringing a negotiated cease-fire and national reconciliation, the Arias plan also paved the way for the 1989 free national elections in Nicaragua. The national elections resulted in the Sandinista government's losing to Violeta Barrios de Chamorro, the candidate of the opposition party. Led by a leader committed to a democratic government and national reconciliation, Nicaragua had finally stepped out of the Cold War spotlight and was ready to begin its reconstruction process.

The reconstruction process in Nicaragua that began following the recent civil war is still evident in the country today. Years of conflict in Nicaragua had given the country a need for many elements of reconstruction, one being the country's security. Nicaragua acknowledged that the social reintegration of demobilized soldiers was essential to establishing security and beginning reconstruction. With the help of international organizations such as Network for Peace, many former soldiers were successfully reintegrated and became active models of reconciliation and peace for the Nicaraguan society.

Efforts in rebuilding the governance and economy of Nicaragua continue to be key elements in sustaining peace as well. Organizing Nicaragua's government after peace involved the creation of a constitutional democracy. This type of democracy incorporated representation from both sides of the conflict, ensuring that the decisions of the government did not re-ignite the issues from the past conflict. The new government also created the freedom for Nicaragua's economy to begin development. An economic plan ''for regional cooperation in trade, financing, investment, and production,'' as well as the benefit of ongoing foreign assistance generated economic development in Nicaragua. This reorganization of the government and economy has helped the country become more stable and has inclined its citizens towards reconciliation.

It is not by chance that the conflicts of Nicaragua's civil war have not re-ignited; their reconciliation is a direct result of the organized means of post-conflict reconstruction. Nicaragua obtained a national sense of security by organizing the demobilization and reintegration of many soldiers from both the Contra and Sandinista armies. The government, rooted in a national constitution, achieved stability and gave the country a solid foundation for recovery.

Mozambique's successful transition from a warring country to a peaceful nation is comparable to that of Nicaragua. Like Nicaragua, Mozambique experienced an internal conflict, a civil war that was between the Frelimo Government and the Renamo, or National Resistance Movement in Mozambique. Conflict ended in Mozambique in 1992, and the country's efforts of reconstruction continue today.

The opportunity for peace in Mozambique came in 1983 when the president of the ruling Frelimo government accepted the failure of socialism and recognized the need for reform. The government was unable to control a country that had already suffered about one million deaths from civil war. This acceptance eventually led to the enactment of a national constitution in 1992. The constitution ''provided for a multi-party political system, market-based economy, and free elections.'' These elements provided by the national constitution led to peace negotiations between the two factions and the beginnings of governmental and economical reconstruction in Mozambiue.

The ''social fabric'' and ''economic infrastructure'' of Mozambique had been greatly disrupted by the 17 years of civil strife. A sense of security in the country was an important and immediate need. The reconstruction began with a United Nations' program for transitioning destructive soldiers into productive citizens. These efforts of reintegration and demobilization were so successful that the demilitarized soldiers were soon helping remove the approximately one million landmines still present from the country's civil war. During the first 5 years following peace, ''more than 6.5 billion in international aid flowed into Mozambique * * * most of which went to demilitarization and demining, infrastructure and capacity strengthening, and poverty reduction.''

These international efforts to rebuild Mozambique's security set the stage for the rest of the country's post-war reconstruction process.

Reconstruction of Mozambique's economy began as the nation became more secure. Since much of Mozambique was drought-stricken and strewn with landmines, the agriculturally based economy relied greatly on international aid at the onset of peace. Fortunately, a more independent economy was soon underway as many landmines were removed, and good rains resulted in Mozambique's first bountiful harvest in years. This economic stabilization was felt throughout the country and encouraged a more suitable environment for reconciliation to occur.

The unique cultural elements of Mozambique also proved helpful in reorganizing and rebuilding the country. Since Mozambique's people had ''little history of religious fundamentalism, warlords, or ethnic conflict,'' the reconstruction efforts faced less resistance. Also, local healers used traditional rituals to emphasize ''social precautions for retaining a well functioning society.'' In these ways, the naturally existing cultural unity of Mozambique helped the citizens to put the past conflicts aside and to focus on rebuilding their country.

The reconstruction efforts that have taken place in Mozambique have been successful in sustaining this country's peace. One significant reason is that most members of the former Renamo guerrilla army have become responsible citizens. This successful reintegration has caused a peaceful attitude to filter throughout the nation and has brought confidence that violence will not re-ignite. The national constitution and developing economy provided Mozambique with stability and promoted national reconciliation, aiding the transition from war to peace.

Evaluating the successful methods used in the reconstruction of Nicaragua and Mozambique reveals the necessary conditions for successful post-conflict reconstruction in any country. Free national elections secure a legitimate governing body and are an essential condition for a stable society. Such elections ensure that citizens are able to choose a leader who reflects their ideals and who can administer with majority support. A national election and an appropriate transfer of power should be organized almost immediately following any conflict.

Anoter essential condition of post-conflict reconstruction, aimed at achieving a stable society, is the establishment of a national constitution. Representatives from all of the country's territories should cooperate to develop a constitution that addresses the political, economical, and social needs of the country. This diverse representation will guarantee that these elements are unbiased and endow the citizens with their proper rights and responsibilities. Treated justly, the citizens will be more willing to reconcile former conflicts and unite to maintain peace in their country.

The final condition to achieve stability is reconciliation through the reintegration of ex-combatants. The traumas experienced by the soldiers during the conflict must be treated by local or international agencies at the on-set of peace. The ex-combatants, reconciled from the conflict, can become responsible citizens of their society. Upon successful reintegration, the ex-combatants will serve as examples to their communities and cause a contagious effect of reconciliation to permeate the country. This reconciliation, like that in Nicaragua and Mozambique, will prompt former soldiers and citizens from both sides of the conflict to contribute to a reconstruction process that will lead the country toward stability and lasting peace.

Thus, the means of the post-conflict reconstruction used in Nicaragua and Mozambique can serve as examples for other countries trying to reconcile and stabilize to organize lasting peace. Although some aspects of the reconstruction process will be unique to individual post-conflict countries, it is crucial that a reconstruction program incorporate free elections, a national constitution, and the reintegration of demobilized soldiers for the post-conflict efforts to result in a stable society. These elements, integrated into any country's post-conflict reconstruction program, lead to lasting peace and stability because they provide the citizens with justice through a legitimate governing body and the conditions for social, political, and economical reconciliation.

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MESSAGES FROM THE HOUSE

At 12:48 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 4520. An act to amend the Internal Revenue Code of 1986 to remove impediments in such Code and make our manufacturing, service, and high-technology businesses and workers more competitive and productive both at home and abroad.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. GRASSLEY, from the Committee on Finance:

Report to accompany S.J. Res. 39, A joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003 (Rept. No. 108–281).

By Mr. HATCH, from the Committee on the Judiciary, without amendment and with a preamble:

S. Res. 322. A resolution designating August 16, 2004, as ''National Airborne Day''.

S. Res. 357. A resolution designating the week of August 8 through August 14, 2004, as ''National Health Center Week''.

S. Res. 370. A resolution designating September 7, 2004, as ''National Attention Deficit Disorder Awareness Day''.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. VOINOVICH (for himself and Mr. CRAPO):

S. 2547. A bill to amend the Migratory Bird Treaty Act to exclude non-native migratory bird species from the application of that Act, and for other purposes; to the Committee on Environment and Public Works.

By Mrs. FEINSTEIN:

S. 2548. A bill for the relief of Shigeru Yamada; to the Committee on the Judiciary.

By Mrs. FEINSTEIN:

S. 2549. A bill for the relief of Alfredo Plascencia Lopez and Maria Del Refugio Plascencia; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. NELSON of Florida (for himself and Mr. GRAHAM of Florida):

S. Res. 383. A resolution commending the National Hockey League Tampa Bay Lightning for winning the 2004 Stanley Cup Championship; considered and agreed to.

By Mr. LUGAR (for himself, Mr. VOINOVICH, Mr. ALLEN, Mr. SMITH, and Mr. BIDEN):

S. Res. 384. A resolution expressing the sense of the Senate on the development of self-government in Kosovo; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 178

At the request of Mr. DURBIN, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 178, a bill to amend title XVIII of the Social Security Act to provide adequate coverage for immunosuppressive drugs furnished to beneficiaries under the medicare program that have received an organ transplant.

S. 253

At the request of Mrs. DOLE, her name was added as a cosponsor of S. 253, a bill to amend title 18, United States Code, to exempt qualified current and former law enforcement officers from State laws prohibiting the carrying of concealed handguns.

S. 720

At the request of Mr. JEFFORDS, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 720, a bill to amend title IX of the Public Health Service Act to provide for the improvement of patient safety and to reduce the incidence of events that adversely effect patient safety.

S. 1068

At the request of Mr. DODD, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1068, a bill to amend the Public Health Service Act to establish grant programs to provide for education and

outreach on newborn screening and coordinated followup care once newborn screening has been conducted, and for other purposes.

S. 1368

At the request of Mr. LEVIN, the names of the Senator from Hawaii (Mr. AKAKA) and the Senator from North Dakota (Mr. DORGAN) were added as cosponsors of S. 1368, a bill to authorize the President to award a gold medal on behalf of the Congress to Reverend Doctor Martin Luther King, Jr. (posthumously) and his widow Coretta Scott King in recognition of their contributions to the Nation on behalf of the civil rights movement.

S. 1890

At the request of Mr. ENZI, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 1890, a bill to require the mandatory expensing of stock options granted to executive officers, and for other purposes.

S. 1925

At the request of Mr. KENNEDY, the name of the Senator from West Virginia (Mr. BYRD) was added as a cosponsor of S. 1925, a bill to amend the National Labor Relations Act to establish an efficient system to enable employees to form, join, or assist labor organizations, to provide for mandatory injunctions for unfair labor practices during organizing efforts, and for other purposes.

S. 2328

At the request of Mr. DORGAN, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of S. 2328, a bill to amend the Federal Food, Drug, and Cosmetic Act with respect to the importation of prescription drugs, and for other purposes.

S. 2461

At the request of Mr. DEWINE, the name of the Senator from Rhode Island (Mr. CHAFEE) was added as a cosponsor of S. 2461, a bill to protect the public health by providing the Food and Drug Administration with certain authority to regulate tobacco products.

S. 2477

At the request of Mr. REED, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 2477, a bill to amend the Higher Education Act of 1965 to expand college access and increase college persistence, to simplify the process of applying for student assistance, and for other purposes.

S. 2533

At the request of Ms. MIKULSKI, the names of the Senator from California (Mrs. BOXER) and the Senator from Nevada (Mr. REID) were added as cosponsors of S. 2533, a bill to amend the Public Health Service Act to fund breakthroughs in Alzheimer's disease research while providing more help to caregivers and increasing public education about prevention.

AMENDMENT NO. 3202

At the request of Mr. DASCHLE, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of amendment No. 3202 proposed to S. 2400, an original bill to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, and for other purposes.

AMENDMENT NO. 3225

At the request of Mr. DURBIN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of amendment No. 3225 proposed to S. 2400, an original bill to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, and for other purposes.

AMENDMENT NO. 3234

At the request of Mr. NELSON of Florida, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of amendment No. 3234 intended to be proposed to S. 2400, an original bill to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, and for other purposes.

AMENDMENT NO. 3303

At the request of Mr. CORZINE, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of amendment No. 3303 intended to be proposed to S. 2400, an original bill to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, and for other purposes.

AMENDMENT NO. 3355

At the request of Mr. REED, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of amendment No. 3355 intended to be proposed to S. 2400, an original bill to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, and for other purposes.

AMENDMENT NO. 3371

At the request of Mr. DAYTON, his name was added as a cosponsor of amendment No. 3371 proposed to S. 2400, an original bill to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, and for other purposes.

At the request of Mr. LIEBERMAN, his name was added as a cosponsor of amendment No. 3371 proposed to S. 2400, supra.

AMENDMENT NO. 3410

At the request of Mr. CORZINE, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of amendment No. 3410 intended to be proposed to S. 2400, an original bill to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, and for other purposes.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 383—COMMENDING THE NATIONAL HOCKEY LEAGUE TAMPA BAY LIGHTNING FOR WINNING THE 2004 STANLEY CUP CHAMPIONSHIP

Mr. NELSON of Florida (for himself and Mr. GRAHAM of Florida) submitted the following resolution; which was considered and agreed to:

S. RES. 383

Whereas on Monday, June 7, 2004, the National Hockey League Tampa Bay Lightning team won the Stanley Cup, becoming the second team in 30 years to overcome a 3–2 deficit in the National Hockey League finals to win Lord Stanley's Cup;

Whereas the Tampa Bay Lightning entered the Eastern Conference of the National Hockey League in 1992;

Whereas the Tampa Bay Lightning is the 86th National Hockey League team to win the Stanley Cup;

Whereas coach John Tortorella has become the third American-born coach to win the Stanley Cup;

Whereas left wing Dave Andreychuk has played for and won his first career Stanley Cup during a 22-year career after playing a record 1,758 games and 162 playoff games;

Whereas center Brad Richards was awarded the Conn Smythe 2004 National Hockey League Playoff MVP Trophy for finishing the playoffs with 12 goals, including a National Hockey League record of 7 game-winners, and 14 assists in 23 games;

Whereas Brad Richards led the league in playoff scoring with 26 points and scored 2 power-play goals in Game 6 of the finals, making Game 7 necessary;

Whereas left wing Fredrik Modin served to assist in 1 of Brad Richards's 2 goals in Game 6;

Whereas left wing Ruslan Fedotenko suffered a head injury in Game 3, missed Game 4, returned for Game 5, and scored 2 goals in Game 7, including the game-winning goal;

Whereas right wing Martin St. Louis, winner of the Art Ross Trophy, awarded to the player who leads the National Hockey League in scoring points at the end of the regular season, has made significant contributions to the team;

Whereas goalie Nikolai Khabibulin, a 2-time National Hockey League All-Star, has

earned the nickname ''The Bulin Wall'' because of his blockage of countless shots; and

Whereas the Tampa Bay Lightning, in its 12-year history, has overcome great odds, including 3 ownership groups, 5 coaches, 4 general managers, and being last in the league just 3 years ago: Now, therefore, be it

Resolved, That the Senate—

(1) commends the Tampa Bay Lightning National Hockey League team for winning the 2004 Stanley Cup;

(2) recognizes the achievements of all the players, coaches, and support staff who were instrumental in assisting the team to win the Stanley Cup and invites them to the United States Capitol Building to be honored; and

(3) directs the Secretary of the Senate to transmit 1 enrolled copy of this resolution to the owner, and 1 enrolled copy of this resolution to the coach, of the 2004 National Hockey League champions, the Tampa Bay Lightning.

Mr. LUGAR. Mr. President, today I stand to submit a resolution focused on the development of self-government in Kosovo. I am pleased that Senators VOINOVICH, ALLEN, SMITH, and BIDEN have joined me in co-sponsoring this legislation.

I believe that Kosovo's future lies in building democracy, respecting human rights, and fostering ethnic reconciliation. I am hopeful that the United States will remain involved in Kosovo until it is self-sustaining. I also believe that a successful conclusion to Kosovo's status is crucial to Balkan reintegration into Europe and into Euro-Atlanta institutions.

It has been 5 years since the signing of the United Nations Security Council Resolution 1244 that marked the end of a brutal conflict in Kosovo. Much progress has been made, but it is critical to focus on the work at hand: developing political processes that are inclusive and protect human rights, especially those of minorities. My resolution focuses on the process of getting Kosovo to achieve self-governance before its future status is determined.

The United States Senate must continue to support the efforts of UNMIK (the United Nations Mission in Kosovo) and KFOR (the NATO-led international security forces in Kosovo), and promote steps to foster the development of the Kosovo economy through strengthened cooperation with the South Central Europe region and Euro-Atlantic institutions. I was pleased to co-sponsor a resolution submitted by my colleague, Senator VOINOVICH, that condemned the ethnic violence that erupted in Kosovo last March, and that called upon the people of Kosovo to cooperate with UNMIK, KFOR and the Kosovo Police to identify and bring to justice the perpetrators of the violence.

I strongly support the Administration's new policy initiative for Kosovo, which was launched last November. It foresees periodic review of progress by Kosovo's autonomous institutions of self-government on establishing rule of law, multi-ethnic democracy, market economic reform, and stable relations with neighbors. My resolution calls upon the leaders of the Provisional Institutions of Self-Governance in Kosovo, and upon the leaders of the political parties and communities of Kosovo, to renew their efforts in cooperation with UNMIK, KFOR, and the international community to achieve political and economic stability. A critical step in Kosovo's development is a stable relationship with Belgrade. I urge both sides to engage in direct dialogue.

I believe that it is critical for the U.S. to continue to play a central role in Kosovo and provide strong assistance in achieving the benchmarks, and at an appropriate time, in determining a process leading to final status. I urge my colleagues to lend their support to U.S. policy in the Balkans and ask their support for this resolution.

SENATE RESOLUTION 384—EXPRESSING THE SENSE OF THE SENATE ON THE DEVELOPMENT OF SELF-GOVERNMENT IN KOSOVO

Mr. LUGAR (for himself, Mr. VOINOVICH, Mr. ALLEN, Mr. SMITH, and Mr. BIDEN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 384

Whereas United Nations Security Council Resolution 1244 of June 10, 1999, mandates an international civil presence and an international security presence in Kosovo, ending a brutal conflict in Kosovo;

Whereas during and immediately after the conflict, the people of Kosovo suffered from ethnic cleansing, war crimes, and crimes against humanity;

Whereas more than 4 years after the end of the Kosovo conflict, the incidence of ethnic strife in Kosovo remains unacceptably high, and the need for the fundamental work of ethnic reconciliation in Kosovo remains great;

Whereas the ethnic violence that erupted in Kosovo on March 17, 2004, claiming the lives of 19 people, displacing more than 4,000 Kosovo Serbs and other minorities, and resulting in the destruction of more than 500 homes and at least 30 churches belonging to Kosovo minorities, serves as a reminder of serious challenges that remain in Kosovo;

Whereas the United States and the international community strongly condemned the ethnic violence that erupted in Kosovo on March 17, 2004;

Whereas the Senate adopted a resolution on April 8, 2004, urging political leaders to fulfill their commitment to rebuild property that was destroyed in the violence of mid-March 2004 in Kosovo, and to take all possible action to allow the more than 4,000 people displaced during the violence to return quickly and safely to their homes and communities;

Whereas ethnic crimes and violent reprisals against Kosovo citizens of all ethnic groups harm the victims, their families, and their communities, and impair their common future;

Whereas the integration of Kosovo into Europe, and into the international community, depends on the ability of the people of Kosovo to overcome the divisions which have too often marked the past in Kosovo;

Whereas an important goal of the international civil presence in Kosovo established by United Nations Security Council Resolution 1244 is to facilitate a political process to determine the future status of Kosovo, taking into account the Rambouillet accords of 1999;

Whereas ''Standards'' of democratic self governance and a multiethnic society in Kosovo are embodied in the goals enunciated by the Special Representative of the United Nations Secretary General in April 2002, to include the effective functioning of democratic institutions, the rule of law, the sustainable return of displaced persons, dialogue with Serbia and Montenegro, freedom of movement, a stable free-market economy, property rights, and the further development of the Kosovo Protection Corps;

Whereas the people of Kosovo have made some important progress toward the fulfillment of these goals while continuing to face challenges, particularly on issues of refugee return and freedom of movement of Kosovo minorities;

Whereas the United Nations Security Council, in its Presidential statement of December 12, 2003, endorsed the elaboration by UNMIK (the United Nations Interim Administration in Kosovo) of the ''Standards'' in the ''Standards for Kosovo'' document and welcomed the plan to periodically review the progress in Kosovo in implementing the standards;

Whereas UNMIK has drafted a comprehensive ''Standards Implementation Plan'' to give Kosovo precise guidance on the actions that must be taken to achieve the standards;

Whereas the United States and UNMIK are currently working together with the Provisional Institutions of Self-Government of Kosovo (PISG) to help Kosovo meet the standards with a view to carry out a comprehensive review of the progress in Kosovo ''around mid-2005''; and

Whereas considerable further progress toward the realization of the standards remains to be accomplished before the process of determining the future status of Kosovo can begin: Now, therefore, be it

Resolved, That it is the sense of the Senate that the United States should—

(1) intensify its efforts to help Kosovo achieve the ''Standards'', as set out by the Special Representative of the United Nations Secretary General in Kosovo in October 2002, and as further elaborated in the UNMIK (the United Nations Interim Administration in Kosovo) ''Standards For Kosovo'' paper of December 10, 2003, to bring about a stable, multiethnic, and democratic society in Kosovo by carrying out the steps called for in the Kosovo Standards Implementation Plan drafted by UNMIK;

(2) further encourage Kosovo to become a factor for stability in the region by having good relations with its neighbors, and in particular, by engaging in dialogue with Belgrade in an effort to secure a peaceful, long-term solution for peace in the region;

(3) encourage Belgrade to support the standards implementation process in Kosovo, including by constructive participation in the direct technical talks launched October 14, 2003;

(4) enhance efforts to provide support to KFOR (the North Atlantic Treaty Organization-led international security force in Kosovo), and to call upon the PISG (Provisional Institutions of Self-Government of Kosovo) to ensure the security and freedom of movement for all the people of Kosovo, and the return of refugees and internally displaced persons;

(5) urge all people in Kosovo to reject the ethnic violence that erupted in Kosovo on March 17, 2004, and work with UNMIK and KFOR to apprehend and prosecute the perpetrators of the violence, to rebuild property destroyed during the violence, and to work to ensure that displaced persons are able to return safely to their homes and communities;

(6) promote steps to foster the development of the Kosovo economy through strengthened cooperation with the South Central Europe region and Euro-Atlantic institutions,

without prejudice to its future political status; and

(7) call upon the leaders of the PISG, and upon the leaders of all political parties and communities of Kosovo, to renew and enhance their efforts in cooperation with UNMIK, KFOR, and the international community to achieve the matters describe, in paragraphs (1) through (6).

AMENDMENTS SUBMITTED AND PROPOSED

SA 3458. Mr. WARNER proposed an amendment to amendment SA 3291 proposed by Mr. LAUTENBERG to the bill S. 2400, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, and for other purposes.

TEXT OF AMENDMENTS—(Corrected Version)

SA 3384. Mr. BOND (for himself, Mr. HARKIN, and Mr. TALENT) proposed an amendment to to the bill S. 2400, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, and for other purposes; as follows:

At the end of subtitle D of title XXXI, insert the following:

SEC. 3146. INCLUSION OF CERTAIN FORMER NUCLEAR WEAPONS PROGRAM WORKERS IN SPECIAL EXPOSURE COHORT UNDER THE ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION PROGRAM.

(a) FINDINGS.—Congress makes the following findings:

(1) Energy workers at the former Mallinkrodt facilities (including the St. Louis downtown facility and the Weldon Springs facility) were exposed to levels of radionuclides and radioactive materials that were much greater than the current maximum allowable Federal standards.

(2) The Mallinkrodt workers at the St. Louis site were exposed to excessive levels of airborne uranium dust relative to the standards in effect during the time, and many workers were exposed to 200 times the preferred levels of exposure.

(3)(A) The chief safety officer for the Atomic Energy Commission during the Mallinkrodt-St. Louis operations described the facility as 1 of the 2 worst plants with respect to worker exposures.

(B) Workers were excreting in excess of a milligram of uranium per day causing kidney damage.

(C) A recent epidemiological study found excess levels of nephritis and kidney cancer from inhalation of uranium dusts.

(4) The Department of Energy has admitted that those Mallinkrodt workers were subjected to risks and had their health endangered as a result of working with these highly radioactive materials.

(5) The Department of Energy reported that workers at the Weldon Springs feed materials plant handled plutonium and recycled uranium, which are highly radioactive.

(6) The National Institute of Occupational Safety and Health admits that—

(A) the operations at the St. Louis downtown site consisted of intense periods of processing extremely high levels of radionuclides; and

(B) the Institute has virtually no personal monitoring data for Mallinkrodt workers prior to 1948.

(7) The National Institute of Occupational Safety and Health has informed claimants and their survivors at those 3 Mallinkrodt sites that if they are not interviewed as a part of the dose reconstruction process, it—

(A) would hinder the ability of the Institute to conduct dose reconstruction for the claimant; and

(B) may result in a dose reconstruction that incompletely or inaccurately estimates the radiation dose to which the energy employee named in the claim had been exposed.

(8) Energy workers at the Iowa Army Ammunition Plant (also known as the Burlington Atomic Energy Commission Plant and the Iowa Ordnance Plant) between 1947 and 1975 were exposed to levels of radionuclides and radioactive material, including enriched uranium, plutonium, tritium, and depleted uranium, in addition to beryllium and photon radiation, that are greater than the current maximum Federal standards for exposure.

(9) According to the National Institute of Occupational Safety and Health—

(A) between 1947 and 1975, no records, including bioassays or air samples, have been located that indicate any monitoring occurred of internal doses of radiation to which workers described in paragraph (8) were exposed;

(B) between 1947 and 1955, no records, including dosimetry badges, have been located to indicate that any monitoring occurred of the external doses of radiation to which such workers were exposed;

(C) between 1955 and 1962, records indicate that only 8 to 23 workers in a workforce of over 1,000 were monitored for external radiation doses; and

(D) between 1970 and 1975, the high point of screening at the Iowa Army Ammunition Plant, only 25 percent of the workforce was screened for exposure to external radiation.

(10) The Department of Health and Human Services published the first notice of proposed rulemaking concerning the Special Exposure Cohort on June 25, 2002, and the final rule published on May 26, 2004.

(11) Many of those former workers have died while waiting for the proposed rule to be finalized, including some claimants who were waiting for dose reconstruction to be completed.

(12) Because of the aforementioned reasons, including the serious lack of records and the death of many potential claimants, it is not feasible to conduct valid dose reconstructions for the Iowa Army Ammunition Plant facility or the Mallinkrodt facilities.

(b) INCLUSION OF CERTAIN FORMER WORKERS IN COHORT.—Section 3621(14) of the Energy Employees Occupational Illness Compensation Program Act of 2000 (title XXXVI of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398); 42 U.S.C. 7384*l*(14)) is amended—

(1) by redesignating subparagraph (C) as subparagraph (D); and

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

''(C) Subject to the provisions of section 3612A and section 3146(e) of the National Defense Authorization Act for Fiscal Year 2005, the employee was so employed for a number of work days aggregating at least 45 workdays at a facility operated under contract to the Department of Energy by Mallinkrodt Incorporated or its successors (including the St. Louis downtown or 'Destrehan' facility during any of calendar years 1942 through 1958 and the Weldon Springs feed materials plant facility during any of calendar years 1958 through 1966), or at a facility operated by the Department of Energy or under contract by Mason & Hangar-Silas Mason Company at the Iowa Army Ammunition Plant (also known as the Burlington Atomic Energy Commission Plant and the Iowa Ordnance Plant) during any of the calendar years 1947 through 1975, and during the employment—

''(i)(I) was monitored through the use of dosimetry badges for exposure at the plant of the external parts of an employee's body to radiation; or

''(II) was monitored through the use of bioassays, in vivo monitoring, or breath samples for exposure at the plant to internal radiation; or

''(ii) worked in a job that had exposures comparable to a job that is monitored, or should have been monitored, under standards of the Department of Energy in effect on the date of enactment of this subparagraph through the use of dosimetry badges for monitoring external radiation exposures, or bioassays, in vivo monitoring, or breath samples for internal radiation exposures, at a facility.''.

(c) FUNDING OF COMPENSATION AND BENEFITS.—(1) Such Act is further amended by inserting after section 3612 the following new section:

''SEC. 3612A. FUNDING FOR COMPENSATION AND BENEFITS FOR CERTAIN MEMBERS OF THE SPECIAL EXPOSURE COHORT.

''(a) AUTHORIZATION OF APPROPRIATIONS.—There is hereby authorized to be appropriated to the Department of Labor for each fiscal year after fiscal year 2004 such sums as may be necessary for the provision of compensation and benefits under the compensation program for members of the Special Exposure Cohort described in section 3621(14)(C) in such fiscal year.

''(b) PROHIBITION ON USE FOR ADMINISTRATIVE COSTS.—(1) No amount authorized to be appropriated by subsection (a) may be utilized for purposes of carrying out the compensation program for the members of the Special Exposure Cohort referred to in that subsection or administering the amount authorized to be appropriated by subsection (a).

''(2) Amounts for purposes described in paragraph (1) shall be derived from amounts authorized to be appropriated by section 3614(a).

''(c) PROVISION OF COMPENSATION AND BENEFITS SUBJECT TO APPROPRIATIONS ACTS.—The provision of compensation and benefits under the compensation program for members of the Special Exposure Cohort referred to in subsection (a) in any fiscal year shall be subject to the availability of appropriations for that purpose for such fiscal year and to applicable provisions of appropriations Acts.''.

(2) Section 3612(d) of such Act (42 U.S.C. 7384e(d)) is amended—

(A) by inserting ''(1)'' before ''Subject''; and

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

''(2) Amounts for the provision of compensation and benefits under the compensation program for members of the Special Exposure Cohort described in section 3621(14)(C) may be derived from amounts authorized to be appropriated by section 3612A(a).''.

(d) OFFSET.—The total amount authorized to be appropriated under subtitle A of this title is hereby reduced by $61,000,000.

(e) CERTIFICATION.—Funds shall be available to pay claims approved by the National Institute of Occupational Safety and Health for a facility by reason of section 3621(14)(C) of the Energy Employees Occupational Illness Compensation Program Act of 2000, as amended by subsection (b)(2), if the Director

of the National Institute of Occupational Safety and Health certifies with respect to such facility each of the following:

(1) That no atomic weapons work or related work has been conducted at such facility after 1976.

(2) That fewer than 50 percent of the total number of workers engaged in atomic weapons work or related work at such facility were accurately monitored for exposure to internal and external ionizing radiation during the term of their employment.

(3) That individual internal and external exposure records for employees at such facility are not available, or the exposure to radiation of at least 40 percent of the exposed workers at such facility cannot be determined from the individual internal and external exposure records that are available.

TEXT OF AMENDMENTS

SA 3458. Mr. WARNER proposed an amendment to amendment SA 3291 proposed by Mr. LAUTENBERG to the bill S. 2400, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, and for other purposes; as follows:

Strike the matter proposed to be inserted, and insert the following:

SEC. 364. MEDIA COVERAGE OF THE RETURN TO THE UNITED STATES OF THE REMAINS OF DECEASED MEMBERS OF THE ARMED FORCES FROM OVERSEAS.

(a) FINDINGS.—Congress makes the following findings:

(1) The Department of Defense, since 1991, has relied on a policy of no media coverage of the transfers of the remains of members Ramstein Air Force Base, Germany, nor at Dover Air Force Base, Delaware, and the Port Mortuary Facility at Dover Air Force Base, nor at interim stops en route to the point of final destination in the transfer of the remains.

(2) The principal focus and purpose of the policy is to protect the wishes and the privacy of families of deceased members of the Armed Forces during their time of great loss and grief and to give families and friends of the dead the privilege to decide whether to allow media coverage at the member's duty or home station, at the interment site, or at or in connection with funeral and memorial services.

(3) In a 1991 legal challenge to the Department of Defense policy, as applied during Operation Desert Storm, the policy was upheld by the United States District Court for the District of Columbia, and on appeal, by the United States Court of Appeals for the District of Columbia in the case of JB Pictures, Inc. v. Department of Defense and Donald B. Rice, Secretary of the Air Force on the basis that denying the media the right to view the return of remains at Dover Air Force Base does not violate the first amendment guarantees of freedom of speech and of the press.

(4) The United States Court of Appeals for the District of Columbia in that case cited the following two key Government interests that are served by the Department of Defense policy:

(A) Reducing the hardship on the families and friends of the war dead, who may feel obligated to travel great distances to attend arrival ceremonies at Dover Air Force Base if such ceremonies were held.

(B) Protecting the privacy of families and friends of the dead, who may not want media coverage of the unloading of caskets at Dover Air Force Base.

(5) The Court also noted, in that case, that the bereaved may be upset at the public display of the caskets of their loved ones and that the policy gives the family the right to grant or deny access to the media at memorial or funeral services at the home base and that the policy is consistent in its concern for families.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Department of Defense policy regarding no media coverage of the transfer of the remains of deceased members of the Armed Forces appropriately protects the privacy of the members' families and friends of and is consistent with United States constitutional guarantees of freedom of speech and freedom of the press.

NOTICES OF HEARINGS/MEETINGS

COMMITTEE ON INDIAN AFFAIRS

Mr. CAMPBELL. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Wednesday, July 14, 2004, at 10 a.m. in Room 485 of the Russell Senate Office Building to conduct an oversight hearing on the American Indian Religious Freedom Act.

Those wishing additional information may contact the Indian Affairs Committee at 224–2251.

PRIVILEGE OF THE FLOOR

Mr. HARKIN. I ask unanimous consent that Jenelle Krishnamoorthy be granted floor privileges during the duration of today's session.

The PRESIDING OFFICER. Without objection, it is so ordered.

MARINE TURTLE CONSERVATION ACT OF 2003

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Senate now proceed to the immediate consideration of H.R. 3378, which is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 3378) to assist in the conservation of marine turtles and the nesting habitats of marine turtles also in foreign countries.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. I ask unanimous consent that the bill be read the third time and passed, the motion to reconsider be laid upon the table, and any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 3378) was read the third time and passed.

INDIAN SELF-DETERMINATION AND EDUCATION ASSISTANCE ACT AMENDMENTS

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Senate now to proceed to the immediate consideration of H.R. 3504, which is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 3504) to amend the Indian Self-Determination and Education Assistance Act to redesignate the American Indian Education Foundation as the National Fund for Excellence in American Indian Education.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. I ask unanimous consent that the bill be read the third time and passed, the motion to reconsider be laid upon the table, and any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 3504) was read the third time and passed.

PROTECTING, PROMOTING AND CELEBRATING FATHERHOOD

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 379 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 379) protecting, promoting and celebrating fatherhood.

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, and that any statements relating to the resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 379) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 379

Whereas the third Sunday of June is observed as Father's Day;

Whereas fathers have a unique bond with their children which is often unrecognized;

Whereas the complimentary nature of the roles and contributions of fathers and mothers should be recognized and encouraged;

Whereas fathers have an indispensable role in building and transforming society to build a culture of life;

Whereas fathers, along with their wives, form an emotional template for the future professional and personal relationships of a child;

Whereas the involvement of a father in the life of his child significantly influences economic and educational attainment and delinquency of the child; and

Whereas children who experience a close relationship with their fathers are protected from delinquency and psychological distress: Now, therefore, be it

Resolved, That the Senate recognizes the importance of fathers to a healthy society and calls on all the people of the United States to observe Father's Day by considering how society can better respect and support fatherhood.

COMMENDING NATIONAL HOCKEY LEAGUE TAMPA BAY LIGHTNING

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 383 introduced earlier today by Senators NELSON of Florida and GRAHAM of Florida.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 383) commending the National Hockey League Tampa Bay Lightning for winning the 2004 Stanley Cup Championship.

There being no objection, the Senate proceeded to consider the resolution.

Mr. NELSON of Florida. Madam President, Senator GRAHAM of Florida and myself congratulate the Tampa Bay Lightning for winning the 2004 National Hockey League Stanley Cup Championship.

In only its 12th year as a team, the Tampa Bay Lightning has reached the pinnacle of hockey for the first time in its existence. The past 12 years have been rather difficult for the team and it has undergone turbulent changes. In the history of the Lightning, not only have there been three ownership groups, but there have also been five coaches and four general managers. To top it all off, just 3 years ago the team finished last in the league.

However, due to their determination, resilience, and tenacity the Lightning has accomplished what National Hockey League teams all over the country strive to achieve. While all National Hockey League teams start the season with the Lord Stanley's Cup in mind, only one gets the privilege of gaining such an honor.

As hockey fans looked at this year's National Hockey League Season, it was obvious that the Lightning was the underdog and few people considered the team a contender because of the numerous changes and setbacks. However, the Lightning believed in itself and was full of determination. A wise person once said: Anything the mind can perceive, and the heart can believe, one can achieve. The Lightning has taken this to heart, and it makes me proud to say that Lightning has struck in the Tampa Bay Area.

Under the leadership of head coach John Tortorella, who has just become only the third American-born coach to ever win the Stanley Cup, the Lightning deserves to be commended. Throughout the season, all of the players, coaches, managers, and fans have taught the Nation a valuable lesson, in any equation for success, there are three factors: determination, drive, and tenacity. I offer congratulations to all members of the Tampa Bay Lightning, their families, and their fans throughout the State of Florida.

Mr. MCCONNELL. I ask unanimous consent that the resolution and preamble be agreed to en bloc, the motion to reconsider be laid upon the table, with no intervening action or debate, and that any statements related to the resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 383) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 383

Whereas on Monday, June 7, 2004, the National Hockey League Tampa Bay Lightning team won the Stanley Cup, becoming the second team in 30 years to overcome a 3–2 deficit in the National Hockey League finals to win Lord Stanley's Cup;

Whereas the Tampa Bay Lightning entered the Eastern Conference of the National Hockey League in 1992;

Whereas the Tampa Bay Lightning is the 86th National Hockey League team to win the Stanley Cup;

Whereas coach John Tortorella has become the third American-born coach to win the Stanley Cup;

Whereas left wing Dave Andreychuk has played for and won his first career Stanley Cup during a 22-year career after playing a record 1,758 games and 162 playoff games;

Whereas center Brad Richards was awarded the Conn Smythe 2004 National Hockey League Playoff MVP Trophy for finishing the playoffs with 12 goals, including a National Hockey League record of 7 game-winners, and 14 assists in 23 games;

Whereas Brad Richards led the league in playoff scoring with 26 points and scored 2 power-play goals in Game 6 of the finals, making Game 7 necessary;

Whereas left wing Fredrik Modin served to assist in 1 of Brad Richards's 2 goals in Game 6;

Whereas left wing Ruslan Fedotenko suffered a head injury in Game 3, missed Game 4, returned for Game 5, and scored 2 goals in Game 7, including the game-winning goal;

Whereas right wing Martin St. Louis, winner of the Art Ross Trophy, awarded to the player who leads the National Hockey League in scoring points at the end of the regular season, has made significant contributions to the team;

Whereas goalie Nikolai Khabibulin, a 2-time National Hockey League All-Star, has earned the nickname ''The Bulrn Wall'' because of his blockage of countless shots; and

Whereas the Tampa Bay Lightning, in its 12-year history, has overcome great odds, including 3 ownership groups, 5 coaches, 4 general managers, and being last in the league just 3 years ago: Now, therefore, be it

Resolved, That the Senate—

(1) commends the Tampa Bay Lightning National Hockey League team for winning the 2004 Stanley Cup;

(2) recognizes the achievements of all the players, coaches, and support staff who were instrumental in assisting the team to win the Stanley Cup and invites them to the United States Capitol Building to be honored; and

(3) directs the Secretary of the Senate to transmit 1 enrolled copy of this resolution to the owner, and 1 enrolled copy of this resolution to the coach, of the 2004 National Hockey League champions, the Tampa Bay Lightning.

ORDERS FOR MONDAY, JUNE 21, 2004

Mr. MCCONNELL. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 1 p.m. on Monday, June 21. I further ask that following the prayer and the pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and the Senate then resume consideration of Calendar No. 503, S. 2400, the DOD authorization bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. MCCONNELL. On Monday, the Senate will resume consideration of the Defense authorization bill. There are currently seven amendments pending to the bill. Additional amendments will be offered and debated on Monday afternoon. Those Senators who still wish to offer amendments should contact the bill managers so they can schedule time for consideration of the amendments, although we are certainly not encouraging any additional amendments. We have quite enough.

Chairman WARNER and Senator LEVIN will be here Monday to work through any remaining amendments. Any votes ordered with respect to defense amendments will be stacked to occur at approximately 5:30 on Monday. The leader expects that we will have more than one vote on Monday evening.

Also, I remind my colleagues that last night the majority leader vitiated the cloture motion with respect to the Defense bill. He did so with the expectation that we will finish this bill on Tuesday of next week. It is our hope that we will continue to work in good faith on Monday to move toward completion of this important Defense bill. Senators can expect a busy week next week as we conclude our business prior to the scheduled recess.

ADJOURNMENT UNTIL 1 P.M. MONDAY, JUNE 21, 2004

Mr. MCCONNELL. If there is no further business to come before the Senate, I ask unanimous consent the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 2:26 p.m., adjourned until Monday, June 21, 2004, at 1 p.m.

EXTENSIONS OF REMARKS

TRIBUTE TO DR. SHAFFDEEN AMUWO, Ph.D. MPH ASSOCIATE DEAN FOR COMMUNITY GOVERNMENT AND ALUMNI AFFAIRS, UNIVERSITY OF ILLINOIS SCHOOL OF PUBLIC HEALTH

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 2004

Mr. DAVIS of Illinois. Mr. Speaker, I take this opportunity to commend and congratulate Dr. Shaffdeen Amuwo on a very meaningful and successful career as he approaches retirement. Teaching to me has always been one of the noblest and most rewarding of all the professions. I take this position because to me, when you teach you give a part of yourself to others who are attempting to move from one level of being to another.

Dr. Shaffdeen Amuwo migrated to this country from his native Nigeria to attend school in an effort to improve his own life and to be in a position to make life better for others,, Never one to shirk responsibility or to miss opportunities, he worked at a number of odd jobs while attending school and eventually earned both Ph.D. and MPH degrees.

Dr. Amuwo understood that education requires more than just activity with the classroom. He took his knowledge and skills out into the community sharing with common and ordinary people. He became a prolific proposal writer and raised substantial sums of money for programs and instructional activities. Through his efforts and as a result of his serious understanding of what public health should really do, Dr. Amuwo helped to open up new vistas of understanding and was indeed a bridge builder between the school and the community as well as between his native African brothers and sisters and the traditional African American community of Chicago.

Although you are retiring in a formal way, we expect to see you at all of the meetings and will continue to make use of your vast knowledge, skill, and commitment. And as you go, in the words of an Irish Proverb, "May the Road rise up to meet you, may the wind always be at your back, may the Sun shine warmly upon your face and until we meet again, may the good Lord hold you in the hollow of his hand."

CONGRATULATIONS CENTRAL CABARRUS HIGH SCHOOL SOFTBALL TEAM

HON. ROBIN HAYES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 2004

Mr. HAYES. Mr. Speaker it is my honor to rise today to congratulate the Central Cabarrus High School Softball team on their victory at the 4A NCHSAA Softball Tournament on June 6th. This is Cabarrus High School's fourth state championship win. The sensational Lady Vikings captured the state championship title in 1993, 2000, 2001 as 3A members and now in 2004 as 4A members.

Coached by Monte Sherrill, the team had an astounding season with an overall record of 32–1. The Lady Vikings claimed their title by beating Cape Fear with a final score of 1–0. The team is now ranked 7th nationally by USA Today and the National Fast-Pitch Coaches Association. Gina Allen was declared the Most Valuable Player in the tournament due to her outstanding job on the pitcher's mound. Allen tossed a five-hit shutout against Cape Fear to lead the team to the title.

The Lady Vikings have reached this level of success by extreme hard work and dedication. Most of the players stay in shape by continuing to play year-round on competitive traveling teams. Cabarrus County has done an excellent job of creating recreational opportunities beyond the high school seasons.

Participating in individual and team sports can offer tremendous social advantages while challenging a young person physically and fostering honest competition. There is also evidence that sports can increase a student's self-esteem and academic performance. Sports allow teenagers to take on leadership roles, handle adversity, and improve their time management skills.

The Lady Vikings of Cabarrus County have succeeded in pushing themselves to be outstanding athletes and have stood up to the challenges placed in front of them. They have come together as a team and shown their peers that commitment and self-sacrifice can lead to success. I congratulate them and wish them continued success next year. We are all proud of their accomplishments.

TRIBUTE TO RICHARD LEWIS

HON. JAMES P. McGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 2004

Mr. McGOVERN. Mr. Speaker, I am honored to pay tribute to one of Central Massachusetts' most devoted athletic directors and community members, Richard Lewis, who is retiring from his position as Athletic Director of Wachusetts Regional High School.

After graduating from the University of Massachusetts in 1966, Mr. Lewis went on to receive his Masters in Education from Worcester State College. He began his career in Western Massachusetts, followed by 10 years at the Marlboro Public Schools, before he graced Wachusetts High School with his services in 1978.

Throughout his years at WMS, Mr. Lewis has left an outstanding legacy, not only as the MIAA District E Athletic Chair, but also assisting on several committees such as the MIAA Baseball Committee. Furthermore, he served as the director of both the Softball Tournament in Central Massachusetts as well as MIAA State Softball.

Along with the many committees Mr. Lewis has devoted his time to, his contributions to both the Massachusetts Secondary School Athletic Directors Association as well as the community of Central Massachusetts have earned him well deserved recognition. He has received the National Interscholastic Award of Merit both statewide and nationally, as well as two John E. Young Awards.

Today I, along with the rest of my colleagues would like to pay tribute to this strong community leader and outstanding Athletic Director, Richard Lewis and we wish him and his family all the best in the years to come.

ADJUSTMENT IN NUMBER OF FREE ROAMING HORSES PERMITTED IN CAPE LOOKOUT NATIONAL SEASHORE

SPEECH OF

HON. WALTER B. JONES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 14, 2004

Mr. JONES of North Carolina. Mr. Speaker, I would like to thank the House Leadership for scheduling H.R. 205 for floor consideration. This bill would adjust the number of free roaming horsed permitted on Shackleford Banks in the Cape Lookout National Seashore. Shackleford Banks is a barrier island off the coast of North Carolina that has been home to a herd of wild horses for over three centuries. In fact, experts believe the herd descended from Spanish stallions that were shipwrecked on the island during colonial times.

Over the years, the Shackleford horses have become an integral part of the natural and cultural fabric of Eastern North Carolina. They are treasured by the local community and adored by the many visitors who come from across the country to see them.

To protect these beautiful creatures, in 1997 I introduced the Shackleford Banks Wild Horses Protection Act which the President later signed into law. The Act directed the Department of the Interior to enter an agreement with a non-profit group—the Foundation for Shackleford Horses—to manage the herd. It also required the Department to allow a herd of 100 free-roaming horses in the Seashore, and it set out terms under which horses could be removed, including a prohibition on removal "unless the number of horses . . . exceeds 110."

As the National Park Service and the Foundation began to implement the Act, disagreement erupted over the law's requirements on the size of the herd. The Park Service interpreted the Act to mean that the herd's population should be kept between 100 and 110. However, as the author of the legislation, I can tell you this interpretation was inconsistent with Congressional intent—which was to allow the herd to hover above 110.

The Park Service's interpretation also conflicted with the established scientific consensus on the size of the herd. Studies by world-renowned genetic scientists Dr. Daniel Rubenstein of Princeton University, and Dr. Gus Cothran of the University of Kentucky, confirm that in order to maintain the herd's long-term viability, its optimum size is around 120 animals. The experts also agree that the population should not dip below 110 and that it should be allowed to expand periodically to numbers at or above 130 in order to sustain the proper genetic diversity in the herd. It's important to note that these numbers are well within the island's carrying capacity.

After years of disagreement on the herd size issue, the Park Service met in the fall of 2002 with the Foundation for Shackleford Horses, Dr. Rubenstein, Dr. Cothran and other stakeholders. After two days of meetings, the parties emerged with an agreement that largely mirrors the scientific understanding of how the horses should be managed.

H.R. 2055 seeks to codify this scientific consensus into law. It would allow a herd of "not less than 110 free roaming horses, with a target population of between 120 and 130 free roaming horses." It would also clear up confusion on when horses can be removed from the island by mandating that removal can only occur if "carried out as part of a plan to maintain the viability of the herd."

Mr. Speaker, this legislation is supported by the Park Service, the scientific experts, and the local community. It is a legislative fix based on sound science, and I urge my colleagues to support it.

H.R. 1811—FAMILY OPPORTUNITY ACT OF 2003

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 2004

Mr. DAVIS of Illinois. Mr. Speaker, I rise today in support of and as a cosponsor of H.R. 1811, the Family Opportunity Act. By passing this legislation we are giving the States the opportunity of allowing families of disabled children to purchase Medicaid coverage for them as well as providing treatment of inpatient psychiatric hospital services for individuals under age 21 under waivers allowing for payment of part or all of the cost of home or community-based services.

This is a great first step of fixing the bias of institutional care in Medicaid compared to home or community-based services. Parents will no longer have to drive hours to visit their child but instead opt to have them remain at home or live close by in a community setting and still receive their Medicaid dollars. Another great aspect in this legislation is establishing family-to-family health information centers. Sometimes just talking or listening to another person, another family that actually understands what one family is experiencing can settle nerves and make one feel more comfortable with the future challenges they may face. I commend my colleague from Texas, Mr. SESSIONS for sponsoring this legislation.

I hope we can continue to work together to enforce the Olmstead decision and develop more opportunities for individuals with disabilities over the age of 21 through more accessible systems of cost-effective community-based services. I am proud to have introduced H.R. 2032, the Medicaid Attendant Services and Supports Act also known as MiCASSA with my friend from Illinois, Mr. SHIMKUS. MiCASSA as the Family Opportunity Act would change the system of long-term care as we know it today. Nationally, approximately 70 percent of the Federal and State spending still goes to institutions instead of home or community settings. Our colleagues in the Senate held a hearing on MiCASSA, S. 1394, Money Follows the Person, and the President's New Freedom initiative earlier in the year. I urge my colleagues in the House to hold a similar hearing.

Mr. Speaker, as I have stated, I support H.R. 1811 and believe it is a great step towards Olmstead. But it is wrong to provide such great services to individuals with disabilities that only end once they become adults. I urge my colleagues to support this bill and support continuing services for individuals with disabilities beyond the age of 21.

CONCORD ALL-AMERICA CITY AWARD

HON. ROBIN HAYES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 2004

Mr. HAYES. Mr. Speaker, I rise today to honor the good folks of my hometown of Concord, North Carolina as we have been selected for the 2004 All-America City Award.

It has been my distinct honor to represent the people of Concord since I was first elected to represent the 8th Congressional District of North Carolina. This opportunity is especially dear to me because this is my home town and where much of my family still resides. In fact, my family has called Concord home for centuries, and we have had the privilege of watching our community grow. Concord personifies the term, "Southern Hospitality," and is home to some of the most engaging, welcoming, and civically responsible citizens in the state of North Carolina.

Through the close relationships I have forged with the citizens of Concord, and the pride I have in this community, it is truly an honor for me to highlight this great city today. Because of Concord's hard work, the rest of America is getting to see the positive spirit of accomplishment that I have been fortunate to witness my entire life.

The All-America City Award is a 55-year old program sponsored by the National Civic League that recognizes civic excellence. The Award is given annually to 10 communities that exemplify and display a positive spirit of grassroots involvement and collaborative problem solving in an effort to better their community.

Concord exhibits the American spirit of hard work and cooperation as we seek to identify and meet community-wide challenges. Concord is a community where citizens, businesses, volunteers, and government officials work together to address issues that are vitally important to all our citizens. Concord should take pride in the fact that we have been chosen by this national organization for our hard work and achievement. Truly, Concord is a great example for other communities to emulate.

To qualify for the All-American City Award, Concord representatives first had to submit a detailed application highlighting the city's three most pressing challenges. They are: addressing the medical needs of the uninsured and underinsured, eliminating substandard housing in the community, and extending the mentoring and civic responsibility of the Boys and Girls Club of Concord. Programs such as the Community Care Plan, Cabarrus Housing Partners, and the Boys and Girls Club of America have been designed and implemented to ensure these afore mentioned areas are addressed.

I am proud to represent such a fine community where the citizens come together to solve problems at a local level rather than waiting on someone else to fix things. A wise man once said that there are three types of people in this world: those who watch what happens, those who make things happen, and those who wonder what happened. Rest assured, the people of my home town, Concord, North Carolina are people who make good things happen. It is my honor and privilege to represent these good folks, and I am thrilled that the National Civic League recognized the City of Concord's success by awarding us the All-America City Award.

TRIBUTE TO JEFF LONG

HON. JAMES P. McGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 2004

Mr. MCGOVERN. Mr. Speaker, today it is my pleasure to honor one of Massachusetts' most outstanding and dedicated Athletic Directors, Jeff Long. After almost 40 years of coaching and directing, Mr. Lewis has certainly deserved his retirement years.

He began his commendable career in 1966, coaching football at Norwich University after having graduated from Norwich that same year. Serving as a Lieutenant in the U.S. Army did not stop him, as he continued to coach football in Germany in 1967.

Mr. Lewis kept on coaching both track and football at Dedham High School until 1973 when he began his run at Marlboro High. Ten years later he was appointed as the School's Athletic Director, and took on an array of other leadership roles. Some of these roles included serving on the Executive Board of the Mass Secondary School Athletic Directors Association to which he was appointed president in 1997–98, as well as being appointed President of the MIAA in 2002.

All of his hard work has paid off over the years as he has been recognized with several awards and nominations—a few of which include Athletic Director of the Year in 1991, the National Football Foundation and Hall of Fame Distinguished Service Award in 1994, and the National Interscholastic Athletic Administrators Association State Award of Merit.

Mr. Speaker, I am pleased to recognize such an outstanding professional, so passionately committed to his work. With the retirement of Jeff Long Marlboro High says goodbye to one it's most effective and talented leaders, and I along with my colleagues wish him and his family all the best in the years to come.

PRECIOUS PATRIOTISM

HON. WALTER B. JONES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 2004

Mr. JONES of North Carolina. Mr. Speaker, I am honored to share an essay with you today, it was written by a young man from the 3rd District of North Carolina which I proudly represent. James Waters, a 10th grade student at West Carteret High School in Morehead City, NC, submitted his essay in a contest held by the Fleet Reserve Association and was chosen as an overall winner. I feel his words embody the spirit of what it means to be an American.

PRECIOUS PATRIOTISM

(By James Waters)

On the morning of April 19, 1775, American colonists fought their first battle with the British redcoats, a prelude to the bloody American Revolution. What incited these average colonists with the heart to stand up to the entire British army? What possessed them to break away from the tyrannical country of Great Britain? The name of this ever-living phenomenon is patriotism.

As people develop a profound pride for their country, patriotism develops simultaneously as a side effect. Patriotism is the heart-willing urge to defend the pillars of justice, opportunity, and equality that our nation symbolizes. Although America is young, she has faced influential conflicts throughout the past centuries. America is continually facing global obstacles at this very moment. Patriotism can be defined as forever standing with America through turmoil and supporting all that is to be asked of America's citizens for the growth of our country. Citizens can illustrate patriotism by striving for individual success. Patriotism is a synonym for staying informed and participating in government as an active citizen. As a zealous patriot of our nation, I will voice my opinion of issues. I will go to the polls to vote, and I will preserve to be a productive citizen.

My patriotism comprises the values of respect. Our country has progressed as it has due to generations of others. Patriotism is vividly evident in our nation's veterans. I will support our veterans who have exemplified their own patriotism and those who have paid the ultimate price of freedom—life. Patriotism is leaving home to fight for just ideas, not knowing if you will return. It is enduring bullets in a battle. It is sleeping on the front lines with the uncertainty of waking up. All veterans deserve the maximum quantity of respect as we continue to live under their previous endeavors.

Patriotism is embedded within the citizens of America. Patriotism shapes the citizens and all-around morale of America. America is a block of ice. Patriotism is the chisel that shapes America into a beautiful sculpture that stands for liberty and justice for all.

THE ENERGY POLICY ACT OF 2004

SPEECH OF

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 2004

Mr. KIND. Mr. Speaker, as ranking member of the Subcommittee on Energy and Minerals Resources of the Committee on Resources, I rise, once again, in disappointed opposition to H.R. 4503/H.R. 6.

The bill before us today is nearly identical to the Conference Report on the Energy Policy Act of 2003—absent of any new ideas that would ensure a more secure energy future for America; but with all of the same fatal flaws that would force "mom-and-pop-taxpayer" to fatten the already sizeable bottom line of some of our Nation's largest oil companies and pay for the clean-up of MTBE contaminated groundwater. I won't spend more of Congress' precious time listing all of my objections to this bill, but will simply include the statements I made last year on H.R. 6 for the record.

But let me just say, Mr. Speaker, that there is no question our Nation needs a comprehensive and balanced energy plan—one that weens us off of our shaky strategic dependence of Middle Eastern oil toward more sustainable, cleaner, and renewable sources. Unfortunately, this bill—like last year's budget-busting behemoth—does not get us there.

There are, however, some worthy provisions in these bills that have wide, bipartisan support. So, instead of political grandstanding, I urge the House leadership to separate and pass these important measures.

One such example is the mandatory reliability standards, which would punish utilities who violate rules designed to limit how much electricity can be sold over the Nation's aging power grid. This measure could be perfected and passed by Congress today if it was allowed to be considered separately. The reliability of our Nation's interconnected power grid is critical to our economy and our security, but has been left at risk. In fact, Energy Secretary Spencer Abraham was recently reported as saying "the U.S. power grid is in better shape than before last August's massive blackout but remains vulnerable this summer."

Another widely supported proposal is the renewable fuels standard provision. This measure would increase the requirement that gasoline sold in the United States contain a specified volume of clean-burning ethanol or biodiesel. Under this measure, the annual average volume of renewable fuel additives would incrementally increase, starting at 3.1 billion gallons in 2005 and reaching 5 billion gallons in 2012—two and a half times the current requirement.

The American Farm Bureau has estimated the renewable fuels standard will have a significant economic stimulus tool for rural America by adding $4.5 billion to net farm income; create the need for $5.3 billion in rural captial investments; and create 216,000 new jobs. Ethanol and biodiesel are just two broad-based, diversified, environmentally friendly energy products American agriculture can produce. I have long stated that empowering U.S. farmers to assume a greater role in producing renewable fuels is a win-win situation deserving congressional support. Unfortunately, even though this provision has the consensus approval of Republicans and Democrats alike, House leadership has steadfastly refused to move it separately.

Mr. Speaker, I urge Members to oppose this bill and immediately move to work bipartisanly to pass these widely supported, and much needed provisions.

HONORING ALICIA WALTER

HON. HENRY J. HYDE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 2004

Mr. HYDE. Mr. Speaker, on June 1, 14-year-old Alicia Walter delivered the Valedictorian address for the graduating class at St. Damian's Elementary School in Oak Forest, Illinois. This young lady demonstrates wisdom well beyond her years and I am pleased to share it with my colleagues.

VALEDICTORIAN ADDRESS PRESENTED BY ALICIA WALTER TO THE ST. DAMIAN ELEMENTARY SCHOOL CLASS OF 2004

Father Meany, Father Scanlan, Father Stuglik, Miss Wesolowski, Mrs. Kane, Father McCarthy, Mrs. Nagle, Faculty, Parents, and Fellow Classmates: Welcome. Tonight, we find ourselves sitting in the midst of one of the most bittersweet moments we have yet to endure. Thoughts of worry, sorrow, stress and regret ricochet off the back of our eyelids, yet we are compelled to celebrate. Chaos is persisting its way through our veins, obliged only by our own perplexed hearts. We all have our own emotional struggles tonight, and I hope some of mine that I share relate to some of yours.

I believe that one of the most empowering factors behind our sadness lies in each and every one of our memories from St. Damian. Too many spectacular moments have passed without our realization, and now it is time to finally recognize some of them. Times of substantial happiness and real warmth have come out from within these doors. Picnics, school assemblies, field trips, club meetings, and the comfortable safety of general class time have generated stories we tell over and over, and jokes that never cease to be funny.

As we smile subconsciously about times that made us appreciate the vibrant life that was given to us, we remember the times that were not nearly as convenient as these. Times where day after day we had to pick each other up and carry us over to tomorrow. Times where the only way we could make it right again was to give out genuine hugs and a vacant shoulder. Each of us carries several chapters full of these moments, in our personal book of life. Those chapters have been written in stone, whether or not we would like it to be so, but it is the very same chapters that exemplify the person we are now. How we reacted to our troubles, how we grabbed the hand of a friend temporarily fallen behind, and how we left behind the charred remains of supposed impossibilities extended the extremes of just how much we can bear.

Our friends have provided a huge portion of backing throughout our lives, but we would never be able to live without the unseen but consistent encouragement from God. St. Damian School has instilled a solid belief on basic moralities, real love of humanity, and simply right and wrong in all of its students. Basic religion fundamentals, such as these, as well as faith in the Lord, have raised us up, especially when our friends did not have the strength to. The entire faculty here has demonstrated these Catholic qualities, as they have walked through their own lives practicing what they teach.

St. Damian School has noticeably impacted the mold of what we symbolize, so it is very apparent how much thanks we owe to the school. Behind the school, though, we walk into our homes, to find the other crucial components of our support system. Yes, there we see the family members that are constantly free to relieve us of whatever

problems we are facing. Most importantly, we see our parents. The producers. The creators. The people that selected St. Damian School, knowing the kind of education and religious teachings that would come our way here. They chose wisely, and for that we will be in eternal debt, but the first step we make in repayment is a heartfelt ''Thank you.'' Sometimes it may seem like a clear-cut, simple thanks is not enough, but I think even a small compensation represents all of the aspects we do not know how to express, all of the thoughts we are afraid to admit.

In just a short while, we will be holding, in our own hands, the evidence of our completed years here at St. Damian. This evidence will be the trial winner to bring us to our next quest: high school. A valley of chances to recommit to previous promises and resolutions, high school will challenge us in ways we have never even faced before. We will be presented with opportunities we never realized we could have. Each of us will take up our own pick, and slowly begin to etch the rest of our lives into the caves of the Earth's past, present and future. Years from now, who knows how many humans will look back at those caves and be inspired to carry on their own lives in such a respectable manner? To the Class of 2004: As a small portion of every one of your support systems, I encourage you to accept the pandemonium of the present, and to thrust your pick into stone before more disarray throws itself upon us. I am incredibly proud of all of us for absolutely everything we have achieved together, and I am sure you are as well. I know the essential beliefs we all hold will guarantee us a prosperous future, both physically and spiritually. Finally, congratulations to one and all, the distinguished St. Damian Class of 2004!!

THE RONALD REAGAN ALZHEIMER'S BREAKTHROUGH ACT OF 2004

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 2004

Mr. MENENDEZ. Mr. Speaker, today I am proud to be joining Senators BOND and MIKULSKI, and my House colleagues, Representatives CHRIS SMITH and ED MARKEY, in introducing the Ronald Reagan Alzheimer's Breakthrough Act of 2004. This legislation will significantly increase our government's investment in Alzheimer's disease research and patient and caregiver support initiatives.

As a son whose mother suffers from Alzheimer's, I know personally the sacrifice—both financially and emotionally—of families caring for a parent with this horrific disease. It is the story of so many Hispanics in this nation—a story of so many Americans. My family fled Cuba to come to find freedom in the United States. My mother worked her entire life as a seamstress in the factories of New Jersey. She spends half of her Social Security check on prescription drugs. If it was not for my sister and me, she would not live with the dignity she deserves.

Because of my personal experience with Alzheimer's, I have always admired Nancy and Ronald Reagan's strength and perseverance throughout the President's battle with this heart-wrenching and devastating illness. By having gone public, Ronald Reagan increased awareness of this debilitating disease, providing hope, comfort, and companionship to 4.5 million Americans living with Alzheimer's today. We feel there is no more fitting tribute to honor President Reagan's memory than to join together in a bipartisan manner and support the Ronald Reagan Alzheimer's Breakthrough Act.

Today, Alzheimer's disease is the most common cause of dementia in older people. One in ten people over 65 and nearly half those over 85, suffer from Alzheimer's disease. And with the aging of our population, we can expect those numbers to increase. In fact, unless scientific research finds a way to prevent or cure the disease, it is estimated that between 11.3 and 16 million people in the U.S. will have Alzheimer's disease by the middle of the 21st century.

Just a few weeks ago, I, along with the Alzheimer's Association, released a report that focuses on the impact of Alzheimer's on Hispanics. The report predicts that, because Hispanics are the fastest growing population in the country and have the greatest life expectancy of any ethnic group, the community will experience a six-fold increase in the disease by 2050. In numbers, this means that 1.3 million Hispanics will have Alzheimer's disease by 2050, compared to fewer than 200,000 currently living with the disease.

The legislation introduced today will increase National Institute of Health funding to $1.4 billion a year so we can continue to advance our ability to one day prevent, treat, and ultimately cure this disease. This increase is necessary if we are going to be serious about reducing both the physical and economic costs of Alzheimer's. According to experts, delaying the onset and progression of Alzheimer's for even 5 years could save as much as $50 billion in annual health care costs. Alzheimer's costs American businesses more than $36.5 billion annually due to lost productivity of employees who are caregivers and the health care costs associated with the disease.

Alzheimer's is a far-reaching disease and a serious strain on families because it not only affects families' lives, jobs, and finances, but also their mental and physical well-being. In response, this legislation provides a tax credit of up to $3,000 to help pay the expenses of families who care for loved ones with long-term care needs.

In addition, this bill increases authorization levels for a series of programs to help families care for their loved ones; increases funding levels for research initiatives focused on prevention and care; and authorizes funding for a public education campaign to inform the public about prevention techniques.

Congress needs to make wise investments on behalf of the American people. Alzheimer's research is one of those important and critical investments we must make now, so that future generations of Americans will have the medical resources and knowledge to cope with the challenge of caring for a parent, family member, or friend living with this disease. By making this investment today, it is my hope that one day soon a cure will be found so Alzheimer's will be a part of medical history instead of a family's reality.

SUPPORTING RESPONSIBLE FATHERHOOD AND ENCOURAGING GREATER INVOLVEMENT OF FATHERS IN THE LIVES OF THEIR CHILDREN

SPEECH OF

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 14, 2004

Mr. DAVIS of Illinois. Madam Speaker, it is startling when one in three children are raised ''fatherless'', but it is part of our reality. Numerous studies have shown the devastating effects on children when fathers did not play an active role in their child's life. For these reasons, although, it is important to discuss the interactions of mother and child, we cannot forget the interactions of the whole family and the inclusion of fathers.

As the Committee on Education and the Workforce discussed the reauthorization of Head Start, I was able to have A Fatherhood Initiative amendment incorporated into the bill. The initiative is intended to strengthen the role of fathers in families, in their child's life, and allow them to play an interactive role in their child's development and education. By getting fathers involved during their child's early years, we hope it will set the precedent for a lifetime of bonding and positive interaction between the two. Within this initiative and after the general outreach to father, the fathers will be included in home visits and targeted for more participation.

Although we would hope that all fathers would take part in their child's life, it is not always the case. This is why my amendment extends the father initiative to father figures as well to make sure that the male role model is firm in a child's life, whether it is an older brother, uncle, grandfather or step-parent.

Madam Speaker, as we get ready to celebrate Father's Day on Sunday, we hope that more fathers will step up to their important role as a parent. Yet, it is also a day to give great praise, support and to celebrate the fathers in our Nation that never gave up, never backed down and have always been fathers and daddies to their children. Overall, our focus should be on the child—and to fully bring awareness of the best well-being of a child, we must put our efforts on strengthening the whole family.

FAIR OPPORTUNITY FOR THE LITTLE GUY UNDER EMINENT DOMAIN

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 2004

Mr. FILNER. Mr Speaker, I rise today to urge support of H.R. 4603, the Eminent Domain Relief for the Little Guy Act. I have introduced this bill to address a current law that makes the hardship of being forced to sell property to the government under eminent domain even more difficult.

The use of eminent domain is authorized in the Constitution and has been used throughout our Nation's history to acquire the property necessary to build roads, schools, military bases, and government buildings. However,

that these projects serve the greater good must seem little consolation to an owner whose property comes under threat of eminent domain. Eminent domain can derail a property owner's life plan, erasing years of hard work spent getting a business off of the ground or building a home.

The Constitution makes it clear that a property owner forced to sell under eminent domain is entitled to ''just compensation.'' While it is debatable whether any compensation can be truly just, it seems that, at the very least, the government owes a seller a fair price for their property and the opportunity to rethink their plan and to move on with their life.

Current tax law related to gain on sale of property under eminent domain denies sellers the opportunity to decide how they would like to move on with their life. It mandates that sellers must pay taxes on income from sale under eminent domain unless they reinvest their money in real estate within 3 years. So not only is the government forcing property owners to sell their property, it is also telling them what to do with the money from that sale.

The Eminent Domain Relief for the Little Guy Act will remedy this by removing the current requirement that a seller must reinvest in real estate. This will make sale of all real property by an individual or a small business under eminent domain tax exempt, meaning that the seller can use their income to start a business, invest in the stock market, save for retirement, or, if they choose, reinvest in real estate. Many will indeed choose to buy a new home or to move their business to a new location. But fairness dictates that this should be their decision.

I urge my colleagues to support H.R. 4603 and make sure the little guys and gals who are forced to sell under eminent domain are allowed the flexibility in spending their income that they need and deserve.

TRIBUTE TO CAPTAIN DOUG HUGHES, USN.

HON. C.W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 2004

Mr. YOUNG of Florida. Mr. Speaker, I rise today to pay tribute to an outstanding Naval Officer, Captain Doug Hughes, and to recognize his dedicated service to our Nation as he prepares to complete his service in the United States Navy. It is a great honor for me to take this opportunity to thank Captain Hughes and his family for his 24 years of distinguished service to our Nation for which he has proudly and selflessly served in the defense of freedom.

It was during his last assignment as director of the Secretary of the Navy's Appropriation's Liaison office, that I first came to know Captain Hughes. In this capacity, he has proved to be an invaluable link between the Secretary and the Chief of Naval Operations to me, my staff, and to the professional staff of the Appropriations Committee. Captain Hughes has escorted me and other Members of Congress on several occasions as we traveled both home and abroad to review military operations and confirm the health and welfare of our troops.

On every occasion, Captain Hughes performed his duties in an exacting and precise manner. But far more important to me and the members of the Appropriations Committee was the insight he shared with us concerning matters of national security and the Department of the Navy. He clearly understands the role of the Navy in providing for our Nation's security and stability, as well as serving as an ambassador for American values throughout the world.

We have always been able to count on Captain Hughes' candor, intelligence, and steadfast devotion to duty mixed in with a flair of humor. He was an invaluable asset to me in Congressional deliberations in all matters regarding our Armed Forces and his perspective on the needs of the Nation with respect to our sea services will be sorely missed.

Mr. Speaker, we all know that behind every service member there stands a strong and supportive family so I also want to recognize the Hughes family: his lovely wife Nancy, and his children, Reggie and Lee. They have been stalwart partners in his service to the United States. We can ill afford to forget that it is the strength of family, and indeed their love and support, that make it possible to honorably serve in uniform. My wife Beverly and I have the highest respect for those families who support and enable their sons, daughters, husbands, and wives to serve in uniform. We appreciate and honor all the men and women who have served, and continue to serve, in defense of freedom.

In closing, my colleagues on the Appropriations Committee and I want to express our thanks and appreciation for the special contribution Captain Doug Hughes has made to the United States Navy. We wish Captain Hughes and his family continued success and the traditional naval wish of ''fair winds and following seas'' as he closes out his distinguished military career.

TWENTIETH ANNIVERSARY OF GOLDEN TEMPLE ATTACK

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 2004

Mr. BURTON of Indiana. Mr. Speaker, this month marks the 20th anniversary of one of the most brutal attacks in history, the Indian government's military attack on the Golden Temple, which is the center and seat of the Sikh religion. Attacking the Golden Temple is the equivalent of attacking the Vatican or Mecca.

The Golden Temple was under siege from June 3 to June 6, 1984, under a Congress Party government led by Indira Gandhi, whose daughter-in-law Sonia Gandhi is now the President of the Congress Party and its floor leader in Parliament.

As you know, the supposedly secular Congress Party was recently swept back into power in India's elections. But for minorities, it doesn't really matter whether the Congress Party or the just-ousted Hindu nationalist Bharatiya Janata Party (BJP) is in power. Either way, the repression continues. Although there is a Sikh Prime Minister in India, he has no real power. He is at the mercy of Mrs. Gandhi. India continues to hold 52,268 Sikh political prisoners without charge, trial, or access to legal counsel, according to the Movement Against State Repression (MASR.) India has murdered over 250,000 Sikhs since June 1984. Another 50,000 have ''disappeared.'' These are not the tactics of a democracy, Mr. Speaker. They are the tactics of a police state. What is India afraid of? Are they scared of a little free speech?

125 other Sikh Gurdwaras were also attacked at the same time. In all, over 20,000 Sikhs were murdered in this brutal attack, known as Operation Bluestar. These included major spokesmen for Sikh freedom such as Sant Jarnail Singh Bhindranwale, General Shabeg Singh, and others. The Sikh holy scriptures, the Guru Granth Sahib, written in the time that the ten Sikh Gurus lived, was shot full of bullet holes by the Indian forces. Young Sikh boys, ages 8 to 13, were taken out in the courtyard and asked whether they supported Khalistan, the independent Sikh state. When they answered with the Sikh religious incantation ''Bole So Nihal,'' they were shot to death.

The Golden Temple attack made it clear that there is no place for Sikhs in supposedly secular and democratic India. As Bhindranwale himself said, ''If India attacks the Golden Temple, it will lay the foundation stone for Khalistan.'' On October 7, 1987, Khalistan formally declared itself independent from India. India claims that there is no support for Khalistan. Then let them test the issue democratically at the ballot box by holding a free and fair plebiscite in Punjab, Khalistan on the subject of independence.

The Sikh Nation had sovereignty before, from 1710 to 1716 and from 1765 to 1849. No Sikh representative has ever signed India's constitution. The Sikhs have a heritage of freedom from their Gurus and they will be free again. Iraq is becoming a free country and will soon have a representative government. In the 21st century, you cannot suppress people for long. The people must determine their own fate. Only a free Khalistan will enable the Sikhs to live in peace, freedom, dignity, and prosperity. This cannot happen as long as their homeland is under Indian control.

If the Sikhs were the only victims of Indian repression, that would be bad enough. They are not. India has killed over 300,000 Christians in Nagaland since 1947. It has killed priests, raped nuns, attacked Christian schools, prayer halls, and festivals, expelled and killed missionaries, and carried out other atrocities against the Christian community. In short, it is not safe to be a Christian in India today. India has killed over 87,000 Muslims in Kashmir since 1988. Between 2,000 and 5,000 Muslims were massacred in Gujarat while the police were ordered to stand aside. Even India's own Human Rights Commission found evidence that the government preplanned the Gujarat massacre. Amnesty International says that tens of thousands of minorities are being held as political prisoners.

This is unacceptable in any country, Mr. Speaker, especially a country that proclaims itself democratic. The Sikhs cannot forget or forgive the brutal Golden Temple attack. Neither can the other minorities forget the brutality that has been done to them. That is why America must act. Not one dollar of U.S. aid should be provided to India until basic human rights are respected. India can start by releasing all its political prisoners. We should also

demand that India hold a free and fair plebiscite on the issue of independence for Khalistan, for Kashmir, for Nagaland, and for all the nations seeking their freedom. Multinational states like India are inherently unstable, as the examples of Austria-Hungary and the Soviet Union show. And the essence of democracy is the right to self-determination. It is time for the United States to take a stand for democracy, freedom, and stability.

Mr. Speaker, on June 5, the Council of Khalistan sponsored a demonstration to commemorate the Golden Temple attack. I would like to have the text of the Council of Khalistan's Press Release regarding this event placed into the CONGRESSIONAL RECORD following my statement.

[Press Release from the Council of Khalistan June 5, 2004]

SIKHS COMMEMORATE 20TH ANNIVERSARY OF GOLDEN TEMPLE ATTACK

WASHINGTON, D.C.—Sikhs from Philadelphia, Florida, New Jersey, Maryland, Virginia, and elsewhere on the East Coast came to Washington, D.C. to commemorate the twentieth anniversary of the Indian government's brutal military attack on the Golden Temple, the center and seat of the Sikh religion, and 125 other Sikh Gurdwaras throughout Punjab, in which over 20,000 Sikhs were murdered. They chanted slogans such as ''India out of Khalistan'', ''Khalistan Zindabad'', and others.

During the attack, young boys ages 8 to 13 were taken outside and asked if they supported Khalistan, the independent Sikh country. When they answered with the Sikh religious incantation ''Bole So Nihal,'' they were shot. The Guru Granth Sahib, the Sikh holy scriptures, written in the time of the Sikh Gurus, were shot full of bullet holes and burned by the Indian forces.

The Golden Temple attack was a brutal chapter in India's repression of the Sikhs, according to Dr. Gurmit Singh Aulakh, President of the Council of Khalistan, the government pro tempore of Khalistan, which leads the struggle for Khalistan's independence. ''This brutal attack clarified that there is no place in India for Sikhs,'' Dr. Aulakh said. On October 7, 1987, Khalistan declared its independence from India.

''Sant Bhindranwale said that attacking the Golden Temple would lay the foundation stone of Khalistan, and he was right,'' said Dr. Aulakh. ''Instead of crushing the Sikh movement for Khalistan, as India intended, the attack strengthened it,'' he said. ''Just last year, Sardar Atinder Pal Singh, a former Member of Parliament, held a seminar on Khalistan in Punjab. It was well attended and featured outstanding presentations, including one by Professor Gurtej Singh, IAS, Professor of Sikhism,'' said Dr. Aulakh. ''The flame of freedom still burns bright in the hearts of Sikhs despite the deployment of over half a million Indian troops to crush it,'' he said. ''Dal Khalsa, a Sikh political party, held marches through Punjab demanding the establishment of an independent Khalistan.''

History shows that multinational states such as India are doomed to failure. Countries like Austria-Hungary, India's longtime friend the Soviet Union, Yugoslavia, Czechoslovakia, and others prove this point. India is not a single country; it is a polyglot like those countries, thrown together for the convenience of the British colonialists. It is doomed to break up as they did.

The Indian government has murdered over 250,000 Sikhs since 1984, more than 300,000 Christians since 1948, over 87,000 Muslims in Kashmir since 1988, and tens of thousands of Tamils, Assamese, Manipuris, Dalits, and others. The Indian Supreme Court called the Indian government's murders of Sikhs ''worse than a genocide.''

Indian police arrested human-rights activist Jaswant Singh Khalra after he exposed their policy of mass cremation of Sikhs, in which over 50,000 Sikhs have been arrested, tortured, and murdered, then their bodies were declared unidentified and secretly cremated. He was murdered in police custody. His body was not given to his family. The police never released the body of former Jathedar of the Akal Takht Gurdev Singh Kaunke after SSP Swaran Singh Ghotna murdered him. Ghotna has never been brought to trial for the Jathedar Kaunke murder. No one has been brought to justice for the kidnapping and murder of Jaswant Singh Khalra.

According to a report by the Movement Against State Repression (MASR), 52,268 Sikhs are being held as political prisoners in India without charge or trial. Some have been in illegal custody since 1984! ''These prisoners never committed any crime but peacefully speaking out for Sikh freedom,'' said Dr. Aulakh. ''What is a democracy doing holding political prisoners?,'' he asked. ''This alone shows that for Sikhs and other minorities, there is no democracy, no freedom of speech.''

''As Professor Darshan Singh, a former Jathedar of the Akal Takht, said, 'If a Sikh is not a Khalistani, he is not a Sikh','' Dr. Aulakh noted. ''We must continue to pray for and work for our God-given birthright of freedom,'' he said. ''Without political power, religions cannot flourish and nations perish.''

TRIBUTE TO THE LEADERSHIP CONFERENCE OF WOMEN RELIGIOUS AND THEIR STATEMENT ON IRAQI PRISONER ABUSE

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 2004

Ms. ESHOO. Mr. Speaker, I rise today to place in our Nation's RECORD the statement issued by the Leadership Conference of Women Religious on May 7, 2004, regarding the abuse of Iraqi prisoners at Abu Ghraib Prison.

The Leadership Conference of Women Religious joins its voice with other faith-based organizations and human rights groups in expressing our abhorrence and shame at the abuse perpetrated on Iraqi prisoners by some members of the U.S. military. These inexcusable atrocities violate our common humanity.

We do not accept the explanation of our government leaders that these acts were the behavior of a few individuals. Rather, we see these abusive actions as symptomatic of a deeper, pervasive sickness. All of us share the responsibility and the blame—the soldiers who performed these heinous acts, military officials who have oversight for the treatment of prisoners, U.S. government officials who ignored reports of these abuses, and all of us who have contributed in some way to our culture of violence.

The Leadership Conference of Women Religious, an organization representing 73,000 Catholic women religious in the United States, urges that the following actions be taken to begin to address these serious violations of human dignity and human rights:

Now that President Bush has issued a late and limited apology for the abusive treatment of Iraqi prisoners, that there be a thorough investigation, and that the results be made public

That this investigation include any personnel regardless of rank or office who had knowledge of these atrocities and allowed them to continue with impunity

That any military, intelligence, or privately contracted personnel found to have engaged in or encouraged acts of torture or inhumane treatment be prosecuted

That there be a complete and public Congressional oversight hearing and investigation into the treatment of all detainees held by the U.S. military anywhere in the world, an investigation which will allow Members of Congress to exercise their powers and rights to enable the balance of power to be restored

That all prisoners held by the United States be granted access to international monitoring groups such as the Red Cross, the Red Crescent, Amnesty International, and the United Nations

That U.S. government and military officials make a commitment to protect the human dignity and rights of the Iraqi people.

As leaders of religious congregations we reach out to our Muslim sisters and brothers. We grieve with you. We share your outrage. We will continue to pray and work for social justice, peace, and respect for human dignity and human rights of all people. As a nation we share in the shame. Together we must work to assure that these abuses never happen again.

Mr. Speaker, I ask my colleagues to join me in honoring the words of the Leadership Conference of Women Religious and all they represent as we work toward human rights for all individuals around the world.

HONORING THE LIFE OF EARL GILLIAM, A TRUE SAN DIEGO HERO

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 2004

Mr. FILNER. Mr. Speaker and colleagues, I rise to honor a truly great San Diego leader. Judge Earl B. Gilliam made a positive impact on San Diego as a judge, a teacher, and a community leader. I have introduced a bill (H.R. 4474) that will appropriately honor him by putting his name on a new post office in my district.

Earl Gilliam grew up in southeast San Diego. His parents owned a fish market on Imperial Avenue where he worked when he was not attending San Diego High School. He went on to complete his undergraduate education at San Diego State University before moving on to Hastings Law School.

Shortly after being admitted to the California Bar in 1957, he was appointed Deputy District Attorney in San Diego. He became the first African-American judge appointed to the San Diego bench 6 years later and was named Presiding Judge of the San Diego Municipal Court in 1971. Governor Jerry Brown named him to the California Superior Court in 1975 and President Jimmy Carter appointed him to serve on the United States District Court for the Southern District of California in 1980. He served there for over 20 years, until his passing in 2001.

In his long, distinguished career Judge Gilliam presided over numerous noteworthy

trials of regional and national importance: Whether these cases dealt with drug trafficking, fraud, tax evasion, bribery, or civil matters, Judge Gilliam's fair and professional approach to the law laid the foundation for his solid reputation both within and outside the legal community.

In addition to his contributions in the courtroom, Judge Gilliam also made his mark in the classroom. The Thomas Jefferson School of Law recruited Judge Gilliam as an adjunct professor. With his background in business, economics, and civil, criminal, and trial law, he proved to be an inspirational and devoted instructor for the numerous courses he taught there over the next 24 years. So much so that the school's moot courtroom has been dedicated in his honor.

Judge Gilliam gave his time and effort to his community in countless ways. He served on the boards of numerous organizations ranging from the San Diego Urban League to the University of California, San Diego to the Y.M.C.A. The community, in turn, has honored Judge Gilliam repeatedly with an unbelievably long, diverse list of awards that attest to his unrelenting success in making a difference in San Diego.

In 1982, the San Diego African American Lawyer's Organization honored Judge Gilliam by changing its name to the Earl B. Gilliam Bar Association. Today, they carry on his legacy by working within our community to defend the rights of African-Americans, combat racism and poverty, and foster integrity in the legal community.

Judge Gilliam truly was a hero who worked for all of San Diego. I am glad to have the privilege of introducing this legislation to name a post office in his honor and I hope my colleagues will support me in celebrating his many achievements.

ENERGY POLICY ACT OF 2004

SPEECH OF

HON. C.A. DUTCH RUPPERSBERGER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 2004

Mr. RUPPERSBERGER. Mr. Speaker, while I am voting against the Energy Policy Act of 2004, I believe its provisions regarding alternative vehicles and fuels introduce valuable incentives that would help protect our air quality, limit fuel consumption, and reduce our dependence on foreign oil.

These provisions would make the cleanest vehicles available today more affordable by providing a credit for the purchaser of new qualified fuel cell, hybrid, or other alternative fuel motor vehicle, as well as a new credit for qualified biodiesel fuel mixtures. With significant fuel economy and low tailpipe emissions, alternative-fuel and advanced-technology vehicles help to reduce greenhouse gas emissions and cut fuel consumption.

What our country needs is a national energy policy that will promote conservation, and also improve our economy and reduce our growing dependence on foreign oil. We need a plan that safeguards our natural resources, and relies on energy efficiency and renewable energy. Encouraging Americans to drive environmentally friendly vehicles would benefit our economy and protect our environment.

INTRODUCTION OF A CONCURRENT RESOLUTION TO RAISE AWARENESS OF SUICIDE

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 2004

Mr. UDALL of Colorado. Mr. Speaker, I rise today to introduce a concurrent resolution which recognizes the importance of suicide prevention and raising awareness of suicide within the nation.

Suicide occurs in our nation at a rate of 30,000 suicides annually and kills youth six nine times more often than homicide. It is also the second fastest growing cause of death among college-age students. However, studies have shown that 95 percent of suicides are preventable. It is a silent epidemic that is preventable and awareness is the key to that prevention.

There are several programs throughout the country which put in hundred of hours, most from volunteers, to provide support services to prevent suicide as well as support to the families and friends who have lost loved ones to suicide. I would like to highlight one of these organizations which is based in my district in Colorado, but works throughout the country and internationally. The Yellow Ribbon International Suicide Prevention Program® provides resources to teachers, parents, and those at the most risk of suicide. They go into schools to raise the level of discussion about suicide and ways to seek help. The more suicide is talked about, the more likely those thinking about suicide will take action and ask for assistance.

Many who are considering suicide do not know where to turn for help, or even how to ask for help. Under the Yellow Ribbon International Suicide Prevention Program, Yellow Ribbon Ask 4 Help cards are made available to schools, teachers, counselors, and parents. These cards provide a simple way for individuals to ask for help, especially for those who cannot utter the words "I need help."

It is also important to remember that suicide does not only affect our youth, but people throughout the phases of life. In fact, the largest number of suicide deaths occurs among men between the ages of 35–44. The National Strategy for Suicide Prevention, within the Department of Health and Human Services recommends and encourages organizations to expand there service to focus on elementary ages as well as the elderly.

My concurrent resolution recognizes the importance of suicide prevention and awareness, as well as reaffirms the commitment to the priorities expressed in H. Res. 212 and S. Res. 84 which were both passed in the 105th Congress. Lastly this bill states that the week of September 19, 2004 should be recognized as Yellow Ribbon Suicide Awareness and Prevention Week.

I urge my colleagues in the House to support this legislation to help prevent suicide and to wear a yellow ribbon the week of September 19, 2004 to raise awareness of this global epidemic.

CONGRATULATING ZARA MARSELIAN

HON. SUSAN A. DAVIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 2004

Mrs. DAVIS of California. Mr. Speaker, I rise today to recognize Zara Marselian, founder of La Maestra Community Health Centers. Besides providing multicultural health care and social services to immigrants and refugees in inner city San Diego, La Maestra is unique in developing services, and programs in response to demonstrated needs presented by its patient base.

Ms. Marselian is one of ten outstanding individuals from across the country selected this year to receive a Robert Wood Johnson Community Health Leadership award.

The child of immigrant and refugee parents, Marselian saw an unmet need in her native San Diego for medical care for uninsured immigrants with little or no English speaking skills. Although she had no medical background, she started a clinic in her home in 1991, one evening a week with one physician.

Since its modest beginning, La Maestra Community Health Centers has expanded to include adult and pediatric medical services, two dental clinics, a pharmacy, behavioral health services and health education. Marselian has also established a task force to increase access to health care for the uninsured, working poor.

La Maestra's additional services range from job training, placement and referrals to childcare, insurance eligibility assistance, and housing and community development. Staff members, who come from diverse backgrounds and speak 19 languages, provide translation services and culturally sensitive care.

One clinic patient called Marselian "the mother of refugees and immigrants" for her work in providing multicultural health care and social services to San Diego residents who have nowhere else to turn for help.

I wish to congratulate Zara Marselian for her impressive accomplishments at La Maestra Community Health Centers and for her efforts in achieving a 2004 Robert Wood Johnson Community Health Leadership award.

COUNCIL OF KHALISTAN HONORS PRESIDENT REAGAN

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 2004

Mr. BURTON of Indiana. Mr. Speaker, all over America, people are honoring the memory of President Ronald Reagan, who passed away on June 5th. Among those who have paid homage to President Reagan's legacy is the Council of Khalistan, led by my friend Dr. Gurmit Singh Aulakh. Dr. Aulakh wrote an excellent letter to President Bush offering condolences to the American people on President Reagan's passing. He took special note of President Reagan's vision and his efforts to extend freedom all over the world.

President Reagan referred to America as "the shining city on a hill," the bright hope for

the entire world. It is our job to pick up that torch and continue to promote freedom wherever it is denied. A good start would be to work to extend freedom to all peoples and nations of South Asia. In India, there are 18 official languages. Over 300,000 Christians have been murdered in Nagaland, as well as more than a quarter of a million Sikhs, almost 88,000 Kashmiri Muslims, thousands of Muslims in other parts of the country, and tens of thousands of Assamese, Bodos, Dalits, Manipuris, Tamils, and other minorities. Over 52,000 Sikhs are being held as political prisoners, some as long as 20 years, without charge of trial. According to Amnesty International, tens of thousands of other minorities are also being held as political prisoners. A Sikh named Gurnihal Singh Pirzada was recently arrested for attending a meeting of "dissidents," a meeting he says he didn't attend, while noting that it would not have been illegal for him to have done so. This does not sound like freedom or democracy to me.

Mr. Speaker, we should give serious thought to reconsidering our aid to India until basic human rights are freely exercised by all, and we should support the very basic principle of democracy through a free and fair plebiscite on independence for the Sikhs of Punjab, Khalistan, for predominantly Christian Nagaland, for Kashmir, and for every nation seeking to free itself from the yoke of Indian oppression. That is the way to bring freedom, security, stability, dignity, and prosperity to one of the world's most troubled regions. Perhaps the best memorial we can give to President Reagan is to help the people of South Asia achieve their freedom, just as we did in so many other countries during his Administration.

I would like to have the text of Council of Khalistan's letter to President Bush placed into the CONGRESSIONAL RECORD following my statement.

COUNCIL OF KHALISTAN
Washington, DC, June 15, 2004.

The Honorable GEORGE W. BUSH,
President of the United States,
The White House, Washington, DC.

DEAR PRESIDENT BUSH: On behalf of over 500,000 Sikh Americans and the 25 million strong Sikh Nation, I would like to send our condolences to the people of the United States on the passing of President Ronald Reagan. Although his illness had already taken him from us in many ways, the finality of his death is still a cause for grief.

We appreciated your very classy remarks at President Reagan's state funeral, as well as those of your father, Lady Thatcher, and former Prime Minister Mulroney. All of you gave moving tributes to President Reagan that helped to inspire and uplift a grieving nation.

President Reagan was a great American leader. His rise from humble beginnings in Dixon, Illinois to becoming a sportscaster, a movie star, governor, and President inspires us all to continue trying to achieve the very highest and best that we can.

His Words, "Whatever else history may say about me when I'm gone, I hope it will record that I appealed to your best hopes, not your worst fears; to your confidence rather than your doubts. My dream is that you will travel the road ahead with liberty's lamp guiding your steps and opportunity's arm steadying your way" serve as an inspiration to Americans of all backgrounds today. That is exactly how he will be remembered.

President Reagan believed in the greatness of America and its people and in extending freedom throughout the world. His work in defeating the Soviet Union and in restoring the American economy marked the greatness of President Reagan and of the people of the country he so loved. We must continue to extend freedom in his memory.

One place where freedom needs to be extended is the Indian subcontinent. Today in India, the Indian government has murdered over 250,000 Sikhs since 1984, almost 88,000 Kashmiri Muslims since 1988, over 300,000 Christians in Nagaland, and tens of thousands of other minorities. More than 52,000 Sikhs as well as tens of thousands of other minorities are held as political prisoners without charge or trial, some since 1984. I hope that you will press India to support human rights and self-determination for these oppressed minorities. I am convinced that this would be a great follow-through to President Reagan's vision.

Once again, our condolences to the American people on the loss of President Reagan.

Sincerely,

DR. GURMIT SINGH AULAKH,
President, Council of Khalistan

HONORING ONE HUNDRED FIFTY YEARS OF THE HUMBOLDT MASONIC LODGE NO. 79

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 2004

Mr. THOMPSON of California. Mr. Speaker, I rise today in recognition of the 150th anniversary of the formation of Masonic Lodge No. 79 in Humboldt County, California.

On April 25, 1854 the known Masons of Humboldt Bay held a meeting for the purpose of organizing a lodge. Present at the meeting were Elias Harold Howard, James R. Malony, A.H. Shafer, Jacob DeHaven, Robert M. Stokes and A.J. Huestis. These founders were Master Masons from different jurisdictions who took the necessary steps to establish a lodge in Humboldt County and to raise funds to construct a Masonic Hall. Work began on July 15, 1854 in the town of Bucksport and was completed in September of the same year. The lumber used was all first growth redwood from the forests of the surrounding area.

On September 6, 1855, acting Master James R. Malony announced that the Charter had arrived from San Francisco and that the first order of business would be the election of officers. The Charter was dated July 1, 1855 and Humboldt Lodge thereafter progressed and prospered. By 1857 the city of Eureka had become the leading settlement on Humboldt Bay. Eureka was the County Seat of Humboldt County, the center of the lumber industry and home to many members of the Lodge. It was decided that the Masonic Lodge should relocate to Eureka and in 1858 the first meeting in Eureka took place in leased rooms on First Street. In June 1870 Humboldt Lodge purchased a lot on the southwest corner of Second and G Streets where a building was constructed which still stands in that historic part of Eureka.

Membership grew rapidly and other lodges were formed. A new Masonic Temple was needed and the cornerstone for a new building was laid on April 22, 1922 at Fifth and G streets in Eureka.

The Lodge is very proud of its outstanding membership whose devotion to community and country has been a worthy contribution to the betterment of our Nation. Over 1,800 members have been raised to the degree of Master Mason. The Lodge is also very proud of its past Masters who rose to the high office of Grand Master of California.

Mr. Speaker, it is appropriate at this time that we recognize Humboldt Masonic Lodge No. 79 on the occasion of its 150th anniversary.

INTRODUCING THE ARTHRITIS PREVENTION, CONTROL AND CURE ACT OF 2004

HON. CHARLES W. "CHIP" PICKERING

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 2004

Mr. PICKERING. Mr. Speaker, I rise today to introduce the Arthritis Prevention, Control, and Cure Act of 2004.

The prevalence of chronic diseases in the U.S. has become the most significant public health problem of our current day. It is estimated that by the year 2020, 157 million Americans will suffer from some chronic illness. Whether it is asthma, diabetes, heart disease or arthritis, these conditions are costly to our health care system and erode quality of life.

With more than 100 different forms, arthritis is one of the most widespread and devastating conditions in the United States. Nearly 70 million, or one in every three, American adults suffers from arthritis or chronic joint symptoms, and nearly 300,000 children live with the pain, disability and emotional trauma caused by juvenile arthritis. In some cases, the disease causes deformity, blindness and even death. As the number one cause of disability in the United States, arthritis is a painful and debilitating chronic disease affecting men, women and children alike—arthritis has no boundaries. Simple, daily tasks like brushing teeth, pouring a cup of coffee and even just getting out of bed become excruciating obstacles for millions of people with the disease.

The costs associated with arthritis are immense. The disease results in 750,000 hospitalizations, 44 million outpatient visits and 4 million days of hospital care every year. The estimated total costs of arthritis in the U.S., including lost productivity exceeds $86 billion.

Arthritis is an overwhelming and debilitating hardship for countless families. While the current impact of the disease is quite astounding, there is much that can be done to prevent and control arthritis. Despite myths that inaccurately portray this illness as an old persons' disease, some forms of arthritis, such as osteoarthritis, can be prevented with weight control and other precautions. More broadly, the pain and disability accompanying all types of arthritis can be minimized through early diagnosis and appropriate disease management.

The goal of this legislation is to lessen the burden of arthritis and other rheumatic diseases on citizens across our Nation, like my constituent, Alfred Price of Brandon, Mississippi. Mr. Price has suffered from rheumatoid arthritis for more than 49 years and has shown me over the years the damaging effects of the disease to his body.

In recent years, increasing effective research into the prevention and treatment of arthritis has led to measures that successfully

reduce pain and improve the quality of life for millions who suffer with this disease. Cooperative efforts at every level have led to the development of a National Arthritis Action Plan, with emphasis on public health strategies to make timely information and medical care much more widely available across the country. This legislation would develop a National Arthritis Education and Outreach Campaign to educate health-care professionals and the public on successful self-management strategies for controlling arthritis.

To ensure greater coordination and intensification of federal research efforts, this legislation would create a National Arthritis and Rheumatic Diseases Summit to look at challenges and opportunities related to arthritis research within all the agencies of the Department of Health and Human Services.

For the 300,000 children who are affected by this disease, this legislation expands and intensifies research for juvenile arthritis at the National Institutes of Health through the creation of planning grants for innovative research. It also creates incentives to encourage health professionals to enter the field of pediatric rheumatology through the establishment of education loan repayment and career development award programs. These incentives would help to address the severe shortage of these specialists in our country, so that all children will have greater access to physicians trained in state-of-the-art care for arthritis.

Mr. Speaker, we need to make the necessary investments in the fight against arthritis—our nation's number one cause of disability. This legislation will improve the quality of life for large numbers of adults and children and avoid thousands of dollars in medical costs for each patient. I urge all my colleagues from both sides of the aisle to support this legislation and enact it in a timely manner so millions of Americans, like Mr. Price, can live life with more hope and less pain.

SUPPORTING RESPONSIBLE FATHERHOOD AND ENCOURAGING GREATER INVOLVEMENT OF FATHERS IN THE LIVES OF THEIR CHILDREN

SPEECH OF

HON. TODD TIAHRT

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 14, 2004

Mr. TIAHRT. Madam Speaker, in the week following the celebration of President Reagan's life and the mourning of his death, I am reminded of the impact his legacy has left on our country and on my job as a Member of the United States House of Representatives. It also makes me think about my role as a father and the legacy I will leave for my family. What will my children say about me when I die? Will I have left a legacy to them worthy of praise and fond memories and strong self-confidence? Will they be better parents themselves because of the father I was to them? This is the legacy that will matter the most—the one I leave my children and future grandchildren.

The National Center for Fathering is based in Shawnee Mission, Kansas, and I am proud of the efforts of Founder and President Dr. Ken Canfield and his vision to equip and support fathers across the country. Thirty-nine percent of all children live in a home without their father. That's 27 million children without a stable male role model in their home. According to Focus on the Family, "Children with married parents consistently do better in every measure of well-being than their peers who have single, cohabiting, divorced or step-parents, and this is a stronger indicator than parental race, economic or educational status, or neighborhood. The literature on this is broad and strong."

The liberal Center for Law and Social Policy, a child advocacy organization, and Child Trends agree that "children do best when raised by their two married biological parents. Young men without married parents are 1.5 times more likely than those with married parents to be out of school and out of work. Young girls without married parents are twice as likely to be idle. A major study published in the Journal of Marriage and the Family found that boys and girls who lived with both biological parents had the lowest risk of becoming sexually active. Teens living with only one biological parent, including those in stepfamilies, were particularly at risk for becoming sexually active at younger ages.

White and black girls growing up in single-parent homes are 111 percent more likely to bear children as teenagers, 164 percent more likely to have a child out of marriage, and—if they do marry—their marriages are 92 percent more likely to dissolve compared to their counterparts with married parents. Where are the fathers? Single mothers have the hardest job in America, and it is past due time when fathers need to take responsibility and be a father to their children.

We celebrate Father's Day June 20th and I applaud my father-in-law and my father for the legacy they left my wife and me. I pray that my legacy to my children will be strong, loving, and proud. May God continue to bless America.

ARTHRITIS PREVENTION, CONTROL AND CURE ACT OF 2004

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 2004

Mrs. ESHOO. Mr Speaker, I'm pleased to join my colleague Representative PICKERING in introducing the Arthritis Prevention, Control and Cure Act of 2004, which authorizes programs and funding that will allow the Federal Government to better coordinate and increase our investment in efforts to prevent, treat, and care for persons with arthritis and related diseases. The bill represents the most significant Federal effort to address arthritis in a generation. The Arthritis Prevention, Control and Cure Act of 2004 addresses this important issue by:

Enhancing the National Arthritis Action Plan by providing additional support to federal, state, and private efforts to prevent and manage arthritis;

Developing a National Arthritis Education and Outreach Campaign to educate the healthcare profession and the public on successful self-management strategies for controlling arthritis;

Ensuring greater coordination and intensification of federal research efforts by organizing a National Arthritis and Rheumatic Diseases Summit to look at challenges and opportunities related to basic, clinical and translational research and development efforts;

Providing greater attention to the area of juvenile arthritis research through the creation of planning grants for innovative research specific to juvenile arthritis, as well as the prioritization of epidemiological activities focused on better understanding the prevalence, incidence, and outcomes associated with juvenile arthritis; and

Creating incentives to encourage health professionals to enter the field of pediatric rheumatology through the establishment of an education loan repayment and career development award programs.

Arthritis is the leading cause of disability in the U.S. with 70 million Americans living with a form of the disease. With the aging of the baby boomers, the Centers for Disease Control and Prevention (CDC) predicts the number of people over 65 with arthritis or chronic joint symptoms will double by 2030. Nearly 300,000 children in the United States are living with a form of juvenile arthritis. Arthritis is a painful and debilitating chronic disease affecting men, women and children alike.

Currently, the Federal investment in juvenile arthritis research is only $23 per affected child. The CDC estimates that the annual cost of medical care for arthritis is $51 billion, and the annual total costs, including lost productivity, exceed $86 billion. Early diagnosis, treatment, and appropriate management of arthritis are critical in controlling symptoms and improving quality of life.

In 1975, nearly 30 years ago, Senator Alan Cranston of California introduced the last major piece of arthritis legislation. It was signed into law by President Gerald Ford. The bill, the National Arthritis Act, set our Nation on an important path in the fight against arthritis. It led to the creation of an institute at NIH focused on arthritis, and laid the foundation for a national arthritis public health strategy.

However, arthritis is still claiming the lives of millions of Americans and we must reinvigorate our research and education efforts to offer individuals with arthritis a better chance at life and eventually a cure. I believe the Arthritis Prevention, Control and Cure Act of 2004 will do just that.

HONOR THE MEMORY OF U.S. ARMY 2ND LIEUTENANT DONALD AMES O'BRIAN

HON. STEVEN C. LaTOURETTE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 2004

Mr. LATOURETTE. Mr. Speaker, I rise today to honor the memory of the late U.S. Army 2nd Lieutenant Donald Ames O'Brian, who served proudly as an Infantry platoon leader with Company G, 2nd Battalion, 21st Infantry Regiment, 24th Infantry Division.

O'Brian was killed in action on June 17, 1945, by an exploding Japanese artillery shell, near Calinan, Mindanao, Philippine Islands.

O'Brian was born on March 20, 1923, in Berwyn, Illinois. He was the son of Harold and Florence O'Brian, and graduated from my alma mater, Cleveland Heights High School, in June 1941. He attended Fenn College (later to become Cleveland State University), and

worked at Thompson Products Company (later to become TRW Corporation).

After enlisting in the U.S. Army and completing basic training, O'Brian volunteered for Officer Candidate School. Upon Graduation, he was commissioned as a 2nd Lieutenant in the Anti-Aircraft Artillery branch. O'Brian soon requested a transfer to the Infantry branch so that he could engage in active combat as an Infantry platoon leader in the Pacific theater of operations under the command of General Douglas MacArthur.

O'Brian participated in the liberation of the Philippine Islands with the 21st Infantry Regiment of the 24th Infantry Division, which invaded Mindanao Island, about 600 miles south of Manila. He dedicated himself to leading the men in his platoon, and earned their respect as he led them in combat. The 21st Infantry Regiment was engaged in 63 continuous days of combat against stiff Japanese resistance during the liberation of Mindanao Island.

Sadly, O'Brian was killed on June 17, 1945, a day before final victory was achieved by the 21st Regiment.

Lt. Col. Roy W. Marcy, commanding officer of the 2nd Battalion, wrote a letter to O'Brian's mother that said: "Donald displayed superior courage and bravery as leader of his platoon. The aggressiveness and leadership, which Donald exhibited, gives those of us who remain a wonderful example to follow in future operations against the enemy. Donald was the traditional hard fighting American soldier and he is grievously missed by all his fellow officers and soldiers."

As a tangible expression of the esteem held for O'Brian, the officers and men of the 2nd Battalion named an encampment area "Camp D. A. O'Brian" in his honor. O'Brian's mother received his posthumous Purple Heart medal, and letters of condolence from General MacArthur and Secretary of War Henry Stimson.

Recently, Mrs. Lorraine Sutliff of Aurora, OH, contacted my office to determine if there were any additional medals her brother was entitled to that were authorized by the War Department after the end of World War II.

We determined that O'Brian was entitled to the following awards: the Combat Infantryman's Badge for being an Infantry platoon leader in combat; Bronze Star Medal for his meritorious service in combat; American Campaign Medal for his service in the United States; Asiatic Pacific Campaign Medal for service in the Pacific Theater; and the World War II Victory Medal. He was also eligible for the Philippine Liberation Medal authorized by the Philippine government.

Lawrence Binyon was a British poet who wrote "For the Fallen" to honor all of the soldiers who died defending liberty and freedom during World War I. His words of comfort are timeless to express the precious memories of all those brave soldiers who died to keep this great country free.

They shall not grow old, as we that are left grow old.
Age shall not weary them, nor the years condemn.
At the going down of the sun and in the morning
We will remember them.

Mr. Speaker, a grateful nation honors Lt. O'Brian's heroism and the ultimate sacrifice he paid to achieve victory in the Philippines.

CALIFORNIA ENRON REFUNDS

HON. DIANE E. WATSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 2004

Ms. WATSON. Mr. Speaker, I rise today to speak on the recent order for my home state of California to repay over $270 million to Enron and other energy corporations amidst growing evidence of Enron and other energy companies market manipulation.

The recent release of Enron tapes where traders openly discuss the manipulation of California power markets to the tune of one to two million dollars a day is unfair to all residents of California. Providing refunds to a company that used deceptive business practices is just plain backwards.

The United States has fallen victim to gas prices that are at a 23 year high. It has had a drastic effect on all consumers whether they are automobile drivers or not. Despite this, the Administration continues to give billions of dollars in tax breaks to special interest oil, gas, and coal companies that are doing nothing to help lower fuel prices.

Mr. Speaker, I am appalled and disgusted with the Administration's coddling of special interests while leaving taxpayers the task of having to foot the bill for years of wrongdoing by Enron and other corporate scoff laws. The refunds my home state are forced to pay reward market manipulators for predatory pricing activities. As legislators we should punish, not reward, companies who have deceived our citizens.

TRIBUTE TO RABBI ELIMELECH DAVID GOLDBERG

HON. JOE KNOLLENBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 2004

Mr. KNOLLENBERG. Mr. Speaker, I rise today to recognize Rabbi Elimelech David Goldberg, the founder and National Director of Kids Kicking Cancer. Rabbi Goldberg is one of 10 outstanding individuals from across the country selected this year to receive a Robert Wood Johnson Community Health Leadership award.

Over a decade ago, Rabbi Goldberg experienced the painful loss of his 2-year-old child during a bone marrow transplant for lymphocytic leukemia. Later, when he was approached to run a camp for children with cancer, he at first refused, fearing it would be too painful. On further reflection, he saw the opportunity to help other children in pain as a way to give meaning to the life of his daughter, and he embraced the challenge. Rabbi Goldberg's training as a black belt convinced him that karate could be a powerful aid to pain management and empowerment for young patients, enabling them to heal physically, emotionally, and spiritually.

When Rabbi Goldberg incorporated martial arts therapy into the program of the oncology camp in 1996, the results were dramatic. Children were encouraged to envision themselves not as cancer victims, but as healthy kids with tumors. They learned to control their fear and pain within a community of peer support that mitigated the isolation of illness. Following this success, with the aid of a small grant, he created a pilot program at Children's Hospital of Detroit in March 1998.

When he incorporated the Kids Kicking Cancer organization in 1999, Rabbi Goldberg gave up his rabbinic congregation, active counseling practice, and directorship of the oncology camp. Today, ten social workers and child life specialists who are also martial arts teachers give weekly classes, accompany children to painful clinic visits, and visit them at home. There is also a hospice program for patients whose cancers are not responding to treatment. Kids Kicking Cancer has been working with over 400 children in Michigan, and is now starting Kids Kicking Sickle Cell in Michigan and Brooklyn, NY.

Mr. Speaker, I commend Rabbi Elimelech David Goldberg for his accomplishments as founder of Kids Kicking Cancer and for his efforts put forth in achieving a 2004 Robert Wood Johnson Community Health Leadership Program award.

TRIBUTE TO BOY SCOUTS OF AMERICA TROOP 35, TRAVERSE CITY, MI

HON. DAVE CAMP

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 2004

Mr. CAMP. Mr. Speaker, I rise today to pay tribute to Boy Scout Troop 35 in celebration of its 75th Anniversary.

On this day, we look back at the prestigious history of Troop 35. The Troop's dedication to its community is obvious in their planting of trees, in their assisting with snow removal, and in their volunteering to serve refreshments at area events. Even the commitment of the Troop leaders to the Scouts is evident in the Troop's high rate of advancement to the rank of Eagle Scout. For 75 years, Troop 35 has worked tirelessly to positively impact the lives of our youth and better our community.

I am honored today to recognize Boy Scout Troop 35 for its many accomplishments, and to thank the many volunteers, scouts, families, and scoutmasters who have endeavored to make Boy Scout Troop 35 the success it is today.

HAPPY 100TH BIRTHDAY TO MRS. REBECCA BROWN

HON. CURT WELDON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 2004

Mr. WELDON of Pennsylvania. Mr. Speaker, it is my great honor and pleasure to wish a very happy birthday to Mrs. Rebecca Brown of Media, Pennsylvania on the occasion of her 100th birthday. Mrs. Brown will reach the century mark on June 30 of this year, an incredible milestone.

Mrs. Brown was born in Media/Upper Providence, Pennsylvania and has lived in Delaware County, Pennsylvania all her life. She fell in love and married Theodore Mitchell Brown and they were blessed with one son, Theodore Earl Brown. Her husband passed away in

1957 and she never remarried. Now Mrs. Brown lives with her son and daughter-in-law, Joanne McHugh Brown, in Upper Providence and she enjoys the company of two grandchildren—Kevin Brown and Karen (Brown) Ranieri and six great-grandchildren: Matthew, Daniel and Timothy Brown and Ryan, Tyler and Becca Ranieri. Mrs. Brown is blessed by many years, and all who spend time with her are blessed by her company. Her friends know her to be kind, generous and an inspiration to all.

I know all of Delaware County, Pennsylvania joins me in wishing Rebecca Brown a happy, happy 100th birthday.

HONORING THE WAWONA HOTEL

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 2004

Mr. RADANOVICH. Mr. Speaker, I rise today to honor the Wawona Hotel on the occasion of their 125th anniversary. The Wawona Hotel in Yosemite National Park is acclaimed for its nostalgic charm, historic authenticity and picturesque setting.

In 1855, Galen Clark, a miner who worked in the area Gold Camps, passed through the Wawona Valley area with tourists bound for Yosemite. Entranced by the beauty of the place, Clark constructed lodging near the main trail into Yosemite Valley, making it inevitable that travelers would stop along the way. In 1878, a kitchen fire destroyed all of Clark's buildings and the entire establishment was rebuilt in 1879.

Today, The Wawona Hotel is operated by Delaware North Companies Parks & Resorts at Yosemite and remains one of the most respected mountain resorts. Its historic wooden buildings, verandas overlooking sprawling green lawns and Victorian interiors continue to provide visitors with a perfect setting for a relaxing vacation.

The Wawona Hotel is listed on the National Registry of Historic Places, and this year became a member of the National Trust Historic Hotels of America, a collection of hotels selected by the National Trust for Historic Preservation for historic integrity, architectural quality, outstanding preservation efforts, and stewardship.

Mr. Speaker, I rise to pay tribute to the Wawona Hotel on the occasion of their 125th anniversary celebration. I urge my colleagues to join me in honoring the Wawona Hotel and wishing DNC Parks & Resorts at Yosemite many more years of continued success.

DR. DOROTHY LAVINIA BROWN

HON. JIM COOPER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 2004

Mr. COOPER. Mr. Speaker, I rise today to pay tribute to the remarkable life of Dr. Dorothy Lavinia Brown, of Nashville, Tennessee. A pioneering force in both medicine and politics, Dr. Brown rose from humble beginnings to become one of our nation's most inspiring figures. Our country lost a great leader when Dr. Brown passed away on Sunday, June 13, at the age of 90.

Dr. Brown led a life of setting "firsts" and was not only the first African-American woman surgeon in the South but the first African-American woman to serve in the Tennessee State legislature. She was also the first woman to head a surgical unit of a major hospital, and the first African-American woman to be made a Fellow of the American College of Surgeons.

Her courage, perseverance and vision are what made her so admirable. Soon after her birth, her mother placed her in an orphanage, where she lived until her mother reclaimed her at the age of 13. By then, she was already determined to become a surgeon, and she pursued that dream despite the difficult circumstances in which she was raised. She was abused by her mother, and at age 14 was pulled out of school to work as a domestic.

Describing her perseverance, Dr. Brown said, "I tried to be not hard, but durable." And indeed she did not give up. She eventually won a 4-year scholarship to Bennett College in Greensboro, North Carolina, from which she graduated in 1941, ranked second in her class. Thereafter, she enrolled at Meharry Medical College, where she also served a 5-year residency in surgery and overcame the doubts of those who said that a woman could not withstand the rigors of surgery. She went on to pursue a brilliant career, and from 1957 to 1983, Dr. Brown served as chief of surgery at Nashville's Riverside Hospital, clinical professor of surgery at Meharry and educational director for the Riverside-Meharry Clinical Rotation Program.

Dr. Brown was not only a brilliant surgeon but a compassionate one. When a young unmarried patient implored Dr. Brown to adopt her newborn daughter, she agreed. And in 1956, Dr. Brown became the first single adoptive parent in Tennessee.

Dr. Dorothy Brown stands as a remarkable visionary and role model, not only for women in medicine, but for all Americans. Her relentless perseverance and indomitable spirit opened doors for her and others to follow. She once said that she wanted to be remembered "not because I have done so much, but to say to young people that it can be done."

On behalf of the fifth district of Tennessee as well as my colleagues in Congress, I send my deepest condolences to Dr. Brown's family and loved ones.

REMEMBERING SGT SHERWOOD BAKER

HON. JOSEPH M. HOEFFEL

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 2004

Mr. HOEFFEL. Mr. Speaker, I rise today to remember Sgt. Sherwood Baker, a member of the Pennsylvania National Guard who was killed in Iraq on April 26, 2004. I would like to share with the American people the words of Dante Zappala, Sgt. Baker's younger brother, who spoke at a peace rally in Los Angeles on June 5:

The tragedy that touches so many people in so many corners of the world; the tragedy of war, the tragedy of violent and sudden death, touched me on April 26th when my brother, Sergeant Sherwood Baker was killed in an explosion in Baghdad. I speak today with my voice, and with the voice of the countless others who have suffered personal loss as a result of this war, those many people with no microphone in front of them, those many people with no one to listen to their pain. As big brothers do, Sherwood protected me, he carried me and he taught me.

With his heart and with his decisions, he taught me about commitment and about determination. When I would get bitter about the injustice brought to this world by the causes of the United States, he taught me that you can love this country and yet not love what people do in its name. He showed me that we can heal, we can learn and we can grow. He taught me, in the end, to be a patriot.

With his silent exit into the desert night, he showed me the difference between empty language and quiet understanding, the difference between baseless political grandstanding and true patriotism. Sherwood had a great intellect and a life commitment to forge responsibility in an irresponsible world. He was a foster kid who knew he could have had a much different life. And it made him strong. As hardships inevitably found him.

Sherwood never had the time or the desire to be angry about his circumstances. Not when he was a young father working three jobs, living in a housing project, trying to make a better life than he had known, and not when the call came to serve in Iraq. And when that call came, he took the most simple path—he went.

He went with the hope of doing the impossible—make something positive happen in the grips of war. To no surprise, he lifted his head and went to work.

Like most of us, he didn't like his boss but it became immaterial when it was time to do his job. He spent his life trying to be kind to people and he saw people in Iraq, and he thought that he could be kind to them. He left behind a son, a wife and a family that adored him for his beliefs.

I feel pride, a pride knowing that my brother had honor even though the person who sent my brother marching to Iraq has no honor. George Bush is wholly un-American because he pimps the one value my brother held so true—devotion. He has sold out the core of America, the people who are this country—the truck drivers, field workers, the day laborers, the dishwashers, the waitresses, the teachers, the country workers, the mechanics, the janitors, the street pavers, the house painters and the housewives, and yes, the soldiers.

All of us had hoped to live simple lives with our simple aspirations. George Bush has sold our futures to pay for his power lust, his greed, and his selfish world plans. He sold away my brother's future to pay for the privilege and favor of his friends. We, the people of this country, all of us, are not his friends. We are not in his circle of favor. We do not benefit from the deaths of our soldiers nor do we benefit from the deaths of the Iraqi people. To honor Sherwood, I have vowed to follow his path—to lift my head and go to work. Our duty is to spread truth, our duty is to combat the lies, the misrepresentations, the fear, the mongering and the people who mean to ruin our belief in this country. I have made a promise to my brother, and that is to do as he would do—to not be angry about my circumstances, to not let bitterness overcome my heart, but to proceed with hope. Today, and in the days ahead, do not let your anger carry you, allow your desire to make change carry you. Allow the compassion towards humanity to carry you. Ride your commitment to peace. Share your soul with your country, share your values with the world. Make it your job.

HONORING MIKE COUCH FOR HIS CONTRIBUTIONS TO THE SANTA BARBARA SCHOOL DISTRICT AND THE ENTIRE SANTA BARBARA COMMUNITY

HON. LOIS CAPPS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 2004

Mrs. CAPPS. Mr. Speaker, today I rise to pay tribute to a very special person in the Santa Barbara community, Mike Couch, as he retires from the Santa Barbara School District after thirty-seven years. Mike Couch is more than a teacher, an advisor, a Principal or an Assistant Superintendent. He is a pillar of the Santa Barbara education community, a colleague and a friend.

Mike Couch began with the Santa Barbara School District as a social studies teacher at Santa Barbara High School, moving to Assistant Principal in 1989. In fact, while he was at Santa Barbara High, he was my daughter Laura's student government advisor. In talking to her about his retirement, she mentioned how she remembers fondly how "he monitored our elections, taught us parliamentary procedure and allowed us to be involved in the policies which governed the student life and Santa Barbara High School. Most importantly, he took us seriously; he fostered a commitment within me to be an active participant in the way our school was run which resulted in a longstanding engagement in political life beyond high school." Due in part to this mentoring, Laura has served in the White House, worked for a University and now is working on a Presidential campaign.

Mike Couch later moved on to be Principal of Dos Pueblos High School and then to serve as Assistant Superintendent of Secondary Education for the Santa Barbara High School District. He taught for 22 years, first as an economics teacher when 30 students signed up for the newly offered class and there was nobody to teach it. His willingness to step into this assignment as a new teacher is indicative of the type of person that Mike Couch is. He is willing and able to step in and serve the school community and indeed the Santa Barbara community as a whole, in any role that is asked of him.

I am honored to have worked with Mike Couch over the years, and am so pleased by the positive affect that he has had not only on my daughter Laura, but also on so many students whose lives he has touched. I commend Mike Couch for his years and service and wish him well in his much-deserved retirement.

DARFUR: THE CRISIS CONTINUES

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 2004

Mr. WOLF. Mr. Speaker, I would like to submit for the RECORD three recent articles regarding the ongoing crisis in Darfur, Sudan. I will continue to submit these accounts until the world takes notice. I will not let the world say "we did not know."

[From the BBC News]

SUDANESE CHILDREN DYING OF HUNGER

Hundreds of children have started to starve to death in Sudan's war-torn western province of Darfur

The BBC's Hilary Andersson saw the burial of two-year-old Ikram and says 400 other children in the same camp in Kalma were unable to keep food down.

Their families have fled attacks by pro-government Arab militias, accused of forcing black Africans off the land.

Last week, a senior aid worker said 300,000 people would starve in Darfur, even if help is sent immediately.

Some 10,000 have died in Darfur, since a rebellion broke out last year and one million have fled their homes.

The rains have already begun to fall, which will soon make Darfur, an area the size of France, virtually impassable, our correspondent says.

'Too little'

Speaking after his return from the area, UK Secretary for International Development Hilary Benn said Darfur was undoubtedly the largest humanitarian crisis in the world and more aid agencies were needed there.

"We are in a race against time in Darfur," he told MPs.

He admitted that the international response to the crisis had been too little, too late but said the UK was committed to doing all that it could.

"I have also been concerned about the adequacy and speed of the UN's response, although this should now change."

Our reporter in Darfur says that while Ikram died, another boy on the same mat, Joseph, could not be coaxed to eat.

His mother could do nothing but watch.

The mother of nine-month-old Adam says that she walked without food for 10 days to reach the camp. "The militias burnt our village . . . They were burning the children," she said.

Our correspondent says village after village in Darfur has been burnt, while food is running out in all the camps, where people have sought refuge.

Air-strikes

"If we get relief in, we could lose a third of a million. If we do not, it could be a million," Andrew Natsios, head of the U.S. Agency for International Development told a UN donor conference last week.

The figures were based on mortality and malnutrition rates, he said.

The government and two rebel groups have signed a ceasefire but the rebel Justice and Equality Movement (JEM) has accused the army and its militia allies of attacking them near the border with Chad earlier this week.

Jem official Abu Bakr Hamid al-Nur told Reuters news agency that the government had used an Antonov aircraft and helicopters to bomb the rebel positions.

[From the BBC NEWS]

SUDANESE TELL OF MASS RAPE

(By Alexis Masciarelli and Ilona Eveleens Darfur)

The pro-government Janjaweed Arab militia has been accused of using systematic rape, as well as killing and destroying the villages of black Africans, in the conflict in Sudan's western Darfur region.

Behind the closed door of a classroom, in the school compound where she has been living for the last two months, 35 year-old rape-victim Khadija, spoke of her ordeal.

"The Janjaweed arrived one evening in February in our village near Kaileck, they had guns," she says in a quiet voice.

"They followed us when we tried to escape. The group of people I was with was forced back to Kaileck. They had surrounded the whole town."

"They separated men and women. Then the Janjaweed selected the prettiest women."

"Four men raped me for 10 days."

"Every day, women were picked up, taken to the bush where they were raped and brought back to Kaileck. The next day it would start again."

Hostage population

Khadija is one of some 40,000 people to have found shelter in the town of Kass, in the south of Darfur.

In the past 16 months, the conflict opposing the Sudan government and its militia allies to the rebels of the Sudan Liberation Army (SLA) and the Justice and Equality Movement (JEM), has killed at least 10,000 people and displaced more than one million across the large western Sudanese region.

"Rape appears to be a feature of most attacks in Fur, Masalit, and Zaghawa areas of Darfur," says the latest Human Rights Watch report on the Darfur conflict.

"The extent of the rape is difficult to determine since women are reluctant to talk about it and men, although willing to report it, speak only in generalities."

Many witnesses say the population of Kaileck was held hostage by the Janjaweed for two months, despite repeated appeals to the commissioner of Kass.

Men were also picked up daily and killed.

The accounts are difficult to verify, but accord with the findings of human rights workers in recent months.

Kaileck is now an empty desolated town, with every single house and hut burnt or destroyed.

Ethnic choice

"It is very difficult for me as I am a Fur women and these are Arab men", says Khadija, covering herself with an orange scarf.

"These are my only clothes. My sister gave them to me, because the Janjaweed abandoned me naked."

"Now I am three-months pregnant. It will be a child from the Janjaweed. But I won't reject this baby. He will be my baby."

"When he grows up, he will decide whether he wants to be a Fur or an Arab. If he chooses to be an Arab, he could go with them. If he decides to be a Fur, he will be welcome to stay with us."

In the same classroom, a much younger woman listens.

Fifteen-year-old Aziza says she was also raped by the Janjaweed back in February.

"When Kaileck was attacked, I fled towards the mountains, but five horsemen caught me and took me far away in a field," she says.

"All five of them raped me twice. They kept me for 10 days. They whipped me."

"I could not say anything because they were armed. All I could do was to cry."

"They tied up my arms and my legs and would only release me when they raped me. They called me Abeid (slave in Arabic)."

"Eventually they abandoned me. Someone told my mother where I was and she came to take me back. I could not walk by myself."

Pain

But the ordeal did not stop then.

"When I arrived in Kaileck, I learnt that the Janjaweed had killed my father."

"I am still in pain and I can't really control myself. But I have not seen any doctor."

In Kass, like many other towns and camps in Darfur, women are still at the risk of being raped when they go out to gather firewood or fetch water.

Their best protection, they say, does not come from the army or local police force, but by going in large groups which are more able to defend themselves.

[From the Washington Post, Jun. 13, 2004]

U.N.: SUDAN FORCES, MILITIAS EXECUTE CIVILIANS

(Nima Elbagir)

KHARTOUM, JUNE 13—A senior U.N. official said on Sunday she had ''credible information'' that Sudanese forces and government-backed militias had carried out summary executions of civilians in west Sudan.

Asma Jahangir, the U.N. special rapporteur on executions, also said after visiting conflict-stricken Darfur that members of the militia, which locals accuse of looting and killing villagers, were being integrated into the armed forces.

Independent rights groups have already accused the government and militia, known as janjaweed, of carrying out mass executions in the region where rebels launched an armed uprising in February 2003.

Fighting in the remote area has affected two million people and driven 158,000 people across the border into Chad, creating what the United Nations has said is one of the world's worst humanitarian crises.

''I received numerous accounts of the extrajudicial and summary executions carried out by government-backed militias and by the security forces themselves,'' Jahangir told reporters.

''According to credible information, members of the armed forces, the Popular Defense Forces and various groups of government-sponsored militias attacked villagers and summarily executed civilians,'' she said in Khartoum.

Rights groups have accused the government of arming the Arab janjaweed to drive out African villagers from their homes, in what U.N. officials have said is a campaign of ethnic cleansing. The government calls the janjaweed outlaws and denies any link.

''According to the information I collected, many of the militias are being integrated into the regular armed or the Popular Defence Forces. There is no ambiguity that there is a link between some of the militias and government forces,'' Jahangir said.

But she said some criminal elements had taken advantage of the conflict.

Jahangir also travelled around other areas of Sudan, including Malakal in the south. The Sudanese government is close to reaching a final peace deal with southern rebels to end a separate 21–year-old conflict in that region.

''In my report, I will forcefully stress the question of accountability as a fundamental principle in addressing violations of human rights . . . The government of the Sudan must make every effort to end the culture of impunity,'' she said.

PAUL A. THEIS DIES: COMBAT PILOT, AIDE TO PRESIDENT FORD, GOP STALWART, AUTHOR, JOURNALIST AND PATRIOT

HON. SHERWOOD BOEHLERT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 2004

Mr. BOEHLERT. Mr. Speaker, I wish to advise my colleagues of the death of Paul A. Theis. He was one of our stalwarts, having served for many years as Director of Public Relations for the Republican Congressional Campaign Committee. President Ford held him in such high regard that he tapped him to become his Executive Editor, heading up the highly important speechwriting operation in the White House. In addition, Paul served in the Agriculture Department as Deputy Undersecretary for Congressional and Public Affairs.

Paul Theis was many things, but above all a patriot and a gentleman as his legion of friends can attest. I count myself among them as we grieve the passing of this man of many parts. He was a novelist and completed ''Devil in the House,'' a story based on the House of Representatives, just a few months before he died. He also coauthored ''All About Politics,'' a non-fiction book published in 1972. Before that he served in the House as Administrative Assistant to the Hon. Oliver Bolton, Republican of Ohio. Earlier he had been a reporter for Newsweek magazine, covering the McCarthy hearings, and Army Times. During World War II he flew combat missions out of Italy as a B–17 bomber pilot earning the Air Medal and six battle stars. As a member of the Air Force Reserve after the war, he ultimately attained the rank of Major. For his military service, Paul was interred with full honors on April 20, 2003 at Arlington National Cemetery.

My condolences have been extended to his wife, Nancy, and his son, Mitchell, as they were by telephone by President Gerald R. Ford and President George W. Bush. He was a wonderful man and I was proud to have known him and to have been associated with him. I and countless others who knew him and loved him will sorely miss him. May he rest in peace.

Mr. Speaker, I enclose herewith the text of the eulogy given by Paul's son, Mitchell, at his funeral mass, and the text of the obituaries from the Washington Times and the Washington Post.

EULOGY FOR PAUL A. THEIS

(BY MITCHELL A. THEIS)

Reverend Fathers, thank you for celebrating this beautiful Mass of Christian Burial for my father, Paul Theis. Thank you for being such good priests and for being such an important part of our family's life.

I thank all of you here who came to honor my dad by your presence. My mother and I are deeply touched by your outpouring of sympathy and words of love for my father.

A couple of nights ago, mom and I were in the kitchen remembering some of our happiest times together with my father and some of his wonderful mannerisms and beliefs. We couldn't stop laughing as we recalled how he believed that three scoops of ice cream was ''healthy'' if you sprinkled wheat germ over it. Or how he always managed to wear one of his tattered old trench coats from his journalism days even though mom bought him a cashmere coat from Neiman Marcus and I got him one from Saks Fifth Avenue.

We recalled, too, his old Rolodex that he started over 60 years ago. Here it is! It looks like an organizational system used by a small business. It's so filled with cards that you can barely turn it. Believe me, my dad has a card on you or can locate a card that will help him find you within minutes.

He started writing cards on his friends that he grew up with back in the farming community of Carey, Ohio. His mom and dad ran a melon and wheat farm. And after the Depression they bought a furniture store.

His next set of cards was of his friends, like George Barsa, Frank Keenan and Bob Walsh; he had met them at Notre Dame University. Dad always was a Notre Dame Man and has stayed in touch with all of his college buddies. He just attended his 55th alumni reunion.

The next group of names that Dad wrote out for the Rolodex were those of his B–17 crew from World War II. The members of the crew were all barely 20 and they called Jerry Moran, the crew chief, ''Pops'' because he was 26 years old. If you heard Forrest Tolson tell their war stories, he'd have you believe that it was their crew alone that won the war. Believe me, Paul Theis, the old combat bomber pilot will be watching the WWII Monument dedication on the Mall this coming Memorial Day from a great vantage point! I salute the crew!

After the War, dad finished his BA at Notre Dame and his BS in the School of Foreign Service at Georgetown University. He got a job as a journalist at the Army Times and then at Newsweek covering the McCarthy hearings. These writing skills helped him get a job on Capitol Hill working as an Administrative Assistant for Congressman Oliver Bolton. Gene Cowen was the AA for Ollie's mother, Francis Bolton. They were the only mother-son Congressional team.

This was in the early 50's and many of you here recall the simpler days of handshakes and civility. This was the time that Sid Yudain started Roll Call and dad helped start the Inner Circle, a group of Administrative Assistants that met for background briefings with VIP's of the day. Unfortunately/fortunately, dad's boss had a heart attack and did not run for re-election, so he became the Public Relations Director for the National Republican Congressional Campaign Committee, writing speeches for congressmen and women. This is where he added hundreds of cards to his Rolodex. It was a perfect job for him and he stayed there for 16 years.

It was during this time where he met the woman who would sweet him off his feet. It was the end of him. His bachelor days were over.

It was following that blessed event that President Nixon resigned and President Ford asked him to be his Executive Editor—handling: Speechwriting, Messages, Correspondence and Research. There dad worked closely with Bob Hartman, Bob Orben, Milt Friedman, Jack Calkins and all the members of President Ford's team. On Monday, former President Ford called mom and me. We told him that we were certain a number of his old friends and supporters would be here at the funeral. He wanted everyone to know that he was here in spirit. Dad was always honored to work for such a fine man.

From the White House dad was appointed the Director of Congressional Relations for the Secretary of Agriculture, Jack Knebel. Dad and mom were to travel with Jack and his wife, Zee, to a number of foreign countries for the USDA.

Dad then moved on to the House Agriculture Committee where he and Tom Adams wrote the Ag Bad Newsletter.

In 1981, dad started Headliner Editorial Services and worked for clients from his home office. Mom left school teaching and was working at the White House so I grew up coming home from school and being greeted by my father.

He was always a master listener—calm, cool, collected and funny. One of my favorite examples of his type of humor occurred on the day that we had to put our dog, Badger, to sleep. On the way back home from the vets, dad turned to mom and me and said, ''What are we going to tell the cat?''

Over the years, Mom and Dad, AKA ''The Cheerleader'' and ''The Sage,'' created an extended family that supports and sustains our world. Together, we affirm what is sacred, laugh at life's absurdities and discuss and debate the hot topics of our times. We are blessed beyond belief by such dear, dear family friends.

If you are a member of the Golden Owls, the select group in the National Press Club

who have been members for over 50 years, dad has a card on you in his Rolodex.

If you are a member of the old Capitol Hill Club or are ''a regular'' there then dad has an address card on you.

If you're a writer or staffer on the Bulletin for the Cosmos Club, dad knows how to get in touch with you. The Cosmos Club was a great joy to dad in these past few years. He certainly enjoyed working with the club's members and management.

If you were a member of the Knights of Columbus from St. Thomas Apostle, Dad knew where to find you. By the way, I want to thank the brother Knights for coming today to be part of Dad's funeral.

If you belong to the Hill Investment Club, thanks for making Dad think that he was a Big Investor.

Dad was an active and involved member of the District of Columbia Republican Committee for 25 years plus. He was always eager to see the two party system work here in our hometown.

Dad knew all of his neighbors and was the first to help out on any local project.

To our parish, he was a stead presence.

Simply put—Dad had your number! And I would guess that you had his.

He was a caring and loving husband, a real father in every sense of the word, a quiet, fun-loving friends and neighbor, a dedicated, loyal employee, a constant worker—he even finished his novel, despite the fact that it took him years, a devoted member of his Church and a true renaissance man!

Mom and I will continue to use this clunky Rolodex, to call you and to cherish your friendship.

Today, there is a new card written in God's Heavenly Rolodex. It can be found under the letter T. The name on it is Paul A. Theis.

The peace of Christ be with you Dad.

[From the Washington Post, Mar. 29, 2004]

PAUL A. THEIS; WHITE HOUSE AIDE

Paul A. Theis, 81, an author and former journalist who worked in President Gerald R. Ford's administration as a senior speechwriter and head of the White House editorial department, died March 24 at Washington Hospital Center of complications after heart valve surgery.

Mr. Theis joined the White House staff as executive editor shortly after Ford was sworn into office August 9, 1974. As head of the editorial department, he oversaw speechwriting, presidential messages, research and correspondence.

In 1976, Ford named him deputy undersecretary of agriculture for congressional and public affairs. Mr. Theis left that job after Ford's defeat later that year and worked about four years as a staff consultant to the House Committee on Agriculture and on President-elect Ronald Reagan's Agriculture Department transition team in 1980 and 1981.

In 1981, he started Headliner Editorial Service, a Washington-based firm offering editorial and speechwriting services for business, government and political clients. He headed the firm until his death.

Mr. Theis, a Washington resident, was born in Fort Wayne, Ind. He was a journalism graduate of the University of Notre Dame and received a bachelor's degree from Georgetown University's School of Foreign Service.

During World War II, he served in the Army Air Forces as a B–17 Flying Fortress combat pilot in Italy. His military decorations included the Air Medal.

He also served in the Air Force Reserve, attaining the rank of major.

Mr. Theis worked for Newsweek and Army Times as a Washington correspondent before serving as an executive assistant to Rep. Oliver P. Bolton (R-Ohio) from 1955 to 1957. He served on the inaugural committees of Presidents Dwight D. Eisenhower and Richard M. Nixon.

He was a member of the D.C. Republican Committee for more than 20 years.

He was co-editor of ''Who's Who in American Politics'' in the late 1960s, co-wrote ''All About Politics'' (1972) and wrote the novel ''Devil in the House'' (2004).

His memberships included St. Thomas Apostle Catholic Church in Washington, the Knights of Columbus, National Press Club, the Capitol Hill Club, the Cosmos Club and the Notre Dame and Georgetown alumni associations.

Survivors include his wife of 32 years, Nancy Theis, and their son, Mitchell Theis, both of Washington.

[From the Washington Times, Apr. 8, 2004]

PAUL A. THEIS, 81, JOURNALIST, GOP OFFICIAL

Paul A. Theis, a former journalist and Republican Party official who served in the Ford administration, died of complications from heart surgery March 24 at the Washington Hospital Center. He was 81.

Born in Fort Wayne, Ind., Mr. Theis graduated from the University of Notre Dame with a bachelor's degree in journalism in 1948 and received a bachelor's degree from Georgetown University's School of Foreign Services in 1949.

He also attended American University's Graduate School of Communication from 1949 to 1952.

As a B–17 combat pilot in World War II, he served with the 15th Air Force in Italy, receiving the Air Medal and the European Theater Ribbon with six battle stars. He held the rank of major in the Air Force Reserve.

A former Washington correspondent for Newsweek and other publications, Mr. Theis served as public relations director of the National Republican Congressional Committee from 1960 to 1974.

He joined the White House staff in August 1974, shortly after Gerald Ford was sworn in as president. Mr. Theis led four divisions: speechwriting, presidential messages, research and correspondence. He also was a member of the D.C. Republican Committee for more than 20 years and a delegate to the Republican National Convention in 1984, 1988 and 1992.

His book ''Devil in the House,'' was published in January. He also co-authored the 1972 book ''All About Politics'' with William Steponkus.

In January 1976, Mr. Theis was named by Mr. Ford as deputy undersecretary of agriculture for congressional and public affairs and served in that capacity during the remainder of the Ford administration. He then joined the House Agriculture Committee, where he served as a staff consultant from 1977 to 1981, and on President Reagan's Agriculture Department transition team from 1980 to 1981.

Mr. Theis in 1981 founded Headliner Editorial Service, a District- based firm offering editorial and speechwriting services for business, government and political clients. He led the firm until his death.

Mr. Theis was a member of the National Press Club for more than 50 years, the Capitol Hill Club, the Cosmos Club, and Notre Dame and Georgetown's alumni associations. He was a member of Our Lady of Victory Council No. 11487 Knights of Columbus and an active member of St. Thomas Apostle parish in the District.

He is survived by his wife of 32 years, Nancy; and a son, Mitchell Theis of the District.

THE HEMOPHILIA ASSOCIATION OF CAPITOL AREA'S 40TH ANNIVERSARY

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 2004

Mr. MORAN of Virginia. Mr. Speaker. I rise today to recognize the Hemophilia Association of the Capital Area on their 40th anniversary. The Hemophilia Association of the Capital Area or HACA is a nonprofit organization that provides many needed services to persons with bleeding disorders such as Hemophilia and Von Willebrands Disease and their families. HACA serves Northern Virginia, Washington, DC, and the Maryland counties of Montgomery and Prince Georges. HACA is a chapter of the Hemophilia Federation of America and the National Hemophilia Foundation, the two leading hemophilia patient organizations. HACA's mission is to improve the quality of life for persons with Hemophilia and Von Willebrand's disease and their families, to act as an advocate; to educate, to improve services to its members; to promote research and to raise necessary resources in financial and volunteer terms to fulfill this purpose.

Hemophilia is a blood clotting disorder where certain proteins are missing in the blood plasma, which prevents the body's blood from clotting properly. This can lead to prolonged bleeding episodes, which can result in severe joint damage and in some cases death. However, it is a myth that those with hemophilia can bleed to death from minor injuries or from bleeding out.

Recently, HACA has been under the stewardship of Executive Director Sandi Qualley. Sandi has worked tirelessly to improve services for those with bleeding disorders both nationally and in Virginia. HACA has an integral part of the successful grass roots movement to pass the Ricky Ray Hemophilia Relief Fund Act during the 1990s. Recently HACA has worked with other community members to launch a campaign to educate Congress on women and bleeding disorders.

HACA currently serves over 250 families through the metropolitan Washington, DC area. The organization provides an array of educational programs and services for its members. HACA provides financial assistance to deserving families. HACA also assists other nonprofit organizations that work with the hemophilia community with resources.

The HACA Blood Buddies Program works to match up young boys with hemophilia with older hemophiliacs who serve as mentors. Blood Buddies was established in 1998 to help facilitate an environment where individuals and families affected by bleeding disorders can gather to discuss issues, learn procedures, and build a community of support. The program's focus is to learn about current trends, community events, discuss social issues while building friendships, and mentoring young individuals through support.

I would like to take this opportunity to salute the Hemophilia Association of the Capital Area on their 40 years of service to the hemophilia community throughout the Nation and in the metropolitan Washington, DC area. I wish them many more years of superior work.

COMMEMORATING THE FORTY-YEAR CAREER OF DONALD MASSEY OF NEW MEXICO

HON. TOM UDALL

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 2004

Mr. UDALL of Mexico. Mr. Speaker, I rise today before this august body to commemorate the distinguished career of my constituent, Donald Massey, of Portales, New Mexico. It is an honor not only to represent Mr. Massey, but also to have the opportunity to commend his virtues. Through four decades of service and dedication to the people of New Mexico, Donald Massey brought telephone and wireless communication services to thousands of rural New Mexicans, as well as volunteering his time and energy to the community of Portales. Today, Mr. Massey is the CEO and Executive Vice-President of the Roosevelt County Rural Telephone Cooperative, Inc. (RCRTC), which offers telephone service to rural communities throughout Eastern New Mexico. He has also been the coordinator and spokesman for the State of New Mexico at the National Telecommunications Cooperative Association legislative conferences from the 1980s to the present.

In 1949, President Truman and this body recognized the need to bring telephone service to rural areas of our country, a need that is sometimes a matter of life and death. When Congress saw the need, men like Mr. Massey did the work. Beginning in 1964, he installed and maintained telephone lines in Eastern New Mexico as a lineman for the RCRTC. For the next 40 years, he successfully rose through company ranks to the very top management position. Far from being solely dedicated to his profession, however, Mr. Massey has continually served as a devoted member of his community, setting an example for his fellow citizens.

One instance of his service to his community was in October, 1998. In that year, the local hospital closed, and the residents were left without a medical facility. Donald Massey stepped in, and by helping obtain a grant of $836,000 for the hospital, a new facility was quickly built. He ensured that fiber optic and wireless communications systems were installed in the new facility and even donated his office to the CEO of the hospital until the new building was completed.

In 2003, Donald Massey received the National Telecommunications Cooperative Association Management Life Achievement Award. This award was given to honor his 40 years of high standards and commitment in the rural telecommunications industry.

It is with great honor and pleasure that I present to this body the legacy of a man revered for his accomplishments. Amidst the many troubles and challenges our Nation faces, it is imperative that we are continually reminded of the good in our country and of those citizens who lead productive, honorable lives. Donald Massey is one of those citizens. I respectfully request that my colleagues join me in expressing sincere appreciation to him for his contributions to a better America and for his many years of service to the State of New Mexico. I also wish him the very best in his retirement and for continued success and fulfillment in the next stage of his life.

PAYING TRIBUTE TO THOMAS H. ACKERMAN

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 2004

Mr. ROGERS. Mr. Speaker, I rise today to pay tribute to Mr. Thomas H. Ackerman, a native of East Lansing, MI and member of the Office of the Inspector General of the United States Department of Agriculture.

Mr. Ackerman boasts a proud history of service in the field of law enforcement. Since 1980 he has served as a Federal Agent, Police Officer, and Training Academy Instructor. He has also published numerous books related to the field and spoken nationally and internationally at law enforcement training facilities and conferences, including the FBI National Academy and the Swedish National Police College.

This month, Mr. Ackerman is being recognized at the Department of Agriculture's Annual Awards Ceremony. His acknowledgments include: interrupting a robbery, protecting the victim from serious injury, participating in the arrest of the suspect, and contributing to the safety of the community. This is the second time that he has been honored by the Department; in 2002 he was acknowledged for his work as part of the Bil Mar Foods, Incorporated, Investigation and Prosecution Team for promoting health by providing access to safe, affordable, and nutritious food.

Mr. Speaker, Thomas H. Ackerman has been a hard-working, committed member of the community. He has dedicated his life to the protection of others, and has used his wealth of experience to help people eager to begin their careers in law enforcement. I would like to ask my colleagues to join me in recognizing Mr. Ackerman for his heroism and thanking him for his service to America.

ASSISTANCE FOR ORPHANS AND OTHER VULNERABLE CHILDREN IN DEVELOPING COUNTRIES ACT OF 2004

SPEECH OF

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 14, 2004

Ms. MCCOLLUM. Mr. Speaker, I rise today in strong support of the Assistance for Orphaned and Vulnerable Children in Developing Countries Act. I want to thank the author, Ms. LEE, for her hard work and leadership in advocating for orphans for vulnerable children affected by the AIDS crisis.

Today, there are more than 110 million orphans throughout the world. Communities heavily affected by AIDS are being robbed of a generation of adults in their most productive years, leaving behind children to be raised by relatives, left on their own in households headed by children, or even worse—living in the streets.

The scope and complexity of the challenges facing children affected by HIV/AIDS cannot be overstated. Children often must take over adult work responsibilities and provide care for sick parents or family members, forcing them to drop out of school and social activities. Children are forced to find any work necessary to support themselves and often their younger siblings.

We have a responsibility today to make a firm commitment to ensure that the funding we promised last year, in the Global HIV/AIDS bill, goes to improve the safety, health, and survival of these children. This important legislation will establish a new office of Orphans and other Vulnerable Children within USAID to adopt a comprehensive approach for assistance and coordinate that assistance provided to orphans and vulnerable children. By passing this legislation today and maintaining our promise for HIV/AIDS funding in the appropriations bill we are preparing to consider this year, we can provide hope and opportunity to the villages and communities where these AIDS orphans live, we can play an important role in educating and investing in future generations to fight this dangerous and deadly disease, and we can preserve the history of their culture for future generations.

I urge my colleagues to support this legislation.

TRIBUTE TO DR. FREDERICK S. CONLIN, JR.

HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 2004

Mr. NEAL of Massachusetts. Mr. Speaker, it is my great honor today to pay tribute to Dr. Frederick S. Conlin, Jr., DDS. Dr. Frederick S. Conlin, Jr., DDS will retire this June from both politics and his practice in dentistry after more than 30 years. Dr. Conlin has had a general practice in dentistry for 38 years in West Springfield, MA, and has been a model citizen in our city. He held many honors in both of these fields, including being elected to the Valley District Dental Society as Vice President for 2 years.

Dr. Conlin graduated from the College of Holy Cross with an A.B. degree in 1953. He later attended the American International College for Post Graduate studies from 1958 to 1959. Frederick Conlin received his DDS from the New Jersey College of Medicine and Dentistry in 1963.

Conlin has also served in the armed forces for his country. From 1954 until 1956 Dr. Conlin proudly served as a 1st Lieutenant in the United States Marine Corps. However, Lieutenant Conlin has also given to his country through his participation in local politics, having held many elected positions in his local community.

Dr. Conlin was elected as a Town Meeting Member for 25 years. He was also elected to the Park and Recreation Commission and the Board of Selectman both for 6 years respectively. He was also chosen to be on the Board of Health for 5 years. Dr. Conlin served as Vice President of the City Council for 3 years.

In addition to being elected to numerous organizations by his peers, Dr. Conlin also has volunteered to donate his time and talents to a plethora of other boards and organizations; including, the Town Government Study committee for 15 years, the American Legion Post 207 for 15 years, the Ramapogue Historical Society for 6 years, and served on the Board

of Directors of the Friends of Seniors for 4 years. He also was a co-founder and member of the St. Patrick's Day Parade Committee for 10 years, and served on the West Springfield Veterans Council for 2 years. Always staying involved in politics, Dr. Conlin served 30 years on the Republican Town Committee.

Dr. Conlin is a citizen of Springfield that we are extremely proud of and we wish him nothing but the best in his retirement. Dr. Conlin has been a member of St. Thomas Church for 50 years. He has been blessed with his wife the former Barbara Crowley for 26 years, and has one son, Rick, who currently attends Temple University School of Medicine. We wish you the best of luck and good health Dr. Conlin.

TRIBUTE TO MS. CONSTANCE SCOTT SOLOMON IN HER RETIREMENT

HON. JOEL HEFLEY

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 2004

Mr. HEFLEY. Mr. Speaker. I rise today to celebrate and commemorate the career of my good friend and Chief of Staff of 11 years, Constance Scott Solomon, who has recently retired from 20 years of selfless public service to the people of Colorado.

Originally from Kansas, Ms. Solomon earned a Bachelor of Science in Education and a Master of Arts degree in Special Education from the University of Kansas where she was a proud member of the University of Kansas Chapter of Pi Beta Phi Sorority. After moving to Colorado Springs, Colorado, she began working for U.S. Senator William Armstrong. While serving as his Area Director, she so greatly endeared herself to Coloradans by her dedication, that 20 years later, Senator Armstrong is still thanked for and reminded of Ms. Solomon's help and assistance by those she aided in their time of need.

Following Senator Armstrong's retirement, Ms. Solomon continued to stay active in Colorado politics and joined the staff of newly elected Senator Hank Brown. She rose in the ranks and assumed the position of Area Director for southern Colorado. Again her patience and hard work are remembered years later.

In 1993, I was pleased to have Ms. Solomon join my staff and assume the duties of Chief of Staff. She has worked tirelessly for so many years to assist the people of Colorado's 5th Congressional District through both legislation and case work.

Aside from public service, Ms. Solomon has served as Director of Pre-School for Downs Syndrome Children in Teller County, Colorado; Director and Coordinator for Homebound-Hospital Program in Wyandotte County, Kansas; Director of the University of Kansas Medical Center Hospital's Teenage Parents School; and taught first-grade in Kansas City, Missouri.

Ms. Solomon has dedicated her life and professional careers to assisting and improving the lives of others. Her perseverance and commitment to her fellow man is certainly uncommon and I, as well as the people of southern Colorado will surely miss a truly unique and compassionate friend. I wish Ms. Solomon the best in her retirement and thank her for all her years of service.

SOLILOQUY

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 2004

Mr. DUNCAN. Mr. Speaker, one of my constituents has written a poem that showcases our Nation's flag in a glorifying manner. Mr. Victor Miller of Madisonville, Tennessee, is the author of a poem titled "Soliloquy." Mr. Miller is the son of Jeanette Miller, who passed this poem along to me. Our country's morale and heritage is strong today because of patriots like Victor Miller. I would like to call "Soliloquy" and its interpretation to the attention of my colleagues and other readers of the RECORD.

INTERPRETATION OF SOLILOQUY

I pray this poetic edification enhances your respect for the flag from Memorial Day through Veterans Day, but more significantly, enamors your appreciations for the risen Son of God. If reverenced as Old Glory, "God Bless America" will enrich all our personal, domestic & international pursuits exceedingly beyond our imaginations in continual abundance if, "In God We Trust." The Lord in the USA is a bipartisan, consuming Spirit of Holiness & Power! In Christ, "Thanks be unto God who always causes us to triumph" (2 Cor. 2:14).

"Imagine as a flag (Christ) on all folks (souls) passing by with edifying waves (love) influencing (redeeming) their lives."

The essence of duty to God & country He epitomized when his ascension secured for all, Independence! In Christ are "opportunities, honor, recognition, patriotism & liberated freedoms." We're told to "stand fast in the liberty in which Christ has made us free" (Gal. 5:1). With Jesus, we're more than winners, we're "conquerors" (Rom. 8:37). The USA thrives prestigiously, powerfully & prosperously because of our humility in embracing the risen Intercessor for all humanity. His triumphant valor extends to whosoever will. "The Glory in your stripes" belongs exclusively to Jesus Christ. May we forever abstain from worshiping entombed doctrines because if we forsake his sovereignty he will abandon his favor upon the USA. He tells us in his word, "No greater sacrifice exists than to give ones' life for a friend" (John 15:13). Emulating this virtue honors our Savior & rewards us blessings. Our allegiance he is worthy of, as too our "tribute" & service. Let's pray America "valiantly" & steadfastly adheres to his "esteemed" righteousness so our liberties are preserved. "The Lord is that Spirit, and where the Spirit of the Lord is, there is liberty" (2 Cor. 3:17). The colonists were wise in understanding & adopting our Constitution upon biblical integrity. Indigenous to our country it is not but we have progressively strengthened since its inception as a nation because of their keen & humble foresight in acknowledging & incorporating in our executive, legislative & judicial structures his preeminence. Soliloquy was penned in Luray, Virginia in April 1999. I worked for the Shenandoah National Park. On this particular morning while walking to the car I heard the vigorous, insistent "waving" of Old Glory in the blustery air. The owners of the Cardinal Inn always flew a large flag from their rock garden. As I turned to "observe" the Holy Spirit spoke:

I am your Leader, your Warrior, your Friend & Victor. You are adopted into the Almighty Army of God."

America owns patriotism as a majority but is loyalty void of Christ efficacious or self-promoting? Most citizens defend the sanctity of their flag tenaciously when affronted by another. Almost universally, it flies proudly from homes, schools, parks, libraries, cemeteries, vehicles, courts, businesses & even dons our clothing. It is a rallying, focal point of inspiration in times of crisis, mourning & festivities: Higher than all other flags, it "reigns!" Holidays confirm our gratitude for the military dives spent & lost defending its cause of unanimous liberation around the globe against oppression & persecution. Membership in our armed forces always begins at conscription with a sworn vow of allegiance. Patriotism isn't predicated on military service but whenever iniquitous aggression asserts itself against integrity. "When our cause is just...'In God is our trust!'" is how Francis Scott Key so zealously in 1814 proclaimed. Honest defense of righteous liberties is not immune to costs but "abiding in the shadow of the Almighty" (Ps.91) secures for all patriots ultimate victory. Jesus is not envious or jealous of anything, except his glory. He is however, deserving & desirous of greater, adulation & duty. May Soliloquy serve all of God's children with victorious knowledge & hope from his Holy Spirit so we continue shining in the world as a beacon of his omnipotent Love, just as a "rushing mighty wind" beautifies Old Glory!

SOLILOQUY

Imagine as a flag
on all folks passing by
with edifying waves
influencing their lives!

A patriotic stance
of opportunities
advocating feedoms
by land, the air & sea.

Esteemed a lofty reign
& honored to belong
all would offer tribules
in oaths, salute or songs!

Recognition could abound
for victories secured
defending liberties
despite many injured.

In each of fifty stars
& elsewhere when observed
the glory in your stripes
would valiantly be served!

IN MEMORY OF BORDER PATROL AGENTS

HON. DARRELL E. ISSA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 2004

Mr. ISSA. Mr. Speaker, I rise today in memory of two Border Patrol Agents, Theodore L. Newton, Jr. and George P. Azrak, who were killed in the line of duty.

Theodore Newton and George Azrak were Border Patrol Agents stationed at the interior checkpoint in Temecula, California. On the evening of June 17, 1967, Agents Newton and Azrak were operating a rural checkpoint on Highway 79, approximately 30 miles south of Temecula. Agent Newton, 26 years old and married with two children, had been with the Border Patrol for a little over a year, while Agent Azrak, 21 years old, who was shadowing Agent Newton, hadn't even begun training at the academy. During their shift, they stopped an old military ambulance carrying two men when they discovered a shipment of more than 800 pounds of marijuana. As they

were about to arrest the two men, two more men pulled up from behind and held the agents at gunpoint. They were kidnapped and subsequently murdered by these drug-traffickers in an abandoned shack near the checkpoint.

Upon hearing about the kidnapping, nearly 400 law enforcement officers participated in the search for the missing agents in one of the largest manhunts in Southern California. Eventually, the bodies were found, and all four of the men involved in the crime were later arrested. Two of the men convicted of murder were sentenced to life in prison.

In honor of these two agents, the Commissioner of the Border Patrol presents annually the Newton-Azrak Award to the agent that provides services or accomplishments reflecting unusual courage or bravery in the line of duty. This is the highest award for valor and bravery in the Border Patrol.

This country lost two dedicated law enforcement officers 37 years ago. The deaths of Agent Newton and Agent Azrak are a lasting reminder of the perils our law enforcement officers face each and every day while protecting our nation. I am grateful for their service and dedication to this great nation.

I thank the Speaker for the opportunity to honor the anniversary of the passing of Agents Theodore Newton and George Azrak and recognize the loss suffered by their families. I would also like to recognize all the brave men and women of the U.S. Border Patrol and their family members who, like our military families, have loved ones putting their lives at risk for our security.

MOURNING THE LOSS OF MYRON DUKES, LAUREN DUKES, CHRISTOPHER DUKES, AND JAUNTRICE DEADMON

HON. BOBBY L. RUSH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 2004

Mr. RUSH. Mr. Speaker, I rise today with great sorrow and sadness to mourn the loss of Myron Dukes, Lauren Dukes, Christopher Dukes and Jauntrice Deadmon, who died yesterday at the Fort Worth Water Gardens while attending the National Baptist Convention in Fort Worth, Texas. This is a profound loss for the Chicago community.

Mr. Myron Dukes, his 8-yr. old daughter Lauren, his 13-yr. old son Christopher, and 11 yr. old Jauntrice, were all members of the Antioch Baptist Church, located in the Englewood community that I represent, the First Congressional District of Illinois.

Mr. Speaker, Mr. Dukes did what any father would have done: try and save his children from drowning in a deep swirling pool. He made the ultimate sacrifice for his heroic efforts with his life. As we approach Fathers Day, I ask that this Congress and the entire nation join the members of the Antioch Baptist Church in mourning the passing of this loving family. The City of Chicago and the world pray that God will give all the family members strength to endure this horrific tragedy in the coming days, and to know that they lived their lives in the service of our God.

CLEARWATER NEIGHBORHOOD HOUSING SERVICES TURNS BROWNSFIELDS SITE INTO AFFORDABLE HOUSING

HON. C.W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 2004

Mr. YOUNG of Florida. Mr. Speaker, I rise to bring to my attention a creative project by the Clearwater, Florida Neighborhood Housing Services which was turned an abandoned and polluted junkyard into an affordable housing site.

This is the type of innovative program that can solve two problems for a local community. First, it cleans up an environmentally dangerous brownfields site and second it provides a source of much needed affordable housing. Through a combined effort between Clearwater Neighborhood Housing Services, the city of Clearwater, and the city's Economic Development Department, an 11-year-old junkyard is now the site of two single-family homes.

Mr. Speaker, following my remarks, I will include a story from the June 15, 2004 edition of The Petersburg Times which provides more details about this project with the hope that other cities around the country will use it as a model to clean up abandoned properties and fulfill the dream of homeownership for some fortunate families.

[From the St. Petersburg Times, June 15, 2004]

VISION, TOIL TURN 'JUNKYARD' INTO NEW HOMES

(By Lorri Helfand)

CLEARWATER.—A rusted bus was parked on the lot. Scrap wood, tires, auto parts and metal drums were heaped all around. Pesticides, waste oil and hazardous chemicals were stockpiled there, too.

It was a far cry from the American dream.

But, over the course of a decade, Clearwater Neighborhood Housing Services, the city and environmental protection agencies cleaned up the junkyard and transformed it into a couple of cozy stucco homes with manicured lawns.

The houses in the North Greenwood neighborhood are the first single-family homes built on a brownfields site in the city of Clearwater. Brownfields sites are basically abandoned properties where environmental contamination or potential contamination complicate redevelopment efforts.

''It was a junkyard. I'm happy we're seeing contamination going out and families coming in,'' said Isay Gulley, president and chief executive of Clearwater Neighborhood Housing Services, as she prepared to tour one of the new homes for the first time.

Clearwater Neighborhood Housing Services is a nonprofit organization that provides housing and economic development services in Pinellas, Pasco and Hillsborough counties. North and South Greenwood are its two target communities.

One house has been sold already to a 38-year-old single mother. The woman, who works as a nursing assistant, asked that she not be identified. But she said that it's a blessing to be able to progress this far and have a home.

A prospective buyer is interested in the other, which will sell for about $139,000, though nothing has been completed, said Jennifer Smethers, home ownership center manager for Clearwater Neighborhood Housing Services.

The buyer will be eligible for up to $30,000 in down payment assistance from the city, which will not require repayment as long as the owner resides in the home, Smethers said. The buyer also will be eligible for an $8,000 low-interest loan from Clearwater Neighborhood Housing Services.

The three-bedroom, two-bath house is about 1,300 square feet and has a two-car garage. Beige tile lines the foyer and deep sand-colored carpet covers the floors throughout the home. Like all of the projects Clearwater Neighborhood Housing Services develops, both houses have refrigerators, dishwashers and stoves.

Neighbor Rhonda Cole, 55, came by to check out the homes, which were showcased as part of National NeighborWorks Week, an event that mobilizes community awareness of the need for affordable housing and neighborhood revitalization efforts. ''I think this is wonderful. I think our neighborhood is finally turning around. It's going to be a place where anybody would want to live,'' she said.

Problems on the site date back to 1993, when it became a junkyard. The city eventually declared a house and a two-story storage building on the lot as unsafe. The home was demolished in 1996. But when demolition began on the storage facility, workers found a mysterious liquid leaking from beneath the garage door. Petroleum, metals, contaminated soils and an underground storage tank with waste oil had to be removed so demolition could continue.

The city forgave about $38,000 in liens that accumulated with the demolition and efforts to rid the property of hazardous waste on the condition that the owner, Larry Bunting, donate the property to Clearwater Neighborhood Housing Services.

The city's Economic Development Department, through the City Brownfield program, provided about $150,000 in state brownfields monies for environmental assessment and cleanup of the site.

Ground was broken on one of the homes last fall. Construction on the second began a few months later. Both were completed by spring.

Gulley said her nonprofit organization has three goals: housing assistance, economic development and educational opportunities.

The organization has built about 200 affordable houses for low- and moderate-income families within the city since 1991.

''Please know we have accomplished many things but we have a long way to go,'' Gulley told government officials, business leaders and community members at an event last week to showcase the homes.

Clearwater Neighborhood Housing Services is currently planning a small residential subdivision on Tangerine St. and plans to transform a neighborhood bar into a Head Start day care center, ice cream parlor and professional offices, Gulley said.

SUPPORT OF PASSAGE OF H.R. 4323 AND H. CON. RES. 260

HON. RAHM EMANUEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 2004

Mr. EMANUEL. Mr. Speaker, I rise today in strong support of two bills enacted by the House that will go a long way to helping our troops and providing some comfort and peace of mind to their families.

I was pleased to vote for H.R. 4323, which helps the Department of Defense speed up the delivery of critically important equipment

like bulletproof vests and armored vehicles to our troops in the field. Our brave men and women in uniform depend on these resources to carry out their mission and minimize loss of life.

I have heard from many deeply concerned families in my district about equipment deficiencies. One of my constituents, Dr. Donald W. Walsh, is the father of a soldier in the 933rd MP Company. Like so many parents, Dr. Walsh is very proud of his son but he is also worried about his son's safety due to the shortage of body armor and armored Humvees.

Given all the strains on the troops and their families as a result of overextended tours and uncertainty, the last thing they need is to worry about their loved ones engaging in hostilities with outdated vehicles and insufficient body armor. I am glad that Dr. Walsh came to me with his concerns. I promised him that I would do all I can to help his son. Supporting this legislation is a step in that direction.

Also, I am pleased to support H. Con. Res. 260, which recognizes and honors the service of non-active duty personnel who participate in funeral honor guards for deceased veterans. In times of war, there are not always enough active duty honor guards available to perform funeral services for our distinguished military personnel. These services are very important to the families of the deceased, and we should honor those who volunteer their time to provide these patriotic services.

In recognition of their contributions, the House recently passed this bill with unanimous support. Our Nation owes a debt of gratitude to these dedicated men and women who bring comfort and honor to our deceased veterans and their families.

RENEWABLE ENERGY PROJECT SITING IMPROVEMENT ACT OF 2004

SPEECH OF

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 2004

Ms. McCOLLUM. Mr. Speaker, I rise in opposition to legislation that would significantly weaken the National Environmental Policy Act, or NEPA.

The bill on the floor today exempts any federal agency from considering alternatives when assessing the environmental impact of renewable energy projects. It eliminates input from local communities, states and the public.

I strongly support wind, solar and other clean, renewable energy projects. They are critical to our clean energy future.

I have cosponsored legislation that permanently extends the wind energy tax credit. This tax credit will spur additional windmill development in Minnesota.

I have cosponsored legislation that increases the use of biodiesel and ethanol. Minnesota is a national leader in producing these renewable fuels.

The Republican leadership, however, isn't allowing these bills to be considered today.

Renewable energy projects can adversely impact our environment and public health if not designed and operated properly. We have rules that ensure that all energy projects on public lands are subject to a full environmental and public health review required by NEPA.

Congress must recognize the renewable energy development is key to our energy future. We must not pass legislation that fails to ensure that environmentally important renewable energy development occurs in a timely manner, in the right locations, is subject to the terms that fully protect the public interest and that there is ample public input.

I urge my colleagues to oppose this bill today.

HONORING ARC-DIVERSIFIED AS THE USDA'S JWOD CONTRACTOR OF THE YEAR

HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 2004

Mr. GORDON. Mr. Speaker, I rise today to congratulate Arc-Diversified for being named the Department of Agriculture's Javits Wagner O'Day Contractor of the Year. Arc Diversified is located in Cookeville, Tennessee, which I have the pleasure of representing in Tennessee's Sixth Congressional District.

Arc-Diversified is a truly remarkable organization that specializes in the employment and training of people with disabilities. Currently, Arc-Diversified employs 183 such people. These workers provide a valuable service to the community as they manufacture foods for military feeding programs, the USDA and commercial and prime vendors.

Not only does Arc-Diversified manufacture quality products, but it also provides quality training to its employees. The workers learn valuable industrial skills and have access to a wealth of vocational services such as on the job training, job coaching and supported employment.

The USDA award is a testament to the hard work and dedication of the employees and the administration of Arc-Diversified. They are the sort of people who make Middle Tennessee such a fine place to call home.

SIKHS REMEMBER 20TH ANNIVERSARY OF ATTACK ON GOLDEN TEMPLE—FREEDOM FOR KHALISTAN WILL END THE BRUTALITY

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 2004

Mr. TOWNS. Mr. Speaker, Sikhs observe the twentieth anniversary of India's brutal attack on the Golden Temple, the seat of their religion, this month. From June 3 to 6, 1984, the Indian military brutally attacked the Golden Temple and 125 other Sikh Gurdwaras all over Punjab. This brutal and devastating attack, carried out by the Indira Gandhi government, which was always proudly proclaiming its commitment to secularism, killed over 20,000 Sikhs.

This attack made it clear that even when the secular parties are in power, the minorities in India are not safe and they have no real rights, despite what is written in India's constitution. Whether the Hindu nationalist BJP is in power or the secularist Congress Party is in power, the policy of killing the Sikhs and other minorities in the futile effort to preserve what India considers its territorial integrity marches brutally on.

Among those killed in the Golden Temple attack were major Sikh leaders like Sant Jarnail Singh Bhindranwale, Bhai Arnrik Singh, General Shabeg Singh, and many others. The Guru Granth Sahib, the Sikh holy scriptures, were shot full of bullets from the guns of the Indian military. Sikh boys were taken outside and asked if they supported Khalistan. Then they were shot to death. Khalistan, of course, is the name of the independent Sikh homeland.

There is no place for Sikhs or other minorities such as Christians and Muslims in India despite its claims of secularism. On October 7, 1987, Khalistan formally declared its independence. If India is the democratic country it claims to be, why not simply decide the issue in a free and fair plebiscite in Punjab, Khalistan on the subject of independence? Isn't that the democratic way? I was under the impression that in democracies, things were decided by votes. The United States allows the people of Puerto Rico to vote on independence every few years. Canada has held democratic plebiscites on the status of Quebec. In 1947, India promised to settle the Kashmir issue by plebiscite, but it has never allowed that vote to be held. Why not simply put the question to a democratic vote? That is self-determination and self-determination is the essence of democracy.

The Sikh Nation was independent from 1765 to 1849. The Sikhs were supposed to receive sovereignty when India became independent. Although the Indian constitution was adopted in 1950, more than half a century ago, to this day no Sikh representative has ever signed it. How can India claim that it holds sovereignty over the Sikh Nation?

Unfortunately, the Sikhs are not the only victims of India's repressive tyranny. More than 300,000 Christians in Nagaland have been killed by the Indian government since 1947. They have seen priests murdered, nuns raped, schools, prayer halls, and festivals attacked—the government even shut down one festival with gunfire—missionaries murdered, beaten, and thrown out of the country, and so many other atrocities carried out against them. Almost 88,000 Kashmiri Muslims have fallen victim to India's brutal tyranny since 1988. Another 2,000 to 5,000 Muslims were massacred in Gujarat with the connivance of the government. And these are just a few of the atrocities committed against minorities by the Indian forces.

Mr. Speaker, we must do something to stop these atrocities. If real democracy and real freedom is going to come to all the people of South Asia, the United States must take a stand. It is good that a Sikh is now Prime Minister. He must know the feeling of India's brutality against his people. Therefore, I call on him to use his office to release all of India's political prisoners and bring the persons who carried out these atrocities to justice. We must stop our aid to India until it shows that it is willing to act like a democracy and protect human rights. We are setting up a democratic government in Iraq with a new President and a new Prime Minister. Isn't it time that real democracy finally came to India?

In addition, it is vital for the Congress to declare its support for a free and fair plebiscite

on the issue of independence for Khalistan. There should also be similar plebiscites for Kashmir, Nagaland, and every other nation that seeks its freedom from Indian rule. India says there is no support for these freedom movements. Well, it is time for India to prove its point by holding a free vote on the matter. This is the only way for the people of South Asia to live in freedom, peace, democracy, and stability.

Mr. Speaker, there will be demonstrations around the world this weekend to commemorate the Golden Temple attack. The one in Washington will be led by the Council of Khalistan. I would like to insert their very informative flyer into the RECORD at this time.

TRIBUTE TO ENNIS JAMES McCORVEY, JR.

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 2004

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to Deacon Ennis James (E.J.) McCorvey, Jr., a noted family man and community servant. A native of Tunnel Springs, Alabama, Deacon McCorvey was also a member of the prestigious Tuskegee Airmen crew.

Deacon McCorvey entered into eternal rest earlier this year, but his memory will remain with us because of his substantial commitment to his faith and contributions to his fellow citizens.

Deacon McCorvey attended Tuskegee Institute, leaving when he was drafted into the armed forces. He served his country as a mechanic for the famed Tuskegee Airmen. He subsequently worked as an aircraft mechanic and power collator operator at both Maxwell and Gunter Air Force Bases. After leaving active duty he became a successful entrepreneur in Montgomery, Alabama along with his three brothers. Throughout his business career, he continued to serve the public interest by helping numerous Alabama State College students acquire off campus housing while encouraging them to continue their academic studies.

A leader in all respects, Deacon McCorvey stood out the most while communing among the people of Beulah Baptist Church, where he was a member of the Deacon Board. He developed initiatives that included purchasing junior choir robes and chairs for the Sunday School classes. His selflessness became legendary in his church and throughout his community.

Deacon McCorvey is survived by his wife of 52 years, Mavis Davis McCorvey, his devoted son Ennis and daughter-in-law, Pamela, a loving daughter, Amanda Bowers and four grandchildren.

Mr. Speaker, I ask you and my colleagues to join me in honoring the late Deacon Ennis James McCorvey, Jr., for a lifetime of family commitments and community fellowships. The people of his native Alabama, his family in South Carolina and all those who knew him will always remember him for his passion, integrity, and dedication to God and Country.

CONGRATULATING JOHN H. BRYAN OF CHICAGO

HON. RAHM EMANUEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 2004

Mr. EMANUEL. Mr. Speaker, I rise today to congratulate my friend John H. Bryan of Chicago on being presented the Restore America Hero Award by the National Trust for Historic Preservation, Save America's Treasures, and Home & Garden Television at their Second Annual Preservation Gala.

Mr. Bryan epitomizes the principles on which this award is bestowed. His meaningful involvement to maintain America's historic and cultural treasures provides future generations the opportunity to experience American history. Mr. Bryan continues to distinguish himself through his relentless commitment and leadership to the preservation of historic American landmarks.

While Mr. Bryan is a Mississippi native, he has spent much of his time in Chicago, serving as the Chairman and CEO of the Sara Lee Corporation. It was in these positions that he helped instill the value of community involvement into the corporate world. Mr. Bryan, changed the paradigm of Sara Lee, creating the notion that it was in the best interest of the company and society at large for a business to involve itself in the community. The result at Sara Lee is a community of people that enjoy volunteering with civic and social organizations. Sara Lee additionally donates five percent of its net income to charities.

Mr. Bryan also sits on the board of Goldman Sachs, Bank One Corporation, British Petroleum, and General Motors where his vision and leadership are recognized as essential assets to company and community growth.

Mr. Bryan has also donated tremendous amount of time and energy to the arts. He is affiliated with many non-profit organizations and has had the opportunity to serve as a trustee of the University of Chicago and Chairman of the Board of Trustees of the Art Institute of Chicago.

Because of his appreciation and love of Chicago, Mr. Bryan was appointed to the Board of Directors of Millennium Park by Chicago Mayor Richard M. Daley. In this role Mr. Bryan has worked to change the urban landscape of Chicago, by dedicating his time to developing this uniquely Chicago treasure. Under his guidance, $200 million, or one half of the funding needed to erect the park, was raised from Chicago's business community. Mr. Bryan was able to communicate to these two groups that the opportunity to create a lasting legacy in Chicago was in their hands.

Mr. Speaker, on behalf of the people of the Fifth Congressional District of Illinois and indeed all of Chicago, I am privileged to congratulate John H. Bryan, one of Chicago's great benefactors, on receiving the Restore America Hero Award and recognize the National Trust for Historic Preservation, Save America's Treasures, and Home & Garden Television for bestowing this award on such an admirable recipient. I wish him, his wife, and their four children continued happiness and success in the future.

ENERGY POLICY ACT OF 2004

SPEECH OF

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 2004

Ms. MCCOLLUM. Mr. Speaker, the House today is considering legislation that continues to ignore the real needs of our families.

Today's energy bill won't create jobs, won't lower gas prices and weakens our strong environmental standards that protect our nation's health.

America needs a comprehensive energy plan that strengthens our national security, grows our economy and protects our environment.

We need to pass legislation that invests in energy-efficient technologies of the 21st century, expands conservation efforts and builds an infrastructure based on renewable, homegrown fuels.

Democrats have a plan that would appropriate sufficient funds for the development of domestic energy sources. This includes measures to increase the use of renewable energy resources and the use of emerging technologies that could increase energy efficiency and reduce overall energy consumption.

Unfortunately, Republicans won't allow this plan to be considered.

Once again the House is considering pork-laden energy legislation that adds $140 billion to our deficit, benefits the Republicans special interest friends and fails to create twenty-first century jobs without providing energy independence.

The Republican energy plan on the floor today is the same one the House passed last year. Their plan still tilts too far towards oil and natural gas production. I support domestic production of oil and natural gas. It must be done sensibly, however, to not harm our nation's environment.

I also strongly support investing in energy efficient technology and renewable fuels. Minnesota leads the nation in wind power, ethanol and biodiesel. The energy bill we are passing yet again fails to adequately recognize these homegrown fuels.

Instead of passing the balanced energy plan Minnesotans demand, the Republicans have loaded this bill up with giveaways to corporations making record profits.

I will not vote for a pork-filled energy bill that doesn't meet our nation's energy needs for the first century.

I urge my colleagues to vote no today.

HONORING THE 35TH ANNIVERSARY OF THE BIBLE BAPTIST CHURCH

HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 2004

Mr. GORDON. Mr. Speaker, I rise to recognize the 35th year of existence of the Bible Baptist Church of Hendersonville, Tennessee. The congregation will celebrate the church's 35th anniversary on July 24–25, 2004.

Bible Baptist Church has grown from its original 60 members to more than 500 members today. The church has served the community and its congregation well for the past

35 years, and it continues to benefit the Hendersonville area in innumerable ways.

Over the past 35 years of dedicated service, the church has seen great changes. Beginning with the Phillips Robinson Chapel in 1969, the church constructed a 300-seat auditorium in 1972. It built the fellowship hall in 1989 and a church office complex in 1993. The church plans to move to a 36-acre property on New Shackle Island Road in the near future. Over the years, the dynamic nature of the church's facilities has served as a mirror for its ever-increasing role in the community.

Hendersonville is a better place because of the work of the Bible Baptist Church and its congregation. I am sure the church will continue to make a positive difference in the community for the next 35 years, and I congratulate the congregation and pastor Jim Crockett for all the good work they have done.

HONORING BRIGADIER GENERAL RILEY P. PORTER

HON. MARION BERRY

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 2004

Mr. BERRY. Mr. Speaker, I rise today to honor a great Arkansan and an outstanding citizen with a long history of service to his country. I am proud to recognize Riley P. Porter and congratulate him on his recent promotion from Colonel to Brigadier General.

Born and raised in Arkansas, Gen. Porter is a native of West Helena, and a 1974 graduate of the University of Arkansas in Fayetteville. Upon completion of his degree in business administration and marketing, Gen. Porter committed to the Air Force Reserve Officer Training Corps and was commissioned as a second lieutenant.

After completing a rigorous pilot training at Vance Air Force Base in Oklahoma, Gen. Porter's commitment to service continued by attending the Strategic Air Command Combat Crew Training in the KC–135 at Castle Air Force Base in California. In 1981, Gen. Porter joined the Arkansas Air National Guard at the Little Rock Air Force Base and is now an accomplished command pilot with more than 5,700 flying hours in training, tanker and airlift aircraft.

Gen. Porter's abilities and leadership are exemplified in the many awards and decorations he has earned, including the Meritorious Service Medal with two oak leaf clusters, the Air Force Commendation Medal with two oak leaf clusters, the Air Force Outstanding Excellence Award with one oak leaf cluster, and the National Defense Service Medal with service star.

Gen. Porter continues to serve his country with distinction as the Chief of Staff for the Arkansas Air National Guard and Joint Force Component Commander. Throughout his career, Brigadier General Riley P. Porter has served his country with honor and dignity. On behalf of the Congress, I would like to extend our gratitude and appreciation for his service and commitment to our great Nation.

HONORING BECCA KERN

HON. HENRY J. HYDE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 2004

Mr. HYDE. Mr. Speaker, I rise today to commend a young individual from my district who recently won the honor of "Mayor For The Day" of Elmhurst, Illinois. Miss Becca Kern, who is in Sixth Grade at Visitation Catholic School, won this honor by composing the following essay in 50 words or less:

"Good citizenship is important in Elmhurst because. . . .

Citizenship means contributing to the community. In Elmhurst, our town relies on each other. People taking the time to make it a fun, safe, and successful community. I am proud to be a citizen of this town because everyone in Elmhurst makes a contribution to its greatness."

RECOGNIZING FOUNDING FATHERS OF CITY OF JACKSON, MICHIGAN

HON. NICK SMITH

OF

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 2004

Mr. SMITH of Michigan. Mr. Speaker, I rise today to recognize the Founding Festival of the City of Jackson, Michigan. This celebration commemorates the 175th anniversary of the founding of the City of Jackson, Michigan, and the 150th anniversary of the meeting "Under the Oaks," the first convention of the Republican Party.

New Yorker Horace Blackman arrived at what is now Jackson on July 3rd, 1829. On July 4th, he staked out his 160-acre claim along the banks of the Grand River. Named for President Andrew Jackson, the village also known as Jacksonburgh and Jacksonopolis grew quickly, and became a hub of commerce and transportation in southern Michigan. It became the terminus of the Michigan Central Railroad, which helped to spur economic growth in the region, and served as a starting point for pioneers heading west.

Jackson has played an important role in defending our country. It was the first city in Michigan to muster troops for the Civil War, and made significant contributions to the war effort during WW II, manufacturing materiel and supplies.

Jackson was a leader in the automotive industry, with 23 different cars manufactured in the City, including the "Jackson" automobile. Both Buick automobiles and Ritz Crackers were originally manufactured in Jackson. Gilbert's Chocolates, Sparton Electronics, and the All-Star Dairy also call Jackson home.

July 6, 2004 marks the 150th Anniversary of the Under the Oaks meeting in Jackson, MI. On this day in 1854, the name "Republican" was used in affiliation with a political party for the first time in the history of the United States of America. With its seeds sown at meetings in Ripon, Wisconsin; Friendship, NY; and Bangor, Maine, the movement took root at the meeting in Jackson, adopting a platform, nominating candidates, and formally adopting the name "Republican."

Called to the City of Jackson by Charles V. DeLand, editor of the Jackson American Citizen newspaper, thousands of former Whigs, FreeSoilers, disgruntled Democrats, and others assembled in Jackson to consider further anti-slavery actions. The call was taken up by newspapers throughout the state to meet on the 6th of July 1854. The crowd of more than 3,000 quickly filled Bronson Hall to overflowing, and the meeting adjourned to the oak grove on Morgan's Forty, at what is now the corner of Franklin and Second streets. At this meeting "Under the Oaks," the first Republican platform was passed, the first Republican candidates were nominated, and the name "Republican" was formally adopted. It is only fitting that this city, that also played an important role in the Underground Railroad, is where the first political platform calling for the abolition of slavery would be adopted. Thus was born the Grand Old Party.

At the time of year that we celebrate the founding of the United States of America, it is my great honor to recognize the founding of Jackson, Michigan, a truly American city born on the fourth of July, and of that Grand Old Party, the Republicans.

A TRIBUTE TO DR. JOHNNY RAY YOUNGBLOOD

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 2004

Mr. TOWNS. Mr. Speaker, I rise in honor of Dr. Johnny Ray Youngblood in recognition of his spiritual leadership and contributions to the community.

Dr. Johnny Ray Youngblood is without a doubt, one of the leading theologians of his time. His commitment to the call of spiritual healing, racial parity, social justice and economic equity for all people has garnered him national recognition as a preacher, national leader, public advocate, motivator, writer and teacher. Now in his 30th year serving as senior pastor of St. Paul Community Baptist church and 3rd year as senior pastor of Mt. Pisgah Baptist Church, both located in Brooklyn, New York, he has completed more than a quarter of a century pastoring to God's people.

In May of 1990, Youngblood received his Doctorate of Ministry degree from United Theological Seminary in Dayton, Ohio, where he studied with an elite group of preachers from across the country as a Samuel D. Proctor Fellow. Dr. Youngblood earned his Masters of Divinity degree from Colgate-Rochester Divinity in Rochester, New York and his bachelor's degree from Dillard University in New Orleans. Dr. Youngblood is now single and a father of three sons, Joel Ray, Jason Royce and Johnny Jenell, and the grandfather of Donny Lynn, Joshua, Jalen and Jordyn.

Dr. Youngblood has earned national recognition because of his work with East Brooklyn Congregations (EBC), an affiliate of the Industrial Areas Foundation. He is credited through EBC with spearheading the Nehemiah Housing project, which to date has constructed approximately 2,850 owner-occupied single family homes in some of the most devastated communities in Brooklyn. He has served as national spokesman for the group and in 1990, was recognized in the Congressional Record for his trailblazing work with the project. Dr. Youngblood is a subject of the

Harper Collins book, ''Upon This Rock: The Miracles of a Black Church,'' written by Samuel G Freedman. In 1996, Youngblood and the ministry of St. Paul community were featured in an article titled ''Crossing Border'' in the premiere of Common Quest magazine. In December of 1995, Dr. Youngblood was also listed in The New Yorker magazine as one of the ''ten most influential'' New Yorkers. He has been profiled on ABC's 20/20, NBC Nightly News, CBS Sunday Morning News, FOX 5's McCreary Live Report, and the Charlie Rose Show.

In September 1995, Dr. Youngblood launched what has become one of the premier projects on the Church's annual calendar, now known as the commemoration of the Maafa. Dr. Youngblood is spearheading a national effort to promote the Maafa as a spiritual movement aimed at healing this nation around the scars of slavery. Since 1998, the St. Paul Community has toured ''The Maafa Suite'' production to venues including Dallas, Mississippi, Seattle, Atlanta, Chicago and Connecticut.

In June of 1998, Dr. Youngblood released his own book of poetry titled, ''I Honor My Father''; a collection of poems inspired by the illness and loss of his father in the same year.

Mr. Speaker, Dr. Youngblood has dedicated his life to helping people through his spiritual leadership, public advocacy and civic participation. As such, he is more than worthy of receiving our recognition today and I urge my colleagues to join me in honoring this truly remarkable person.

CELEBRATING OLDER AMERICANS

HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 2004

Mr. MICHAUD. Mr. Speaker, communities around the country and in my district celebrated Older Americans Month this May. The theme for 2004 was ''Aging Well, Living Well'', a goal I'm sure we all hope to achieve as we enter into our golden years. Every day in our country, some 6,000 people turn age 65 and become eligible for Social Security, Medicare and other age-based entitlements. In less than 7 years, the daily tally of Americans celebrating their 65th birthday will increase by more than 50 percent to 10,000 a day.

It is in the spirit of Older Americans Month and our support for these individuals that I bring to my colleagues' attention the work of the Jackson Laboratory in Bar Harbor, Maine. For more than 75 years, The Jackson Lab has worked tirelessly for the benefit of older Americans and has been at the forefront of discovering cures for human diseases. Their research into the specific diseases of old age as well as the overall mechanisms of aging have helped pave the way to important discoveries that serve to improve quality of life for all older Americans. As we take a moment to honor Older Americans, we should recognize those individuals and institutions that do all they can to enhance the human condition as we grow older.

The good news is that many older Americans see retirement as a time to enjoy the fruits of their earlier labors. A 2002 survey by Peter D. Hart Research Associates found that more that 59 percent of individuals aged 50 and over see retirement as ''a time to be active and involved, to start new activities, and to set new goals.'' Recent studies, such as the MacArthur Foundation's ''Study of Aging in America'' demonstrate that engaging in life is a key component of successful aging. Americans are pleased and proud that in our country, most people are enjoying the blessings of longer and healthier lives. Meanwhile, we know that scientists searching for answers to the diseases of aging such as cancer and Alzheimer's are likely to succeed in adding even more healthy and vital years to the average life span.

However, for many Americans, the concept of ''growing old gracefully'' is now, and will always be, unattainable. The combination of reduced income, increased health care needs, and decreased quality of life create more problems than opportunities for too many in our aging population. Over 5 million older Americans live at or near the poverty level. The median level of income is around $19,000 per year. At the same time, most older Americans have at least one chronic condition (such as hypertension or diabetes). These conditions contribute to increased health care costs at precisely the time when their incomes are reduced.

Policymakers have a responsibility to better understand the challenging issues facing our country as we press the boundaries of human aging and health. What level of funding should Congress invest to further extend human longevity? What impact will longer and healthier lives have on the economy and on the costs of health care? It is part of our responsibility as legislators and representatives to stay informed at the crossroads of science and human aging. Sooner than we may expect, Congress may be called upon to render judgments in public policy on these issues. That is why I was so pleased to learn of The Jackson Laboratory's participation in a powerful new on-line forum called SAGE (for ''Science of Aging'') Crossroads (www.SAGECrossroads.net).

Launched in March, 2003, www.SAGECrossroads combines the high journalistic standards of SCIENCE magazine, with the immediacy and interactivity of the Internet. A particularly exciting centerpiece of the project is a monthly debate that is webcast live to viewers who participate in these timely discussions as they are happening. Through this series of innovative and thought-provoking discussions, SAGE Crossroads invites researchers, policymakers and concerned citizens to interact with respected thought leaders. For example, Dr. David Harrison of the Jackson Lab recently participated in a debate entitled ''Are Biomarkers the Key to the Fountain of Youth? '' This particular debate considered the issue of whether resources are better spent on seeking to cure the specific causes of various diseases, or whether to work to identify the key biomarkers of aging that might lead us to a better understanding of aging in its entirety. Other debate topics have ranged in recent months from contrasting views of life extending and life enhancing technologies to appropriate uses of information about individual genetic risks to disease. Through this forum, leaders in the aging research community address questions such as whether a person's age should count in rationing limited health care resources or whether public policy considerations impact the scope of scientific research.

The people in my district, as well as people across the country, are very interested in what it will take to maintain health and enjoy a high quality of life as they age. As policymakers, we know that the forward march of the life sciences will raise as many questions as it settles. I urge my colleagues to draw upon the wisdom of some of our most provocative and learned thought leaders by signing on to www.SAGECrossroads.net and registering to participate in future debates.

TRIBUTE TO ROBERT G. WANNAMAKER

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 2004

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to one of South Carolina's leading executives, Robert G. Wannamaker, General Manager of Tri-County Electric Cooperative. Mr. Wannamaker, who will be retiring at the end of this month, has spent his entire career insuring that rural areas in South Carolina's Sixth Congressional District have access to reliable, affordable electricity.

Throughout his 23 years with the Cooperative, Mr. Wannamaker has led his team to many profound successes, especially in times of crisis. This past January he impressively managed the effects of a natural disaster when one of the most violent ice storms in South Carolina's history tore through the state's Midlands leaving roughly 15,000 Co-op customers without power. Mr. Wannamaker directed a recovery process that had total restoration of power within a week despite extensive damage to more than 250 poles and 200 cross arms.

Mr. Wannamaker began his career with McCall-Thomas Engineering Company of Orangeburg as an Engineering Assistant. He was hired at Tri-County in January of 1972 by the late Dewey Kemmerlin, Jr. as a field designer and staking engineer. He was later promoted to the position of manager of member services, which he held until he left Tri-County Co-op to become the district manager of the Johns Island District of Berkeley Electric Co-op near Charleston. He is a graduate of Spartanburg Methodist College and the University of South Carolina and serves as a member of community development committees and organizations.

Mr. Speaker, I ask you and my colleagues to join me in honoring and congratulating Mr. Wannamaker on a distinguished career of insuring a better quality of life for rural citizens of South Carolina. His work has given thousands of customers the reliability and convenience of having efficient energy services through even the most challenging conditions. And he will be sorely missed.

TRIBUTE TO INTERMEDIATE SCHOOL 201'S ECON BOWL TEAM

HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 2004

Mr. SERRANO. Mr. Speaker, it is with great pleasure that I rise today to pay tribute to the students of Intermediate School 201 of the South Bronx. IS 201's Econ Bowl team took top prize at the 2004 Econ Bowl.

The Econ Bowl is a citywide contest sponsored by the Federal Reserve Bank of New York and the Daily News to encourage middle school students to learn about economic policy. This year's competition had students consider the possible negative impact of revolutionary technologies. The students of Intermediate School 201 examined the possible effects that fuel cells would have once they come into widespread use.

Led by their teacher, Mr. Finkelstein, IS 201's seventh grade team worked diligently for four months to develop their award-winning presentation; researching and talking with experts such as Undersecretary of Energy David Gordon to get a greater understanding of the subject matter. Their hard work paid off as they were more than prepared to answer tough questions asked by the judges.

These impressive young people explained how fuel cells would help cut back on automobile pollution by generating electricity from hydrogen and having only water as an emission. They also examined the downsides of a fuel cell revolution such as the disruption it would cause in the shipping and auto industry by rendering crude oil obsolete and how it would negatively impact oil producing countries. However, in the end they concluded that the benefits of fuel cell technology far outweigh the negatives.

Mr. Speaker, one student told a Daily News reporter that he learned that fuel cell cars could reduce the pollution that causes his asthma. My congressional district has one of the highest childhood asthma rates in the country. Throughout my career I have worked to fight the environmental injustices in the realm of air quality that have caused this disease to be so prevalent in the South Bronx. To hear the youth of my district discuss ideas for eradicating this disease makes me proud and reassures me that the South Bronx will be left in good hands.

For earning first place in the 2004 Econ Bowl, I ask that my colleagues join me in honoring Intermediate School 201.

PRESIDENT REAGAN'S LEADERSHIP IN THE WAR ON DRUGS

HON. HENRY BONILLA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 2004

Mr. BONILLA. Mr. Speaker, I ask to enter the following tribute recognizing President and Mrs. Reagan's involvement in the war on drugs into the CONGRESSIONAL RECORD.

A TRIBUTE: PRESIDENT & MRS. RONALD REAGAN'S LEADERSHIP IN THE WAR ON DRUGS

We, representing countless parents. community volunteers, civic leaders, business leaders, physicians, teachers, church leaders, policy makers, law enforcement officers, media representatives, and youth from across America, want to express our deepest gratitude to President and Mrs. Reagan for their extraordinary leadership in the battle against drugs and for saving the lives of so many children through drug prevention. Together they encouraged and supported a nationwide effort to reduce the demand for drugs by increasing Americans' knowledge and changing the attitudes and behavior. They inspired us with hope, knowledge, and conviction. The result was a dramatic turn around in illicit drug use in America, and thus lives were saved, health care costs were reduced, crime was reduced, and innovative strategies and scientific research were developed to enhance drug abuse treatment, prevent AIDS, and other drug-related social problems. Our nation and the world owe them a tremendous debt. We recommit ourselves to continuing in this noble fight to protect our children from the nightmare of drugs and to carry forward the message of prevention with hope and optimism.

Milestones of the Reagan legacy include: Raising the drinking age throughout the country from 18 to 21. The workplace drug prevention program including federal drug testing and standards. Nancy Reagan's Just Say No campaign that ratified and promoted the Parents' Movement. These programs brought about a dramatic fall in illegal drug abuse throughout the nation after two decades of rising levels with the peak coming in 1978 and the bottom in 1991. President Reagan's leadership was a key in this element in this historic progress.

Robert L. DuPont MD, First Director of National Institute on Drug Abuse, President of the Institute for Behavior and Health, Inc., Maryland.

Joyce Nalepka, Drug Free Kids: America's Challenge, former President of Nancy Reagan's National Federation of Parents for Drug Free Youth, Silver Springs, Maryland.

Edward Jacobs, MD, FAAP, Everett Clinic, Everett, Washington,

Theresa Costello, Philadelphia, Pennsylvania.

Daniel Bent, Fair Mediation, Honolulu, Hawaii.

Sue Rusche, National Families in Action, Atlanta, Georgia.

Eric Voth, M.D. FACP, Chairman, Institute on Global Drug Policy, Topeka, Kansas.

Michelle Voth, Kansas Family Partnership, Topeka, Kansas.

David Evans, Esq., Drug Free Schools Coalition, Flemington, New Jersey.

Calvina Fay, Executive Director, Drug Free America Foundation, Inc., St. Petersburg, Florida.

Peggy Sapp, National Family Partnership, Miami, Florida.

Steven Steiner, DAMMAD, Tioga Center, New York.

Steven Steiner, Barton, New York.

Rebecca Hobson, Richton, Mississippi.

Brenda Truelove, Gainesville, Georgia.

Karen Dewease, Petal, Mississippi.

Julie Steiner, Barton, New York.

Mikki Howard, Austin, Indiana.

Martha McWhirter, Lawrence, Mississippi.

Susie Dugan, PRIDE Omaha, Omaha, Nebraska.

Judy Dinerstein, Naperville, Illinois.

Betty Sembler, Chairman, S.O.S.—Save Our Society From Drugs, St. Petersburg, Florida.

Grainne Kenny, International President, EURAD (Europe Against Drugs).

John English, Springfield, Oregon.

Susan Baum, Loyalhanna, Pennsylvania.

Frank Richardson, Binghamton, New York.

Patsy Parker, Moss Point, Mississippi.

Sharon L. Smith, President—MOMSTELL, Mechanicsburg, Pennsylvania.

Connie Moulton, Committees of Correspondence, Danvers, Massachusetts.

Robert Peterson, Esq., Vice President of International Affairs, PRIDE Youth Programs, Fremont, Michigan.

Jay DeWispleare, Executive Director, PRIDE Youth Programs, Fremont, Michigan.

Lea Cox, Concerned Citizens for Drug Prevention, Norwell, Massachusetts.

Jack Gilligan, Global Drug Prevention Network, Peoria, Illinois.

Malcolm K. Beyer, Jr., Student Drug-Testing Coalition, Jupiter, Florida.

Peter Stoker, Director, National Drug Prevention Alliance, Great Britain.

Carla Lowe, Legal Foundation Against Drugs, Sacramento, California.

Jim Kester, Austin, Texas.

Beverly Barron, Former Executive Director of Texans War on Drugs, Odessa, Texas.

Peggy Goble, Great Meadows, New Jersey.

Karin Kyles, New Canaan, Connecticut.

DeForest Rathbone, Chairman, National Institute of Citizen Anti-drug Policy, Great Falls, Virginia.

Mr. & Mrs. Robert Dey (DEA Retired), Georgetown, Texas.

Ginger Katz, President of the Courage to Speak Foundation, Connecticut.

State Representative Toni Boucher, Assistant Minority Leader District 143, Connecticut.

Geraldine Silverman, New Jersey Federation for Drug Free Communities, Short Hills, New Jersey.

Wevley William Shea, Anchorage, Alaska.

Beverly J. Kinard, President, Christian Drug Education Center, Canon City, Colorado.

Judy Kreamer, Educating Voices, Inc., Naperville, Illinois.

Becky Vance, Executive Director, Drug Free Business Houston—A division of the Council on Alcohol and Drug Abuse, Houston, Texas.

Cathey Brown, Rainbow Days, Inc., Dallas, Texas.

Lynda Adams, Alaskans For Drug Free Youth, Ketchikan, Alaska.

June M. Milam, Former CEO DREAM, Inc., Madison, Mississippi.

Joyce Tobias, Parents' Association to Neutralize Drug & Alcohol Abuse (PANDAA), Annandale, Virginia.

Judy Cushing, President/C.E.O., Oregon Partnership, Portland, Oregon.

Judy Arendsee, Rancho Sante Fe, California.

Stephanie Hayes, Former Board Chairman, Texans War on Drugs, Alpine, Texas.

CONGRATULATING MILTON I. SHADUR OF CHICAGO

HON. RAHM EMANUEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 2004

Mr. EMANUEL. Mr. Speaker, I rise today to congratulate the Honorable Milton I. Shadur of Chicago on his career accomplishments as a Senior Federal Judge on the occasion of his 80th birthday.

Judge Shadur's commitment to the judicial process has earned him a tremendous amount of admiration from his colleagues, and I am proud to congratulate him on his continuing commitment to the law, and his service in pursuit of justice.

Judge Shadur graduated from the University of Chicago with both a bachelors of science in

mathematics and a graduate degree in law. In between his undergraduate and graduate studies, Judge Shadur served his country with distinction during World War II as a Lieutenant in the Navy as a radar officer stationed on aircraft carriers.

During law school, he served as editor-in-chief of the law review and was elected to the Order of the Coif. This. excellence in education was acknowledged as Judge Shadur graduated, ranked first in his class with the highest scholastic average ever obtained at the University of Chicago Law School.

Even while attending Law School, Judge Shadur's legal skills were recognized by the finest legal minds in the country. Two of his law review notes were cited and quoted by the United States Supreme Court. Additionally, by special leave of the court, Judge Shadur argued his first case before the United States Court of Appeals before being admitted to the bar. One day after his admission to the bar, Judge Shadur argued his first case before the Illinois Supreme Court.

Judge Shadur practiced law in the private sector for 31 years, first joining the law firm headed by former U.S. Supreme Court Justice Arthur Goldberg. During his career in private practice, Judge Shadur established himself as a highly skilled and even-minded lawyer. His dedication to the law extended beyond his law firm as he served terms as director of both the Chicago Bar Foundation and the Legal Assistance Foundation of Chicago. He additionally held many important positions with the Chicago Bar Association.

On May 23, 1980 President Jimmy Carter appointed Judge Shadur to the United States District Court for the Northern District of Illinois, where he still currently serves. In this position, Judge Shadur has ruled on both civil and criminal cases, authoring over 8,000 opinions. In 1992, Judge Shadur was named a Senior Judge, where he maintains a full civil and criminal calendar, as well as sitting by invitation with several Courts of Appeals around the country each year.

Judge Shadur has also been very active as a community leader, serving as a trustee of the village of Glencoe and as vice president of the American Jewish Congress, where he has pledged to defend the rights of minorities in the United States. He has also been very active with the Ravinia music festival, spending many years serving on its Board of Trustees.

Mr. Speaker, on behalf of the people of the Fifth Congressional District of Illinois and indeed all of Chicago, I am privileged to congratulate Milton I. Shadur, on the occasion of his 80th birthday, for his impressive career accomplishments in the law. I join his wife Eleanor, their three children, three grandchildren, and two great-grandsons in wishing him continued happiness and success in the future.

IN RECOGNITION OF RAYMOND FIGUEROA

HON. NYDIA M. VELÁZQUEZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 2004

Ms. VELÁZQUEZ. Mr. Speaker, I rise today on the floor of the U.S. House of Representatives to recognize the achievements of Raymond Figueroa, an inspiration, and the executive director of Turning Point/Discipleship Outreach Ministries located in Brooklyn, New York.

Raymond has been instrumental in the success of this organization, which provides housing, educational opportunity, substance abuse treatment and AIDS programs to some of Brooklyn's most underprivileged neighborhoods. The program reaches over 2,000 residents a year and reaches 20,000 more through outreach initiatives.

I am pleased to announce that Mr. Figueroa's dedication and work has been recognized by the Robert Wood Johnson Community Health Leadership program, as they have chosen him as one of their 10 annual recipients. Raymond has overcome many challenges to get where he is today—he was born into poverty, and grew up with a troubled childhood. Yet, his commitment to bettering our community is unwavering, and although he did not graduate from high school or receive a formal education, Mr. Figueroa is living proof that one can rise above the circumstances to achieve their goals.

Over the course of his life, Raymond has lost friends and family to violence, addiction, and AIDS. He watched his sister as she endured the stigma of living with AIDS and was victimized by a hospital staff that refused to touch her, despite her absence of tuberculosis or skin abrasions. The reality of his sister's dehumanization strengthened his drive to work in social justice.

Starting as a volunteer at the Turning Point/Discipleship Outreach Ministries in 1990, Raymond moved to a leadership position 12 years later as the only second executive director. He is truly an inspiration to his community, and reminds us that we can overcome barriers.

Therefore, Mr. Speaker, I rise today to honor Raymond Figueroa, and join with my colleagues in the House of Representatives to recognize his extraordinary work in the Brooklyn community.

PRAISE FOR THE PLANNING AND IMPLEMENTATION OF RONALD REAGAN TRIBUTE

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 2004

Mr. GALLEGLY. Mr. Speaker, I rise to praise the City of Simi Valley, California, for its role in paying tribute last week to the 40th President of the United States, Ronald Reagan.

Many county, State and Federal agencies, Nancy Reagan and the Ronald Reagan Presidential Library joined in planning and implementing the tribute to and national mourning for President Reagan.

But as the host city, the burden of limiting the impact on the surrounding community, accommodating mourners from throughout the Nation, and ensuring a respectful good-bye to one of America's greatest presidents largely fell on the City of Simi Valley. As a resident of the city for more than 35 years, its former mayor, and a neighbor of the presidential library, I applaud the city for a job well done.

I arrived at the presidential library within 2 hours of the announcement of President Reagan's death. Simi Valley police and Ventura County Sheriff's deputies were already on hand to provide crowd control. A place for people to leave flowers and tributes was already established. At the library, 50 to 60 people were already working in crews to ready the place for the arrival of President Reagan's casket and the more than 100,000 mourners who would file past it in the coming days.

Simi Valley dedicated nearly half its police force specifically to duties associated with the viewing and internment. Volunteers were brought in to answer telephones. Other volunteers were dispatched to the Wood Ranch development with fliers to inform residents on what they could expect and why.

The top-notch planning and execution ensured that the tribute to President Reagan was dignified, secure and smooth from beginning to end. Visitors from across the country and television viewers throughout the world marveled at the peaceful and orderly scenes.

Working closely with Duke Blackwood, director of the Ronald Reagan Presidential Library, Mayor Bill Davis and the entire City Council, City Manager Mike Sedell and Police Chief Mark Layhew displayed to the world the heart and spirit of Reagan country.

Mr. Speaker, I know my colleagues will join me in expressing to Simi Valley's officials that they have the thanks of a grateful Nation.

CONGRATULATING DR. WESLEY E. PITTMAN

HON. JEB HENSARLING

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 2004

Mr. HENSARLING. Mr. Speaker, today I want to express my most sincere congratulations to Dr. Wesley E. Pittman who will soon be installed as the President of the American Optometric Association.

A lifelong resident of Mexia, Texas, Dr. Pittman and is a fourth generation optometrist, who has practiced optometry there since 1984. Dr. Pittman has been a leader in his community and in his profession at the state, regional and national levels.

Like his father, the late William D. Pittman, O.D., and grandfather, the late W. Duke Pittman, O.D., he has been a member of the Texas Optometry Board, where he served as Chairman. He has served on the board of the Foundation for Education and Research in Vision, the Southwest Council of Optometry, and is the past president of the Heart of Texas Optometric Association.

Dr. Pittman has also received many prestigious awards including Texas Young Optometrist of the Year, the Texas Optometric Association's President's Award for outstanding contributions to the profession and Texas Optometrist of the Year. In March 2003, he received the University of Houston College of Optometry's William D. "Bill" Pittman Leadership award, named for his father.

An active member of his community, Dr. Pittman has served as a director of the Mexia Industrial Foundation. He is a past president of the Mexia Chamber of Commerce and Rotary Club. Dr. Pittman has served on the Bricks and Mortar Board of the Parkview Regional Hospital and is a consultant to the Mexia State School, a mental health facility.

Later this month, Dr. Pittman will become the 83rd President of the American Optometric Association, a professional association of specialized doctors with more 34,000 members nationwide. I join with Dr. Pittman's friends and neighbors in Mexia in congratulating him on this prestigious achievement and wishing him the very best in all his future endeavors.

INTRODUCTION OF THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION ACT

HON. WAYNE T. GILCHREST

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 2004

Mr. GILCHREST. Mr. Speaker, I am pleased to join my colleague, Representative EHLERS, in introducing the National Oceanic and Atmospheric Administration Act at the request of this Administration. Our Subcommittees in the Science and House Resources Committees share jurisdiction over authorization of the National Oceanic and Atmospheric Administration, or NOAA, programs and I'm proud to say we work well together. Our joint introduction of a NOAA organic act is just one step in our commitment to work together to solidify and better support NOAH agency functions.

NOAA performs a number of vital services to the nation, including the monitoring and management or our oceans, monitoring meteorological trends, and making life-saving storm predictions. Its job is to bring together many pieces of complex oceanic and atmospheric systems so that we can best understand and utilize them as good stewards. Our very lives, particularly along the coasts, depend upon many of NOAA's functions and our future, especially as we observe the impacts of atmospheric, surface and ocean warming trends, rests on how well we support this work. NOAA's work emphasizes an ecosystem approach and enables the U.S. to best manage our place in the global environment as well as the impacts of global changes on us. This effort, given its many and diverse pieces and constituents, needs strong and central leadership and coordination, just as steering a ship requires a captain and a plan.

Because NOAA does not have a single organic act that requires the agency budget, as a whole, to be authorized on an annual basis and because many NOAA programs are authorized under different public laws and committees of jurisdiction, NOAA programs may be authorized at different times. NOAA's functions, in the contexts of many laws with varying purposes, are difficult to oversee and for the agency to fulfil under these circumstances. In light of these challenges, NOAA has done well, and by crafting an organic act for the agency, the Administration has taken the first important step toward the leadership we need to strengthen NOAA's role.

As one of the key recommendations of the U.S. Commission on Ocean Policy, this effort is a necessary component to improving our ocean management. I look forward to working with Representative EHLERS and my colleagues on both the Resources and Science Committees and the Administration with this important legislation and on continuing to pursue and create greater central coordination of ocean policy issues.

INTRODUCTION OF AN ACT TO ESTABLISH THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

HON. VERNON J. EHLERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 2004

Mr. EHLERS. Mr. Speaker, today I am pleased, along with my colleague from Maryland, Mr. GILCHREST, to introduce the President's bill to establish the National Oceanic and Atmospheric Administration (NOAA). As Chairmen of the House subcommittees with jurisdiction over NOAH, we are introducing this bill as a courtesy to the President.

NOAA was created by Executive Order in 1970. Since that time Congress has not passed a comprehensive law describing the mission of the agency. On April 20, the U.S. Commission on Ocean Policy released its long awaited Preliminary Report with recommendations for a coordinated national ocean policy. One of its key recommendations is that Congress should pass an organic act for NOAA. I have already introduced my bill creating such an organic act (H.R. 4546). This bill Mr. GILCHREST and I are introducing today is the Administration's response to the recommendation.

I look forward to working with Mr. GILCHREST and the Members of the Science Committee and the Resources Committee as we consider comprehensive legislation for NOAA.

HONORING MAYOR LUIS E. MELENDEZ CANO OF VEGA BAJA, PUERTO RICO

HON. LUIS V. GUTIERREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 2004

Mr. GUTIERREZ. Mr. Speaker, I rise today to recognize and honor an exemplary public servant from Puerto Rico, the Honorable Luis Melendez Cano, mayor of the City of Vega Baja.

Luisito, as he is popularly known, has been Mayor of the City of Vega Baja since January 1973. Luisito, who also is a pharmacist, earned the rank of Captain in the U.S. Army National Guard and became Mayor at age 33.

Luisito has served the citizens of his fast-growing city with enthusiasm, a strong sense of patriotism and total devotion to the highest ideals of public service. He is known and respected for his honesty and dedication to the best interest of the people he serves.

Mr. Speaker, public service is one of the highest callings an individual can embark on. Please join me in recognizing the stellar record of this dedicated public servant. A man who committed himself to the improvement of the City of Vega Baja and its people.

Luisito, I congratulate you for your many years of selfless public service, and I wish you and the people of your city much success in your future endeavors.

COMMEMORATION OF DELTA AIRLINE'S 75TH ANNIVERSARY

HON. JOHN L. MICA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 2004

Mr. MICA. Mr. Speaker, it is my pleasure to congratulate Delta Airlines on the 75th anniversary of the airline's first passenger flight, June 17th, 1929.

Delta has a long and storied history in aviation development in America. Starting as a small crop-dusting business in Monroe, Louisiana under the name of Huff Daland Dusters in 1923, C.E. Woolman and his associates acquired it in 1928. A company secretary came up with the name Delta after the airline's location near the Mississippi River's outlet to the Gulf of Mexico. By 1929 the company had its first passenger plane. Seventy-five years ago today, a Delta Airlines plane carried passengers for the first time from Monroe to Dallas, Texas.

While competitors faltered during the Great Depression, Delta survived by teaching flying as well as providing maintenance and hangar rentals to other airlines at its Monroe base. Delta won a bid for a federal postal contract in 1934, giving the airline a route from Charleston, South Carolina to Fort Worth, Texas. As the airline grew Delta split the route into two parts—eastbound to Charleston and westbound to Dallas and Fort Worth, later linking them up in Atlanta. With this route and passenger service as reliable sources of income, Delta grasped the opportunity to evolve into one of the most successful airline companies in the United States. Today Delta serves 209 domestic cities in 46 states, the District of Columbia, Puerto Rico, and the U.S. Virgin Islands, as well as 48 international cities in 32 countries. As Chairman of the Subcommittee on Aviation, I am pleased to recognize Delta's great contribution to the transportation industry.

TRIBUTE TO DRURY SHOEMAKER

HON. JOHN J. DUNCAN, JR

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 2004

Mr. DUNCAN. Mr. Speaker, as we have just recently reflected on the loss of President Reagan and have also recently remembered those who have given their lives in defense of this great Nation on Memorial Day, I wanted to also pay tribute to the late Drury Shoemaker of my District in Tennessee.

Drury's beloved widow, Hazel, sent me a nice note in remembrance of her late husband, who served in the United States Marine Corps. Drury Shoemaker was a fine Marine, part of the C–1–28–5th Division that participated in the battle of Iwo Jima. He survived the War, but later took ill as a result of exposure to radiation from the Hiroshima nuclear explosion. Drury went to be with the Lord on December 11, 2001.

Known as Papaw to his special grandson Darrian, Drury often spoke of taking his wife and grandson back to Iwo Jima to share with them such an important place in his life. Unfortunately, his health did not allow for that special trip.

During the many services I attended on Memorial Day, I especially remembered the service of Drury W. Shoemaker to our Country and the love he showed for his family and fellow Marines.

Mr. Speaker, this Nation would be a much better place if there were more people here like Drury Shoemaker. His loving widow, Hazel, composed a wonderful prayer, especially timely as we remember those who have paid the ultimate price and at a time when we dedicate a wonderful new memorial to those who served in World War II. I would like to call this special prayer to the attention of my colleagues and other readers of the RECORD.

Dear Lord and Creator: As America is preparing to dedicate the World War II Memorial in Washington, at a time our Nation is again involved in a war, Lord, my plea to you this day is that through your wisdom and power you will help the people of America truly understand what freedom has cost us.

From Flanders Field to Arlington, from Iwo Jima to Hiroshima, all across Europe (the world really), our loved ones have paid the price in full, Dear Lord, either with their living until death takes them in conditions almost unbearable for them and the ones caring for them. Our veterans are dying by the thousands every day Lord, and the pain and loneliness only you know and understand. Tears, Lord, that seem to have no end. Long days and worse nights, torment that never goes away. Lord, please stand by the widows and the little ones who cannot understand where their Papaw has gone, they just cry themselves to sleep and ask why. God, please help us to endure, because that's all we can do, just endure until we are again with the ones we love.

In your mercy and love please protect my President and the men and women who are truly trying to bring this war to an end. Give them wisdom and courage and strength.

The Memorial is beautiful Lord, but only you can know that the heartbreak the ones left behind endure is not pretty, it's awful and never ending.

God, please, I pray again, stay close by our little ones who just can't understand loss.

Help us, Lord, as a Nation to stand firm and faithful and every day thank you for your Love and Protection.

Thank you Lord for listening. Amen.

MRS. DRURY W. SHOEMAKER.

TRIBUTE TO ERICA BATTLE

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 2004

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to South Carolina's golfing "phenom" Erica Battle, a young lady who seems to be poised to make a big splash in the golf world in the not-to-distant future.

Just last week, this 19-year-old Irmo, South Carolina native, won the Sonic Women's City of Columbia Championship held at the Forrest Lake Country Club. She stayed focused through a rainy second day at the tournament to break the course record with a score of 4-under par 68. After the 3 day tournament, she emerged with a 2-over-par 218, and bested the second place finisher by five strokes.

Attaining such an accomplishment as a college junior is not unusual for this golf standout. As a high school player, Erica was named South Carolina's Female Athlete of the Year by The State newspaper and won the Beth Daniel Player of the Year award from the South Carolina Junior Golf Association. She qualified for the United States Amateur in 2002, won the 4A State Girl individual title in 2000, and led her Irmo High School golf team to three state championships.

She is also dedicated to help with charitable causes. Last August, Erica participated in the 13th annual Rudolph Canzater Memorial Classic that I host annually in Santee, South Carolina. Last year's tournament contributed $21,000 in college scholarships for 22 needy students, and $25,000 to an Endowment I have established at South Carolina State University in Orangeburg, South Carolina. I played in the foursome with Erica on the first day of that two-day event, and got to see first hand the poise and maturity she has developed in the few years since she was my primary source for Girl Scout cookies.

Mr. Speaker, I ask you and your colleagues to join me in celebrating the most recent success of Erica Battle, and in encouraging her to continue setting goals and records. Her success is a shining example to those who will follow in her footsteps.

IN MEMORY OF DR. LAWRENCE A. DAVIS, SR.

HON. MIKE ROSS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 2004

Mr. ROSS. Mr. Speaker, I rise today to honor the life and legacy of a devoted and well-respected Arkansan, Dr. Lawrence A. Davis, Sr. Known as Prexy to close family and friends, Dr. Davis passed away on Saturday, June 5, at the age of 89. His deep devotion to higher education and to the well-being of everyone around him, particularly his students, leaves a legacy that will live on for generations in the lives he touched.

A native of McCroy, Arkansas, Dr. Davis graduated magna cum laude in 1937 from Arkansas AM&N in Pine Bluff. He went on to receive a master's degree in English from the University of Kansas and a doctorate in educational administration from the University of Arkansas.

Dr. Davis spent most of his career at Arkansas AM&N, where he served as an English professor, registrar, dean, and assistant to the president. In 1943, at age 29, Dr. Davis became president of AM&N, making him the youngest college president in the Nation. Thirty years later, he oversaw the merger of Arkansas AM&N with the University of Arkansas education system, creating the University of Arkansas at Pine Bluff, and became the school's first chancellor. His son, Dr. Lawrence A. Davis, Jr., has followed in his father's footsteps and serves as the current UAPB chancellor.

Under Dr. Davis' leadership, the institution experienced substantial growth in enrollment, academic programs, faculty, and expansion of the physical campus. Believing that every person has the right to receive a college education, Dr. Davis inspired and helped countless students who had limited resources to complete their degrees and go on to accomplish great things.

Serving his community and improving the lives of others were life-long commitments of this compassionate and diligent leader. Dr. Davis was a member of numerous community and university committees.

My thoughts and prayers are with Dr. Davis' family, friends, and colleagues, to whom I extend my deepest and sincere sympathies. May his legacy endure in the many lives that he touched and inspired.

THE FOREST LEGACY PROGRAM

HON. THOMAS H. ALLEN

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 2004

Mr. ALLEN. Mr. Speaker, the Forest Legacy Program preserves working forests and protects critical forest resources. Since its inception, the Forest Legacy program has protected 360,000 acres of forested land, while helping to preserve the working forest economies of many States, including Maine.

The FY05 Interior Appropriations bill before the House today drastically cuts this program. The $43 million in the bill for forest conservation projects is $26 million (38 percent) less than last year's level; $57 million less than the President requested in his budget; $107 million (71 percent) less than sought by 92 House Members in a letter to the Interior appropriations committee that I led with Representatives BASS and MARSHALL; and a whopping $193 million below the level of projects proposed by States.

The bill eliminates 10 projects recommended by the President, cuts funding—by as much as 75 percent—for 37 projects in 30 States and territories, and eliminates funds for 6 new States to join the program.

The Forest Legacy Program has strong support from the Administration, which proposed more than a 40-percent increase in this year's budget.

The Forest Legacy Program provides multiple public benefits. The program enables landowners to retain ownership of their land and continue to earn income from it; conserves open space, scenic lands, wildlife habitat, and clean water; and ensures continued opportunities for outdoor recreational activities such as hunting, fishing, and hiking.

Given its record of assisting private landowners, leveraging non-federal funds and ensuring long-term conservation benefits, the Forest Legacy Program is a successful example of a public-private, non-regulatory partnership approach to land conservation. For limited dollars, the program brings multiple public benefits.

We should not be cutting this program.

ENERGY POLICY

HON. TIM MURPHY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 2004

Mr. MURPHY. Mr. Speaker, I rise today to ask that we develop a clear plan to lower our fuel prices and reduce our dangerous dependence on foreign oil, which decreases our security and weakens our economy.

This summer, Americans are facing record high prices for gasoline. There are some who think we can lower prices by diverting oil from our Strategic Petroleum Reserve. This is shortsighted and wrong. Not only would releasing the oil have a short-term, negligible impact on prices, but also it would wipe out our reserves, leaving us vulnerable to terrorist attacks targeting pipelines and oil transportation.

This could raise oil prices beyond anything we want to imagine.

Further, in 1973, America was 30 percent dependent on foreign oil. Today, that number has doubled to an all-time high of nearly 60 percent. If we continue down this path without new supplies and conservation, we will only increase our vulnerability to foreign manipulation of oil prices. Our only response must be to reduce, not increase, our foreign dependency.

We must develop a three-point plan to reduce this dependence on lower fuel prices—a plan that includes conservation, diversification of energy sources and further exploration of domestic energy.

We can start with conservation—fuel efficient vehicles, decreasing energy use in federal buildings by 20 percent, and improved incentives for conservation products will help to reduce energy demands.

We must diversify our energy sources. Our own coal resources can provide hundreds of years of energy. Clean coal power plants can alleviate environmental concerns with older plants.

And we can make better use of nuclear energy, which currently provides only 20 percent of the Nation's electricity. We must explore more domestic energy sources.

The resources are here, along with environmentally sound ways to tap into them. There are 16 million acres in ANWR and proposals to drill there would include only an area equivalent to the size of a hand on a football field.

High fuel prices and a dangerous dependence on foreign oil are a problem for all Americans.

It adds costs to fuel and goods. We cannot afford to let this become a partisan issue, nor should we engage in shortsighted solutions that in the end are not solutions at all.

A TRIBUTE TO JOSEPH P. AND CAROL A. GIALI ON THEIR 50TH WEDDING ANNIVERSARY

HON. CHRISTOPHER COX

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 2004

Mr. COX. Mr. Speaker, I rise today to celebrate a recent achievement of two Californians who, in celebrating their 50th year of marriage, have provided an inspiring example to all Americans. On May 8, 1954, in Westwood, California, Joseph Peter Giali, first generation American (both his parents were born in Italy), married Carol Amy Johnson (one of her parents was bom in Sweden, the other parent was a first generation American from Sweden). With not much more at the beginning to call their own except their marriage, their faith in God and the vast opportunities afforded by this great country, Joe and Carol have come a long way in their 50 years of marriage. Their first child was born a year and a day after their marriage and five more children followed quickly thereafter. All six children are married and productive citizens and Joe and Carol have 12 grandchildren and one great grandchild (with surely more to follow).

Joe served his country in the Marines. After getting married and starting the family, Joe attended Loyola University in Los Angeles on the G.I. Bill and graduated with honors. He worked in the furniture industry for almost 40 years. Carol ran the household and tirelessly provided a loving and nurturing home environment for her husband and kids. Throughout their incredible life together, Joe and Carol have dedicated their lives, their children's lives and their home to God, country and the Golden Rule.

Wherever they have lived, Joe and Carol have been strong and active supporters of their church. They have also strongly supported their country, and so have their kids. And of course this support has been longstanding, as Joe and Carol's marriage has lasted through 10 Presidential administrations from Eisenhower to George W. Bush. Joe and Carol and their family have been truly blessed by the first 50 years of this magical marriage, and here's hoping that the best is yet to come. On behalf of my colleagues, let me join the many friends and admirers in wishing Joe and Carol and their family all good fortune during the next 50 years.

IN RECOGNITION OF FATHER'S DAY

HON. JULIA CARSON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 2004

Ms. CARSON of Indiana. Mr. Speaker, Sunday, June 20, is Father's Day in America. In honor of this nationally recognized day I take special privilege to salute Fathers and more importantly fatherhood.

I appreciate the millions of fathers that are active parents and advocates for their children's well-being. When fathers value their children, for their true selves, they give their children the confidence to use their talents in the world.

A father can be one of the two most important people in a child's life. For example, when advertisers spend billions to convince daughters that they must look a certain size and dress a certain way, it is the father who reminds her that she is a whole and unique person that warrants respect, beauty and dignity in her own right.

When society tells our males that success is measured by the car, house and clothes you have, it is the Father's role model that impact the values and integrity of their sons.

Sociologists and psychologists now proclaim what we as human beings already knew—Fatherhood is not always easy.

''Father Knows Best'', a popular TV show of the 50s, promoted the image of an intuitive male parent who always knew just the right thing to say and just the right lesson to teach but parenting is not easy.

The benefits of a steady income and the things money buy pale in comparison to the love and emotional support that all children need and deserve to help them develop as whole adults.

Our institutions and government entities at every level should promote public policies that remove barriers to responsible fatherhood.

However, I suspect that we fall short, particularly, in the area of incarcerated fathers, unemployed fathers and fathers outside of the home.

We must encourage fathers in real responsibility, not blame them for who and what they are and enable fathers to lead healthy and productive lives and create positive bonds with their children.

Our laws, institutions and public policies should do much to:

Promote public education concerning the financial and emotional responsibilities of fatherhood;

Assist men in preparation for the legal, financial and emotional responsibilities of fatherhood;

Promote the establishment of paternity at childbirth;

Encourage fathers, regardless of marital status, to foster their emotional connection to and financial support of their children;

Establish support mechanisms for fathers in their relations with their children, regardless of their marital and financial status; and,

Integrate federal, state and local services available for families.

Fathers need the building blocks of community, employment, and parenting skills to be the best Father they can be—because Father doesn't always know best.

Happy Father's Day.

RECOGNIZING MR. JOHN GILBERT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 2004

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Mr. John Gilbert, a very special young man who exemplifies the finest qualities of citizenship and sportsmanship.

John competed against athletes from across the Nation for a position on the American junior basketball team. He will join his teammates in representing the United States of America at the Australian junior basketball championship in Sydney, Australia.

John's accomplishments are particularly exceptional, given that he is a member of the Nebraska Red Dawgs wheelchair basketball team. His passion for the game is exhibited by weekend travels and many trips around the country. This sort of dedication has earned him the respect both of his community and me. I would like to wish him the best of luck.

Mr. Speaker, I ask you to join me in commending Mr. John Gilbert for his accomplishments and inspiration to the 6th District of Missouri. His stellar leadership qualities, faith, and stamina provide the city of Fairfax, Missouri, with an outstanding roll model. We are fortunate to have a young man representing this nation in competition who sets such high standards for character and integrity.

RECOGNIZING WILLIAM KERR OF PITTSBURGH, PA

HON. TIM MURPHY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 2004

Mr. MURPHY. Mr. Speaker, as we recognize the founding of Flag Day, I would also like to pay tribute to William Kerr. William Kerr, of Pittsburgh, PA, worked continuously for over 50 years to establish a national Flag Day. Kerr believed that the American flag had symbolized love for country since its adoption on June 14, 1777. He felt it of great importance that this date be celebrated along with Independence Day on July 4.

Kerr was born in 1868 and began his quest to establish a national holiday at the young age of 14. He was a deeply patriotic young man with a talent for speaking in public. After delivering a speech in Chicago in 1882, he started to think about the important symbolism the flag had for the American people. This love of country and flag was especially fitting when one considers that he was born and lived in a state where the American flag was first adopted.

Kerr's belief in the importance of the flag led him to organize the American Flag Association of Western Pennsylvania in 1888. He went on to speak all over the state on behalf of the organization, building momentum by urging other Pennsylvanians to join the charge. Kerr also began his efforts to lobby the United States Government to officially name June 14th a federal holiday.

In 1898, during the Spanish American War, he expanded this scope of his organization to a national level as head of the new American Flag Association. He began to visit the President of the United States on an annual basis, using his powers of persuasion at the highest possible level. At the same time, his association waged an intensive letter writing campaign to elected officials and other persons of influence.

Kerr's efforts and intensity proved successful. In 1916, Woodrow Wilson urged Americans to celebrate Flag Day, effectively making June 14th a holiday, if still an unofficial one. In 1937, Pennsylvania, his home and the birthplace of his efforts, became the first to make June 14th an official state holiday. And finally, in 1949, William Kerr was asked by President Harry Truman to witness the signing of the Bill that marked June 14th as an official federal holiday. He was 81 years old, and had worked almost his entire life for the day in which he stood by and watched as the Flag Day Act was signed into law.

William Kerr worked tirelessly to ensure that "Old Glory" has a special day to commemorate its importance to the American people. His efforts were rewarded then, and they are to be admired and noted today.

A TRIBUTE TO CAPT. JIM FOURNIER FOR 50 YEARS OF PUBLIC SERVICE

HON. CHRISTOPHER COX

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 2004

Mr. COX. Mr. Speaker, I rise today to pay tribute to an outstanding official of the U.S. Congress, Capt. James M. Fournier of Fountain Valley, California, who has dedicated almost 50 years of his life in public service to his country.

Twelve years ago, I stood on this same floor to thank Capt. James M. Fournier, upon his retirement as my California Chief of Staff, for his many decades of service to our country. It was the good fortune of the people of southern California that, a few years later, Jim returned to work for the citizens of the 48th Congressional District. Just as Michael Jordan had difficulty staying away from the game that he loved, Jim Fournier has trouble walking away from his personal dedication to public service. In fact, if you ask the people of Orange County, they might say that Jim is the Michael Jordan of public and constituent service: He is a true professional, and has devoted his life to serving his country and his fellow man.

Today, Capt. Jim Fournier is retiring as my California Chief of Staff so that he might spend more time with his family and his beloved wife, Lucille. As he departs, I offer heartfelt thanks for his almost 50 years of service to his country. Jim Fournier has excelled in many fields: As a military officer, a sea captain, an engineer, and a public servant. He is, I am proud to say, a good and loyal friend who has worked with me throughout my congressional career.

As my District Representative and the Chief of Staff in my California office, Jim Fournier has become a beloved figure to the people who work for him and, more importantly, to the thousands of southern Californians whom he has personally helped.

Although it would have been equally well-deserved, Jim did not earn the title of "Captain" by navigating the political waters of Washington, DC, or California. Rather, it was his long and outstanding service in the U.S. Coast Guard that earned him this designation. He began serving our Nation in 1954, when he was commissioned an ensign following graduation from the U.S. Coast Guard Academy. The next 30 years found Jim on Coast Guard cutters sailing to all four corners of the Earth, as well as on the vast network of waterways throughout the United States. Among his varied assignments, Jim captained icebreakers in the Antarctic and in the Arctic Circle; he commanded the Coast Guard's 8th District Field Office in New Orleans; and he managed the Coast Guard's Congressional Liaison Office in Washington, DC.

Jim Fournier's rapid advancement and stellar performance sailing under the flag of the United States earned him several national honors, including one of our Nation's top military service awards, the Legion of Merit. Although he would not be one to mention it, a listing of the other honors awarded to Captain Fournier is nothing short of amazing: two Meritorious Service Medals; two Coast Guard Commendation Medals; two Letters of Commendation; the National Defense Medal, twice; three Antarctic Service Medals; four Arctic Service Medals; and 11 other awards. In between his seagoing assignments, Jim found time to study engineering at the prestigious Rensselaer Polytechnic Institute and to do postgraduate work at John Carroll University.

Jim has often mentioned that the best import ever to sail to the United States from Canada is Lucille, his wife of 40 years. I have had the pleasure of knowing Lucille since 1988, and I agree with Jim completely. Jim and Lucille have three grown children, and now Captain Jim is Grandpa Jim to his beautiful grandkids, Renee and Ryan.

Following his retirement from the Coast Guard and from private business in the field of engineering, Jim came on board with me after my first election in 1988. He set up my Orange County office from scratch, finding office space, hiring the staff, and organizing the workload. He has served Orange County as the first line of assistance for thousands of constituents who have had problems with Federal agencies—from the IRS to the INS, from Orange County to our most distant and far-flung embassies around the world.

I well remember one especially poignant success that Jim achieved. Two years ago, my office was contacted by two California youths who were on the verge of being forcibly resettled to Zimbabwe—a country torn by violence and lawlessness—as the result of an international custody dispute. Despite the fact that the youths were U.S. citizens, the U.S. State Department was on the verge of honoring an unjust ruling by a Zimbabwean court that would have required the youths to return to this violent land. That's when they turned to my office for help. Jim Fournier worked on their problem with passion—spending countless hours over a matter of months to guarantee the safety of these two young Americans. The creative energy that led to this success was typical of Jim Fournier.

Mr. Speaker, as my top California aide and advisor, Jim Fournier has established an enviable record of caring service to the people of Orange County. His stewardship in that role will long be remembered, and should serve as a model for all of us in congressional service for years to come. As he sets his course for new challenges, I ask my colleagues to join me in saluting Jim Fournier, and thanking him for a job well done—for Orange County, for California, and for America.

PERSONAL EXPLANATION

HON. JULIA CARSON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 2004

Ms. CARSON of Indiana. Mr. Speaker, I was unavoidably delayed in the District and missed recorded votes on Monday, June 14 and Tuesday, June 15. Had I been present I would have voted "yes" on rollcall votes Nos. 232, 233, and 235. I would have voted "no" on rollcall Nos. 234, 236, 237, 238, 239, 241 and 242. I would have voted "yes" on rollcall No. 240.

Should you or your staff need further clarification, please feel free to contact me or my legislative director, Marti Thomas, at 225–4011 or marti.thomas@mail.house.gov.

RECOGNIZING DUANE AND ROWENA JONES BROERMANN

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 2004

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Duane and Rowena Broermann,

natives and life-long residents of my hometown, Tarkio, Missouri. They will be celebrating their Fiftieth Wedding Anniversary on Sunday, June 20, 2004.

Duane and Rowena were married in 1954 at St. John's Lutheran Church in Westboro, Missouri. They both graduated from Tarkio High School, Rowena in 1949 and Duane in 1948. Duane served two years in the United States Army during the Korean War and returned to Tarkio to farm for forty-seven years. He retired from farming in 1997. Rowena worked at the local Hy-Vee Food Store and the Flesher Pharmacy in Tarkio. They are both active in the county 4–H organization, the Atchison County Fair, and the St. John's Lutheran Church.

Duane and Rowena have one son and daughter-in-law, Donald and Mitzi Broermann. They have two grandchildren, Eric and Tyler. Rowena is a housewife and a member of the Red Hat Society. Duane is a member of the St. John's Church Choir and enjoys playing ping-pong and golfing with his friends. Both will tell you their main hobby is their grandchildren.

Mr. Speaker, please join me in commending this exemplary couple for their dedication to community, family, and church. Duane and Rowena are exceptionally fine assets to the Sixth District of Missouri. I am proud of them and wish them well on their Fiftieth Anniversary.

UNITED STATES REFINERY REVITALIZATION ACT OF 2004

SPEECH OF

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 2004

Ms. McCOLLUM. Mr. Speaker, I urge my colleague to join me in opposing a bill that fails to protect human health, our environment and our economy. In the name of reducing gas prices, the House today is debating legislation that will allow the Secretary of Energy to overturn the environmental and health concerns of our federal, state and local leaders.

We need to increase our Nation's refinery capacity. Refineries are running full speed to meet gasoline demand. There are many reasons, however, why the number of domestic refineries has declined since the early 1980s. Congress should examine how consolidation in this industry affects gas prices.

There have been no hearings on today's bill. No record has been established that fully describes the impact of this legislation on gasoline prices, refining capacity, our environment and especially our public health. Instead of finding ways to ensure that our refineries protect the public's health, House Republican leaders want to allow the Secretary of Energy to override clean air, clean water and hazardous waste laws. There was recently a discharge from a local refinery in Newport, Minnesota. My constituents were concerned that their homes and yards were covered with a fine white dust when they woke up a few weeks ago. They didn't know the dust wasn't toxic and dangerous to their health. This bill doesn't protect their public health from future threats.

The Environmental Council of the States, the National Conference of State Legislatures and the Association of Local Air Pollution Control Officials oppose this bill. The House should heed their warnings and reject this bill today.

A TRIBUTE TO AL BURCH

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 2004

Mr. WOLF. Mr. Speaker, it is an honor to recognize Al Burch, who has served northern Virginia as an educator for 42 years. Mr. Burch spent 32 years as the principal of Bishop O'Connell High School in Arlington, Virginia. After over four decades of dedicated service to our youths, Mr. Burch announced his retirement earlier this month.

I am proud to call attention to the achievements and dedication of Mr. Burch as he ends his career as an educator and principal. I would also like to share a recent article from The Arlington Catholic Herald which honors Mr. Burch and describes his many accomplishments.

[From the Arlington Catholic Herald, May 20, 2004]

FORTY-TWO-YEAR RUN COMES TO AN END FOR O'CONNELL'S BURCH

(By Mary Frances McCarthy)

In 2001, at the beginning of his 40th year at Bishop O'Connell High School in Arlington, Principal Al Burch told the Herald, ''In about two or three years I'll be ready to retire.''

Three years later, the O'Connell family is saying goodbye to Burch, a much-loved and respected coach and administrator who has worked at the school for all but four years of its existence. A farewell Mass and party will be held at the school on June 5 at 5 p.m.

When his career began, Burch never imagined he would spend 32 years as an administrator.

After graduating from the University of Corpus Christi in Texas with a bachelor's degree in education, Burch thought that ''Everyone would hire me because I was so good at sports.'' Burch attended the university on a football scholarship.

When coaching jobs didn't fall at his feet as he thought they would, he took a job at Surrattsville Junior High in Clinton, Md., teaching history, science and English.

In 1961, Burch learned of an opening in physical education at O'Connell through Bob Rusevlyan, athletic director. Burch took the job, teaching health and physical education and coaching football, baseball and basketball. Under his leadership, the O'Connell 1963–65 baseball teams were Catholic League champions and gained nationwide recognition in the Baseball Hall of Fame in Cooperstown, NY, for winning 42 consecutive games.

Coinciding with the beginning of co-education at Bishop O'Connell, Burch was named assistant principal under Msgr. McMurtrie in 1972.

''I owe a lot to Msgr. McMurtrie,'' Burch said. ''He saw it was my dream to keep coaching, but he saw something in me that maybe I didn't see.''

While Burch was assistant principal, coaching three sports and raising three kids, he went back to school to get a master's degree in education at American University. ''And I still haven't slept well since then,'' Burch said.

His coaching career ended in 1977, when he was named principal of O'Connell by former Arlington Bishop Thomas J. Welsh.

In the first 10 years Burch was at O'Connell, the school grew from 1,000 students to 1,600 students, with a wait list 200 students long. In 1982, Bishop Welsh opened Paul VI Catholic High School to ease the strain on O'Connell.

Now, in a diocese with three diocesan high schools and three private Catholic high schools, Burch said, ''The chemistry of O'Connell is what makes it different.'' With more than 110 teachers, 12 are Sisters of the Immaculate Heart of Mary, 18 are retired military personnel and 28 are O'Connell graduates. Burch said he has prided himself by being able to ''put talent where they belong.''

''Surrounding myself with great people has been the key to my success,'' he said. ''Sitting back and watching them work has been a joy.''

To Burch, O'Connell's teachers are all first draft teachers. He has organized his school much like he would a baseball or football team. Only the best are good enough for him.

''That chemistry, and people who want to be here, I'm proud of that,'' Burch said. ''We've been able to maintain that we are a Catholic school.'' Burch said O'Connell has had more than 65 alumni who have pursued religious vocations.

Dr. Timothy McNiff, diocesan superintendent of schools, said that Burch's leadership ''epitomizes the uniqueness required of those individuals who have been given the task of ensuring our Catholic schools are institutions of both academic success and Christian values.''

O'Connell was recognized by the U.S. Department of Education in 1993 as a Blue Ribbon School and Burch was honored by The Washington Post in 1997 when he was named a ''Principal of Excellence.''

In his retirement, Burch said, he will miss the students above all else. ''I enjoy seeing them,'' he said. ''I think O'Connell comes closer to that term, family. People return to O'Connell. They're very happy here.''

Burch looks forward to continuing his relationship with Bishop O'Connell High School and working with the alumni. In ongoing renovations at O'Connell, he still hopes to see an Alumni of Distinction hall. ''There are people out there doing great things.'' O'Connell has over 15,000 graduates. ''They're really making a positive impact on society. I hear good stuff.''

All three of Burch's children—Kenny, Karen and Kristy—are among those graduates. Burch hopes that one day, his five grandchildren, ''if they study and work hard,'' will go to O'Connell too, and become members of the O'Connell family.

''I consider myself blessed and fortunate,'' Burch said. ''It's been a great job. I didn't have to work to make O'Connell classy. It's always been a class act.''

TRIBUTE TO DR. FREDERICK S. CONLIN, JR., DDS

HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 2004

Mr. NEAL. Mr. Speaker, it is my great honor today to pay tribute to Dr. Frederick S. Conlin, Jr., DDS. Dr. Frederick S. Colin, Jr., DDS will retire this June from both politics and his practice in dentistry after more than 30 years. Dr. Conlin has had a general practice in dentistry for 38 years in West Springfield, MA, and has been a model citizen in our city. He held many honors in both of these fields, including being

elected to the Valley District Dental Society as Vice President for 2 years.

Dr. Conlin graduated from the College of Holy Cross with an A.B. degree in 1953. He later attended the American International College for Post Graduate studies from 1958 to 1959. Frederick Conlin received his DDS from the New Jersey College of Medicine and Dentistry in 1963.

Conlin has also served in the Armed Forces for his country. From 1954 until 1956 Dr. Conlin proudly served as a 1st Lieutenant in the United States Marine Corps. However, Lieutenant Conlin has also given to his country through his participation in local politics, having held many elected positions in his local community.

Dr. Conlin was elected as a Town Meeting Member for 25 years. He was also elected to the Park and Recreation Commission and the Board of Selectman both for 6 years respectively. He was also chosen to be on the Board of Health for 5 years. Dr. Conlin served as Vice President of the City Council for 3 years.

In addition to being elected to numerous organizations by his peers, Dr. Conlin also has volunteered to donate his time and talents to a plethora of other boards and organizations; including, the Town Government Study committee for 15 years, the American Legion Post 207 for 15 years, the Ramapogue Historical Society for 6 years, and served on the Board of Directors of the Friends of Seniors for 4 years. He also was a co-founder and member of the St. Patrick's Day Parade Committee for 10 years, and served on the West Springfield Veterans Council for 2 years. Always staying involved in politics, Dr. Conlin served 30 years on the Republican Town Committee.

Dr. Conlin is a citizen of Springfield that we are extremely proud of and we wish him nothing but the best in his retirement. Dr. Conlin has been a member of St. Thomas Church for 50 years. He has been blessed with his wife the former Barbara Crowley for 26 years, and has one son, Rick, who currently attends Temple University School of Medicine. We wish you the best of luck and good health, Dr. Conlin.

TRIBUTE TO McKINLEY LANGFORD BURNETT

HON. DENNIS MOORE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 2004

Mr. MOORE. Mr. Speaker, our nation recently celebrated the fiftieth anniversary of the landmark Supreme Court decision, Brown v. Board of Education, which struck down the "separate but equal" doctrine, holding that segregated public schools violated the equal protection provisions of our Constitution.

As we honor the many intrepid Americans who fought for racial equality for many years in order to make the Brown decision a reality, I want to bring to your attention the important contribution to this effort made by McKinley Langford Burnett of Topeka, Kansas. The Brown decision was the fulfillment of a long fight over several years to assure equal education for children. McKinley Burnett began the Topeka, Kansas-based arm of this campaign in earnest in 1948, when he became president of the Topeka chapter of the National Association of Colored People [NAACP]. While earlier attempts had been made to challenge segregation in Topeka, by 1948 only Topeka High School was integrated, and that school had separate sports teams for white and black students. As an observer of the situation said of Burnett after the fact: "He faced a school board and superintendent who believed that schools should remain segregated, black teachers afraid of losing their jobs, and many who just didn't want to rock the boat. They all faced McKinley Burnett, a man whose drive and determination kept him working for the day when schools would be open to all."

Born in Oskaloosa, Kansas, in 1897, McKinley Burnett faced discrimination throughout his early life: offered only parts as dancers or butlers in school plays; relegated to working as a supply clerk at the Veterans Administration; and turned down for a job as a route driver with a local bakery because of his race. In 1948, however, he became president of the Topeka chapter of the NAACP, in a community where separate schools for the races had been established in 1927. For 2 years, Burnett held meetings and wrote letters seeking support for school desegregation, without success. According to Charles Baston, a member of the Topeka NAACP chapter, the school board would often extend its meetings by sitting and joking, hoping the NAACP members at the meeting would leave without speaking: "We never left."

In 1950, the NAACP, under Burnett's leadership, recruited 13 black families to challenge segregation by sending their children to enroll in white-only schools. The 20 children, including 7-year-old Linda Brown of Topeka, were denied enrollment, and in February 1951 the NAACP filed suit. Three years later, the Supreme Court issued their landmark decision, in a case that also included suits from South Carolina, Delaware, Virginia and the District of Columbia.

Burnett continued to serve as president of the Topeka NAACP chapter until 1963, dying in 1968. As Roy Wilkins of the NAACP said upon his death, in a telegram to Burnett's widow, Lea: "Throughout the years he was in the vanguard of our fight for full citizenship rights. For more than a quarter century he served as President of the Topeka branch of the NAACP. During that period against seemingly insurmountable odds he was instrumental in initiating the school desegregation case of Linda Brown in Topeka which culminated in the historic Brown vs. Board of Education decision. He could have no better monument than this decision which changed the course of public education in our country."

Mr. Speaker, proclamations honoring the life of McKinley Langford Burnett were issued by the Topeka Board of Education, the Shawnee County, Kansas, Board of Commissioners, and the Governor of the State of Kansas. I include them in the RECORD, along with an Associated Press article summarizing Mr. Burnett's life and good works, and an editorial from the Topeka Capital Journal commending his life.

RESOLUTION 01–06

Whereas, McKinley Langford Burnett was a behind-the-scenes force in the landmark U.S. Supreme Court Brown vs. Board of Education of Topeka case that dismantled the "separate but equal" provisions for the education of African American students in America's public schools; and

Whereas, Mr. Burnett was the Topeka chapter president of the NAACP from 1948–1963, concentrating his efforts on the integration of Topeka Public Schools and with determination, conviction and persistence challenged the Board of Education to end segregated schools; and

Whereas, Mr. Burnett was responsible for recruiting a group of 13 black families to challenge segregation by sending their children to enroll in all-white schools in the fall of 1950 and upon the denial of their enrollment, Mr. Burnett, along with other NAACP officials and attorneys, developed a strategy for a court case and filed suit against the School Board through the local NAACP chapter, on behalf of the families; and

Whereas, three years later the U.S. Supreme Court reviewed the case, which had been joined with four other school desegregation lawsuits from South Carolina, Delaware, Virginia and the District of Columbia, and on May 17, 1954 issued their landmark ruling that said "separate educational facilities are inherently unequal" and that the separate but equal doctrine had "no place" in public education; and

Whereas, 40 years later, the Topeka Public Schools' Board of Education entered into a school desegregation remedy plan in the reopened Brown case, successfully implemented the remedy plan, and four years later, July 27, 1999, District Court Judge Richard Rogers approved the district's motion for unitary status and directed the case be closed; and

Whereas, a committee appointed by the Superintendent of Schools pursuant to Board Policy 2200 has recommended that the unnamed Administrative Center of the Topeka Public Schools be named in honor of Mr. Burnett.

Now therefore, in recognition that Mr. Burnett's vision and passion for educational justice for all children resulted in Brown vs. The Board of Education, and has been felt in Topeka and across the land,

Be it resolved, on this 7th day of June, 2001 that the Topeka Public Schools' Board of Education, to commemorate the progress of educational equity initiated by Mr. Burnett in the 1940's, immortalized by the 1954 Supreme Court, and sustained in recent years by the courts and Topeka Public Schools' Board of Education; and to honor this unsung hero for his untiring efforts until his death in 1968, does hereby name the Topeka Public Schools' Administrative Center, the: "McKinley L. Burnett Administrative Center."

PROCLAMATION

Whereas, the late McKinley L. Burnett would have been 100 years old this year on January 31, 1997; and,

Whereas, the original 1942 charter for the Topeka Branch of the National Association for the Advancement of Colored People will be on display at the Topeka-Shawnee County library between the hours of 4:00 p.m. to 6:00 p.m. on May 17, 1997; and

Whereas, on February 28, 1951 the NAACP led by McKinley Burnett filed a lawsuit which resulted in the Historic Supreme Court decision on May 17, 1954, Brown v. Topeka Board of Education; and,

Whereas, on Saturday, May 17, 1997, the Kansas Committee to Commemorate Brown v. Education and Bias Busters of Kansas will observe the 43rd anniversary of the Historic Supreme Court Decision at the Topeka and Shawnee County Public Library at 4:00 p.m.; and,

Whereas, at the Committee's annual observance, a special ceremony on this day, tribute will be paid to McKinley L. Burnett, president of the Topeka Branch of the National Association for the Advancement of

Colored people with a Pictorial Stamp Cancellation; and,

Whereas, Brown v. Topeka Board of Education is recognized as the Civil Rights Case of the Century by overturning Plessy v. Ferguson, and deciding that ''Separate is not necessarily equal''; and,

Whereas, this Nation has become a great Nation because of the contributions of many people of different races and nationalities, all giving their best to make our Country what it is today; and,

Whereas, frequently we become so involved in our daily tasks that we neglect to say ''Thank You'' to those who give their time and energy to benefit others.

Now, therefore, the Board of County Commissioners of the County of Shawnee, Kansas, meeting in regular session on this 15th day of May, 1997, does hereby proclaim May 17, 1997 as McKinley L. Burnett Day in Shawnee County and invite the participation of every section of the population regardless of race, color, creed, or religion.

STATE OF KANSAS

Whereas, The late McKinley L. Burnett would have been 100 years old on January 31, 1997; and

Whereas, On May 17, the Kansas Committee to Commemorate Brown v. Topeka Board of Education and Bias Busters of Kansas will observe the 43rd anniversary of the Historic Supreme Court Decision. At the Committee's annual observance, a special tribute will be paid to McKinley L. Burnett with a Pictorial Stamp Cancellation; and

Whereas, The original 1942 charter for the Topeka Branch of the National Association for the Advancement of Colored People will be on display at the Topeka-Shawnee County Library on May 17, 1997; and

Whereas, Brown v. Topeka Board of Education is recognized as the Civil Rights Case of the Century by overturning Plessy v. Ferguson, and deciding that ''separate is not necessarily equal''; and

Whereas, This Nation has become a great nation because of the contributions of many people of different races and nationalities, all giving their best to make our country what it is today;

On behalf of the citizens of the State of Kansas, I would like to recognize McKinley L. Burnett and invite the participation of all citizens, regardless of race, color, creed, or religion.

BILL GRAVES,
Governor.

MCKINLEY BURNETT IS FORGOTTEN BUT PLAYED A KEY ROLE IN BROWN CASE

(By John Hanna)

TOPEKA.—Most folks know about Linda Brown, the young black girl who was barred from attending a school near her home because of her race. Many also have heard of her father, Oliver Brown.

His name appeared first on one of the U.S. Supreme Court's most famous cases. The May 17, 1954 ruling in Brown vs. Board of Education of Topeka declared school segregation unconstitutional.

But few people have heard of McKinley Burnett. People who do know about him think his anonymity is a shame, because he played a key role in the Brown case.

Burnett served as president of the Topeka chapter of the National Association for the Advancement of Colored People from 1948 to 1963.

And his anger at the local school board's refusal to end segregation in elementary schools helped fuel a small but persistent movement that led to the Brown case in February 1951.

''Quite frankly, McKinley Burnett was one of the primary catalysts,'' said Cheryl Brown Henderson, a daughter of Oliver Brown, who is now president of the Brown Foundation. ''It's very important that people have their rightful place in history.''

Local activists scheduled a ceremony for Saturday at Topeka's public library to honor Burnett, marking the 100th year since his birth and the 43rd anniversary of the Brown decision. On display will be family memorabilia, pictures and letters.

Burnett was born in Oskaloosa in January 1897. He became an activist early in life, said a son, Marquis Burnett.

''When they had school plays, the only parts he could get were being a dancer or a butler,'' Marquis Burnett said.

McKinley Burnett worked in the Santa Fe railroad shops, as well as at the Veterans' Administration hospital as a stock clerk, one of the better jobs available for blacks in those days. People understood that some jobs simply were closed to blacks.

Letters the family displays from its collection show the harshness of discrimination. Some are from McKinley Burnett to various Kansas officials, complaining about the refusal of companies to hire blacks.

In November 1950, he wrote about his conversation with the sales manager of a Topeka bakery, which had an opening for a route man.

''He told me that he could not hire a Negro for such a job and that such had never even been considered, neither had they ever had such a request before,'' Burnett wrote.

In 1948, Burnett and other NAACP officials began pushing for integration of Topeka's elementary schools. State law allowed segregation in cities as large as Topeka but did not mandate it.

Topeka High School was integrated but had separate sports teams and clubs for whites and blacks.

At the time, the city had 18 all-white elementary schools and four for blacks. The district's superintendent believed in segregation; the school board agreed.

One board member challenged McKinley Burnett to a fight. Charles Baston, another local NAACP member, remembered in a 1992 interview for the Kansas State Historical Society that the board was rude. It forced NAACP members to wait until the early hours of the morning to voice their concerns.

''It was rather disgusting, because a lot of times, a board member would go through their agenda, and then they would sit and laugh or joke about something to try to extend the time,'' Baston said. ''We never left.''

By 1950, McKinley Burnett had enough. He and a small group met at the home of Lucinda Todd, the local chapter's secretary, to plot strategy.

''Going to court was their last recourse,'' said Henderson, the Brown Foundation president.

NAACP officials recruited parents with schoolchildren to be plaintiffs. Legend has it that Oliver Brown's name was listed first because it was first alphabetically, but in fact his daughter suspects it was because he was the only male parent.

In her interview for the state historical society, Mrs. Todd remembered how concerned some blacks were. Black teachers had been told by one school official that integration would end their jobs.

''A lot of people had jobs—they worked for the city—and didn't want to cause trouble,'' Marquis Burnett said. ''It wasn't really popular.''

In the fall of 1950, 13 black families tried to enroll their children in white schools across the city. All were turned away. The NAACP had counseled them to have a witness and to document what had happened.

The lawsuit was filed in February 1951. The U.S. Supreme Court consolidated it with four other cases before issuing its historic ruling.

''At that time, he never thought, 'I'm going to do something to make history,'' Marquis Burnett said of his father. ''He was just doing what he had to do.''

McKinley Burnett greeted the ruling with jubilation, telling reporters in Topeka: ''I say, thank God for the Supreme Court.''

Burnett battled leukemia throughout his life and retired as NAACP president in 1963. He died five years later, at the age of 71.

May 17 remained a special day for him.

''That became McKinley Burnett's personal holiday, and he would not work for anyone on that day,'' said Baston, the NAACP board member.

MCKINLEY BURNETT—A CIVIL RIGHTS HERO

In any worthy struggle, there are those who doggedly go about the task at hand without fanfare. McKinley Burnett was just such a man.

The Topekan got his due, albeit late, recognition Saturday at a ceremony and special pictorial postal cancellation at the Topeka and Shawnee County Public Library.

Although Brown and often Scott are the names most often mentioned in the landmark 1954 school desegregation ruling, Burnett had built the foundation on which it was based. His effort started back in the 1930s and focused not just on schools, but also other forms of segregation, including movie theaters, restaurants, court-houses and other facilities.

But Burnett saw the schools as the best place to initiate the changes, and he worked diligently for that cause. When years of effort failed to move the Topeka Board of Education, Burnett in 1950 finally threatened to sue. The march toward Brown vs. Topeka Board of Education began.

Brown refers, of course, to the family that alphabetically headed the list of plaintiffs. Scott is the name of the family of lawyers who argued the case. But make no mistake, Burnett is also an important part of the suit.

Saturday's special cancellation attests to that. Done in recognition of the 43rd anniversary of the U.S. Supreme Court ruling, the cancellation cites the suit filed by the NAACP on Feb. 18, 1951, that led to the ruling. Burnett, who is pictured on the cancellation, was president of the local NAACP at the time and this is the 100th anniversary of his birth. He died in 1968.

It's unfortunate his contributions weren't more highly recognized during his lifetime. By all accounts, however, Burnett valued results more than personal glory. A true hero.

CONGRATULATING MS. GWENDOLYN MASTIN

HON. JESSE L. JACKSON, JR.

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 2004

Mr. JACKSON of Illinois. Mr. Speaker, I rise today to recognize Ms. Gwendolyn Mastin, founder and CEO/President of the New Phoenix Assistance Center located in the Second Congressional District of Illinois, which I proudly represent. I would like to congratulate Ms. Mastin on being chosen for the 2004 Robert Wood Johnson Community Health Leadership award. She is one of just ten outstanding individuals who have been honored this year by the foundation for innovatively bringing health care to communities whose needs have been ignored and unmet.

Gwendolyn Mastin founded Chicago's first scattered-site housing program for homeless

women infected with HIV or AIDS and their children. Her program also provides housing for homeless pregnant teens and those with children. In addition, Ms. Mastin also developed a pregnancy prevention program that embraces cultural traditions and encourages creation of family support networks. Since its founding in 1991, the program has served more than 5,700 people in the Metropolitan Chicago region.

Presently, Ms. Mastin sits on the Illinois State Advisory Committee on Child Abuse and Prevention. On this committee she continues her service to the community by effectively advocating on behalf of much-needed housing programs and supportive services, as well as family reunification programs for homeless minors.

Mr. Speaker, I proudly ask you to join me in commending Gwendolyn Mastin for her tremendous contribution to our community.

IN RECOGNITION OF BARBARA BOSCH

HON. STEVEN R. ROTHMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 2004

Mr. ROTHMAN. Mr. Speaker, America's future is contingent upon the leadership, vision, and commitment of teachers, and a life dedicated to the education of our children is one that should be both acknowledged and praised. Thus, I would like to recognize Ms. Barbara Bosch, an educator in the East Rutherford school district in New Jersey and a member of the New Jersey Education Association, who will be retiring this June after 41 years of teaching.

Ms. Bosch's devotion, creativity, and resourcefulness as an educator helped her to meet the diverse needs of her students in the continually evolving field of education over the past several decades. Her dedication to her students was displayed in part by the many hours spent with them both inside and outside the classroom. Ms. Bosch's dedication and strong character allowed her to fulfill her professional responsibilities at the highest level, and serve as a role model for her students and colleagues. Such achievements in the field of education were so admired and respected by her colleagues, that the East Rutherford Educational Community has proclaimed June 2004 as ''Barbara Bosch Month.''

Mr. Speaker, I ask my colleagues to join me in recognizing Ms. Barbara Bosch as a person who served our Nation as a distinguished educator of our children for 41 years. We are all deeply indebted to Ms. Bosch and teachers like her for their service to our Nation's schoolchildren. Along with all those students, parents, and other educators in East Rutherford who have come to know Ms. Bosch, I wish Ms. Bosch much happiness in her well-deserved retirement.

PORT OF ENTRY NEEDS

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 2004

Mr. GREEN of Texas. Mr. Speaker, aviation security is a top national security priority. This critical sector of interstate commerce must continue for our entire national economy to function.

As the representative of one of our Nation's largest hub airports, Bush Intercontinental Airport in Houston, Texas, I can say that the ability of commercial aviation to function properly is at risk due to the inconsistent performance of security functions by the federal government.

First, I have been pushing for increased Bureau of Customs and Immigration Enforcement personnel coverage for Houston Intercontinental for several years now.

The situation has been improving unevenly, with wait times still reaching 90 minutes during peak times of the year. Why is the wait so bad? Because we only have 59 out of 86 authorized inspectors for Houston, according to the last workforce report.

That in itself is unacceptable, but with a new international terminal set to open in January 2005, we must make sure that the federal government is living up to its responsibility to safely and securely process incoming passengers.

This new facility is going to require a doubling of our international arrival screening capacity, and we will have to resort to legislation if the Bureau cannot do its job properly.

In addition, with Transportation Security Agency cutbacks forced by our budget deficits, Houston Intercontinental is at serious risk of losing its ability to properly process passengers boarding commercial airline flights.

This is not a mere matter of inconvenience to air travelers. These delays have a serious economic impact on the aviation industry which has to extend the times planes sit on the ground, reducing operating margins.

As numerous press and financial reports demonstrate, aviation operating margins are already under a tremendous amount of stress from $40 per barrel oil, international turmoil, and continuing glut of capacity resulting from post-September 11th aviation bankruptcies.

Put simply, hundreds, perhaps thousands of employees are at risk of being laid off, furloughed, or facing salary and benefit freezes and cuts if the federal government does not properly perform its responsibility to provide security for interstate commerce.

Mr. Speaker, I look forward to working with you ensure smooth operation of the Bureau of Customs and Immigration Enforcement at Houston Intercontinental.

RECOGNIZING GARY LEE DICK FOR HIS OUTSTANDING SERVICE AND DEDICATION TO LAKE COUNTY, CALIFORNIA AT THE TIME OF HIS RETIREMENT

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 2004

Mr. THOMPSON of California. Mr. Speaker, I rise today to recognize Gary Lee Dick, who is retiring as Police Captain of Clearlake, California. Gary's outstanding contributions and dedication to our community are truly appreciated.

Gary began his career in law enforcement in Calistoga, California in September 1975. He then went on to work in the Petaluma Police Department until 1981, before moving to the Clearlake Police Department.

Gary not only has an AA degree but also has graduated from the FBI National Academy and has earned several professional certificates. He spent 4 years serving our country as a member of the U.S. Army. Gary and his wife Patty are blessed with three daughters and two sons.

Gary has made many contributions to the community outside his official duties in the police department. He served as President of the Rotary Club of Clearlake between 1999–2000. He also served as Chair and Co-chair of many projects that were completed by the Rotary Club of Clearlake. As a volunteer coach for little league baseball teams, Gary has been able to share his love of baseball with countless others. In his retirement he hopes to visit every major league baseball stadium.

Mr. Speaker, Gary Lee Dick is the standard of dependability, bravery and hard work in our community. His commitment to our community has been shown time and time again. For these reasons and countless others, it is most appropriate that we honor him at the time of his retirement today.

INTRODUCTION FOR A BILL TO AUTHORIZE THE SECRETARY OF THE INTERIOR TO PROVIDE FINANCIAL ASSISTANCE TO THE EASTERN NEW MEXICO RURAL WATER AUTHORITY FOR THE PLANNING, DESIGN, AND CONSTRUCTION OF THE EASTERN NEW MEXICO RURAL WATER SYSTEM, AND FOR OTHER PURPOSES

HON. TOM UDALL

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 2004

Mr. UDALL of New Mexico. Mr. Speaker, today I am very pleased to introduce a bill that will authorize the Bureau of Reclamation to help communities in eastern New Mexico develop the Eastern New Mexico Rural Water System (ENMRWS). A companion to this bill, S. 2513, was introduced in the Senate by my colleague Senator BINGAMAN on June 9, 2004. There has long been a recognized need for a reliable and safe supply of potable water for this region. After years of drought and ever increasing population growth, this water supply project is now absolutely critical for the continued economic well-being of Curry, Roosevelt and Quay counties in eastern New Mexico.

The Entrada and the Southern High Plains, or Ogallala, Aquifers currently provide 100 percent of the municipal and industrial water supplies and the vast majority of agricultural water for communities in these east central New Mexico counties. However, both the quantity and quality of these groundwater reserves have declined severely in recent decades. Despite voluntary conservation efforts and improvements in agricultural water-use efficiencies, these groundwater supplies will not sustain current use levels in as little as 12 years and may be funcationally depleted within 25 years.

The water supply project that would be authorized by this legislation builds upon more than 40 years of research, planning, and design. In 1959, after recognizing the water supply problems in eastern New Mexico, the New

Mexico Legislature and Interstate Stream passed an Act authorizing the State Engineer to construct a dam on the Canadian River, thus establishing the Ute Resevoir. Since 1966, numerous Congressionally-authorized studies addressed the feasibility of a project that would utilize the Ute Resevoir as a reliable water supply for communities in eastern New Mexico. Finally, in the late 1990s, several communities, concerned about the increasingly urgent need, came together to begin planning for the development of a regional water system.

The Eastern New Mexico Rural Water Supply Authority, consisting of nine communities in the Curry, Roosevelt and Quay counties of eastern New Mexico, was formed in 2001 to oversee the development of the ENMRWS. This Authority has expeditiously and effectively finalized the studies and planning necessary to move forward with this project.

Mr. Speaker, as you can see from this brief history, the citizens of eastern New Mexico have both proven the critical need and completed the necessary steps that must form the basis for a project of this magnitude. This project is not new and the need for water is becoming increasingly more urgent. Without this project, it is clear that this important region will suffer economically. I believe that none of us in this House wants to stand by and watch vibrant communities dissolve into western ghost towns especially when a well-studied, adequate solution exists. I sincerely hope my colleagues will support this legislation and help provide a positive, long-term solution to a pressing water need in the rural West. This legislation represents the important next step toward addressing this issue, and I look forward to working with the entire New Mexico Congressional delegation.

Thank you very much.

RECOGNIZING THE 40TH ANNIVERSARY OF THE CHANEY, GOODMAN, AND SCHWERNER KILLINGS

HON. CHARLES W. "CHIP" PICKERING

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 2004

Mr. PICKERING. Mr. Speaker, forty years ago this Sunday, members of the Ku Klux Klan committed a terrible crime against three young men in Neshoba County. It was a crime against them, a crime against equality, and a crime against freedom. As we remember the killings of James Chaney, Andrew Goodman and Michael Schwerner during the 1964 Freedom Summer in Mississippi, I'd like to take the opportunity to share with you the statements of that community today in 2004. These statements represent a call by community leaders; a tri-racial commission of blacks, whites, and Choctaws; and city and county elected officials to seek justice and forgiveness for these crimes of the past. Like the rest of the country, Mississippi still has much work to do concerning racial reconciliation, but I believe we have come further and are more committed to racial harmony than many other states. But I will let this Neshoba County community speak for itself:

First is the Philadelphia Coalition's Resolution for Justice. This tri-racial coalition led by Leroy Clemons and James E. Prince III is leading the call for justice in this community, and organizing the events affiliated with the 40th Anniversary Memorial this weekend.

THE PHILADELPHIA COALITION'S RESOLUTION FOR JUSTICE: STATEMENT ASKING FOR JUSTICE IN THE JUNE 21, 1964 MURDERS OF JAMES CHANEY, ANDREW GOODMAN AND MICHAEL SCHWERNER

Forty years ago, on June 21, 1964, three young men, James Chaney, Andrew Goodman and Michael Schwerner, were murdered in Neshoba County by members of the Ku Klux Klan.

The state of Mississippi has never brought criminal indictments against anyone for these murders—an act of omission of historic significance. There is, for good and obvious reasons, no statute of limitations on murder. This principle of law holds that anyone who takes the life of another person for any reason not provided by law is never immune from prosecution, no matter how remote in time.

With firm resolve and strong belief in the rule of law, we call on the Neshoba County District Attorney, the state Attorney General and the U.S. Department of Justice to make every effort to seek justice in this case. We deplore the possibility that history will record that the state of Mississippi, and this community in particular, did not make a good faith effort to do its duty.

We state candidly and with deep regret that some of our own citizens, including local and state law enforcement officers, were involved in the planning and execution of these murders. We are also cognizant of the shameful involvement and interference of state government, including actions of the State Sovereignty Commission, in thwarting justice in this case.

Finally, we wish to say to the families of James Chaney, Andrew Goodman and Michael Schwerner, that we are profoundly sorry for what was done in this community to your loved ones. And we are mindful of our responsibility as citizens to call on the authorities to make an effort to work for justice in this case. Continued failure to do so will only further compound the wrong.

We, the undersigned, call on those in authority to use every available resource and do all things necessary to bring about a just resolution to this case.

The Philadelphia Coalition.

Next comes the resolution by the Neshoba County Board of Supervisors, the elected leadership of this community on the county level.

NESHOBA COUNTY BOARD OF SUPERVISORS' RESOLUTION

Forty years ago, on June 21, 1964, three young men, James Chaney, Andrew Goodman, and Michael Schwerner, were murdered in Neshoba County.

The State of Mississippi has never brought criminal indictments against anybody for these murders. There is for good and obvious reason, no statute of limitations on murder.

This principal of law holds that anyone who takes the life of another person for any reason not provided by law is never immune from prosecution, no matter how remote the time.

With firm resolve and strong belief in the rule of law, we call on the appropriate authorities to make every effort to seek justice in this case.

We regret that history will record that the authorities did not make a good faith effort to do its duty and we call on the people in authority to make an effort to seek justice in this case.

Finally, we wish to say to the families of James Chaney, Andrew Goodman, and Michael Schwerner that we regret what was done in this community to your loved ones.

We, the undersigned, call on those in authority to use every available resource and do all things necessary to bring about a just resolution to this case.

By: James Young, President, Neshoba County Board of Supervisors.

The leadership of the City of Philadelphia, the county seat and population center of Neshoba County, has also passed a resolution in support of this seeking of justice.

CITY OF PHILADELPHIA'S RESOLUTION: RESOLUTION ASKING FOR JUSTICE IN THE JUNE 21, 1964 MURDERS OF JAMES CHANEY, ANDREW GOODMAN AND MICHAEL SCHWERNER

Forty years ago, on June 21, 1964, three young men, James Chaney, Andrew Goodman, and Michael Schwerner, were murdered in Neshoba County.

The State of Mississippi has never brought criminal indictments against anybody for these murders. There is for good and obvious reasons, no statute of limitations on murder. This principal of law holds that anyone who takes the life of another person for any reason not provided by law is never immune from prosecution, no matter how remote the time.

With firm resolve and strong belief in the rule of law, we call on the appropriate authorities to make every effort to seek justice in this case. We regret that history will record that the authorities did not make a good faith effort to do its duty and we call on the people in authority to make an effort to seek justice in this case.

Finally, we wish to say to the families of James Chaney, Andrew Goodman, and Michael Schwerner that we regret what was done in this community to your loved ones.

We, the undersigned, call on those in authority to use every available resource and do all things necessary to bring about a just resolution to this case.

By: Rayburn Waddell, Mayor; Janice Payne, Alderwoman at Large; Joe Tullos, Alderman, Ward I; Roy White, Alderman, Ward 2; Ronnie Jenkins, Alderman, Ward 3; and, Bobbie Jackson, Alderwoman, Ward 4.

The Community Development Partnership is Neshoba County and Philadelphia's chief economic development organization and represents the interests of many businesses, financial institutions and companies in the region.

COMMUNITY DEVELOPMENT PARTNERSHIP'S RESOLUTION

Resolution Asking for Justice in the June 21, 1964 Murders of James Chaney, Andrew Goodman and Michael Schwerner.

Forty years ago, on June 21, 1964, three young men, James Chaney, Andrew Goodman, and Michael Schwerner, were murdered in Neshoba County.

The State of Mississippi has never brought criminal indictments against anybody for these murders. There is, for good and obvious reasons, no statute of limitations on murder. This principle of law holds that anyone who takes the life of another person for any reason not provided by law is never immune from prosecution, no matter how remote the time.

With firm resolve and strong belief in the rule of law, we call on the appropriate authorities to make every effort to seek justice in this case. We regret that history will record that the authorities did not make a good faith effort to do their duty and we call on the people in authority to make an effort to see justice in this case.

Finally, we wish to say to the families of James Chaney, Andrew Goodman, and Michael Schwerner that we regret what was

done in this community to your loved ones. We the undersigned, call on those in authority to use every available resource and do all things necessary to bring about a just resolution to this case.

By: Brenda Mills, Chairwoman of the Board; and David Vowell, President.

This Mississippi Band of Choctaw Indians have long represented an integral part of this community and has created a model of economic and community revitalization and development. Today they have moved from poverty to prosperity and are an integrated part of both the community and this call for justice.

LETTER FROM THE TRIBE OF MISSISSIPPI CHOCTAW INDIANS

DEAR FRIENDS AND NEIGHBORS: Forty years ago, three communities, white, black, and Choctaw, lived in Neshoba County separated by fear, ignorance, and bigotry.

Although all of us were Neshoba Countians, Mississippians, and Americans, living together in a relatively small geographic region, we lived apart in our separate communities seeking protection and self-preservation among our own kind. Mainly what we knew of one another was to be wary. Being a small community many of us did interact and often positively, but mutual respect, honor, and acceptance were indeed not commonalities shared between us.

Being forced apart, we were often denied the opportunity to learn from one another's differences and to gain from each other's strengths. Forty years ago, three young men who ignored the walls of separation between our communities were sacrificed to the fears and hatreds that long simmered throughout our country. Forever since, Neshoba County has been associated with an act of infamy. However, those three that we lost, live among us today.

While it is right to mourn them, we honor them more when we celebrate their lives for the positive changes they provided to all of us.

Today white, black, and Choctaw still live together in Neshoba County. We also work together, transact business together, learn together, worship together and play together.

While we have not eliminated fear, ignorance, or bigotry, we have surpassed those constraints and are prospering together.

While we continue to maintain our separate communities, we do so now not to, but because we choose to in order to preserve our unique cultural identities.

Now, forty years later, we come together with ease, and as equals not just to remember the trauma of the past, but more importantly, to admire our present, and plan our future together. All of our communities have changed for the better, we have an economy that is flourishing, our people are working and prospering, with the Tribe alone providing more than 9,000 jobs. When we work together and support one another, good things happen.

On behalf of The Mississippi Band of Choctaw Indians, I commend Philadelphia Coalition for its efforts to celebrate our unity.

Sincerely,

PHILLIP MARTIN,
Tribal Chief.

Mr. Speaker, today at the request of this community, federal and state law enforcement officials are actively studying the potential of reopening this case to bring any remaining murderers to justice. The purpose is not to reopen old wounds, but to bring closure and healing to those wounds by providing the remedy of justice.

This weekend, I will participate in events in Neshoba County memorializing the deaths of three men who sought equality, justice and civil rights. We will remember the past, take stock of the present, and work for the future. We are a better Mississippi today, we will be still better tomorrow. I commend this community for showing leadership and embracing justice and look forward to working with all the citizens of Neshoba County as we continue to move forward both socially and economically. Thank you, Mr. Speaker.

INTRODUCTION OF A HOUSE RESOLUTION SUPPORTING THE GOALS AND IDEAS OF NATIONAL TIME OUT DAY

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 2004

Mr. UDALL of Colorado. Mr. Speaker, today I am introducing a House resolution supporting the goals and ideas of the National Time Out Day, which the Association of periOperative Registered Nurses (AORN) and over 50 other health care organizations are celebrating on June 23, 2004 to promote the adoption of a new protocol for preventing medical errors in the operating room.

The number of individuals who are affected by medical errors is astounding. In 2000, the Institute of Medicine released a report entitled "To Err is Human: Building a Safer Health System." The report revealed that between 44,000 and 98,000 hospitalized people in the U.S. die each year due to medical errors, and thousands of others suffer injury or illness as a result of preventable errors.

To address this problem, the Joint Commission on Accreditation of Healthcare Organizations has developed a universal protocol which calls for surgical teams to call a "time out" before surgeries begin in order to verify the patient's identity, the procedure to be performed, and the site of the procedure. The Joint Commission is requiring nurses, surgeons and hospitals throughout the country to adopt this protocol beginning July 1, 2004, in order to curb the alarming number of deaths and injuries due to medical errors.

AORN has created an Internet website and distributed 55,000 tool kits to healthcare professionals to help them implement the universal protocol, and they are celebrating National Time Out Day on June 23 to promote the protocol and its adoption.

National Time Out Day has been endorsed by a distinguished group of healthcare organizations, including the American College of Surgeons, the American Society of Anesthesiologists, the American Hospital Association, and the American Society for Healthcare Risk Management.

Mr. Speaker, ultimately, this issue is about health care access and patient safety. Fewer medical errors will result in better outcomes for patients, fewer medical malpractice suits, which in turn will help keep malpractice insurance rates and health care premiums down.

I think it is important for Congress to recognize and congratulate perioperative nurses and representatives of surgical teams for working together to reduce medical errors and to ensure the improved health and safety of surgical patients—and that is the purpose of this resolution.

THE REPUBLIC OF KAZAKHSTAN

HON. CHRIS CANNON

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 2004

Mr. CANNON. Mr. Speaker, today the United States needs true friends like the Republic of Kazakhstan as never before and we should encourage and welcome their achievements for the simple reason that by strengthening themselves they strengthen us.

I have followed the development of a young Kazakhstan with great interest and I should note that since gaining its independence from the former Soviet Union in 1991, this country has undergone tremendous political and economic transformation. Reforming a former totalitarian society is not an easy task. Of course, there were some mistakes and drawbacks. However, one should acknowledge the fact that Kazakhstan is dynamically moving forward and is moving in the right direction.

We should keep in mind that we are talking about a country which achieved democracy and personal freedoms through tremendous suffering. A great deal of credit for Kazakhstan's coming of age should go to its leader, President Nursultan Nazarbayev. I fully share the position of the leadership of Kazakhstan that any reforms make sense only if they serve the people.

Many have criticized Kazakhstan for initially choosing a course of economic liberalization while putting deep political reforms on the backburner. However, the time has proven this course right. I praise the political foresight of President Nazarbayev, an architect of Kazakhstan's success, who, in spite of criticism, has managed to bring his country into the fold of economically strong nations and has now embarked on an even bolder set of political reforms.

Recently, Kazakhstan's leader has called for a massive transformation of the county's political life and the strengthening of Kazakhstan's leadership by building a democracy. The major step in this direction will be a significant strengthening of the role of the national Parliament. President Nazarbayev has proposed to increase the numbers of deputies in both houses of Parliament and to develop a new system of forming the Government through the mechanism of a Parliamentary majority.

I believe decisions to decentralize state management and pursue aggressive fights against corruption are also crucial. Moreover, according to the President, the judiciary system will undergo serious reforms. Jury trials will be introduced, more power will be given to defense attorneys in criminal litigation.

All this, to me, is a true sign of Kazakhstan's maturity. I agree with President Nazarbayev, that "You can't just declare democracy. You can only build it through hard work." As a nation that has been building its democracy for more than 200 years, we should value the words of a leader of a young democracy.

I would like to wish the people and government of Kazakhstan success in their efforts. Future successes of a democratic and free Republic of Kazakhstan directly benefit the United States, as it will help ensure stability and prosperity of Central Asia, a region extremely important in our fight against international terrorism.

I have no doubt that the United States and Kazakhstan will continue to closely cooperate in ensuring stability and security in the world, and our cooperation, which has tremendous potential, will deepen and bring about fruitful interaction in an international situation that is increasingly complex. The U.S. Congress should play a key role in this endeavor.

Mr. Speaker, I believe we are at an important juncture in the relationship between the United States and Kazakhstan. We have an opportunity to remain engaged in the region. I strongly believe that we should acknowledge Kazakhstan's achievements and support them in their efforts to continue with reforms.

FREEDOM FOR CARMELO AGUSTÍN DÍAZ FERNÁNDEZ

HON. LINCOLN DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 2004

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I rise today to speak about Carmelo Agustín Díaz Fernández, a prisoner of conscience in totalitarian Cuba.

Mr. Díaz Fernández is a pro-democracy activist currently imprisoned in the tyrant's gulag. He is the president of the Independent Union Press Agency, editor of the Cuban Independent Trade Union Press Agency, and a member of the Christian Cuban Workers Union. He is also the correspondent for the Venezuelan magazine Desafios and his articles have appeared on the CubaNet website.

As a leading independent journalist, Christian activist, and prominent member of the independent trade union movement, Mr. Díaz Fernández has been a constant target of the totalitarian regime. According to Amnesty International, he has been harassed and threatened with imprisonment for his pro-democracy activities. Simply because Mr. Díaz Fernández wants freedom for the people of Cuba, he has been persecuted by the dictator's machinery of repression.

On March 19, 2003, as part of the dictator's brutal March 2003 crackdown against peaceful Cuban pro-democracy activists, Mr. Díaz Fernández was arrested because of his work to bring freedom to the people of Cuba. In a sham trial, he was sentenced to 16 years in the wretched, infernal, totalitarian gulag.

According to Reporters Without Borders, while he has been incarcerated in the inhuman gulag simply for his belief in freedom, Mr. Díaz Fernández has developed cardiovascular problems, lymphangitis and high blood pressure. The intolerably grotesque conditions of the deplorable gulag are threatening his life.

Mr. Speaker, Mr. Díaz Fernández is languishing in a totalitarian gulag because he believes in freedom. He believes in freedom of religion, freedom for workers, and human rights for every Cuban citizen currently suffering under the nightmare called the Castro regime. My Colleagues, it is intolerable that heroes like Mr. Díaz Fernández are locked in gulags because they believe in the most fundamental human right, freedom. We must demand the immediate release of Carmelo Agustín Díaz Fernández and every prisoner of conscience in totalitarian Cuba.

AMERICAN JOBS CREATION ACT OF 2004

SPEECH OF

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 18, 2004

Mr. KIND. Mr. Speaker, over the past year, I, along with many other Members of Congress from both sides of the aisle have been pushing for congressional action to fix the international trade dispute over the extraterritorial income (ETI) and Foreign Sales Corporation (FSC) programs. We have a bipartisan, fully paid-for remedy that would reform these tax provisions, put the United States tax code in compliance with the World Trade Organization (WTO), and reduce the tax burden on American manufacturers and farmers. Unfortunately, the Majority leadership ignored this bipartisan approach in favor of a budget-busting, controversial bill that does little for small manufacturers in Wisconsin and includes multiple provisions completely unrelated to the trade problem we need to fix immediately.

Because of the House majority's previous inaction on reforming the FSC–ETI trade dispute, the European Union (EU) continues to ratchet up tariffs on nearly 100 categories of U.S.-produced exports. This costs American businesses and workers by making our products less competitive in the major European market. Unless we reform the FSC–ETI tax provisions, EU tariffs on American products will continue to climb, potentially costing American exporters over $4 billion.

With over 2 million American manufacturing jobs lost since 2001, it is critical that we act to reverse this trend by eliminating incentives for American jobs to be sent overseas and working to end trade barriers that hurt American exports. Anticipating the EU tariffs, Congressmen CRANE, RANGEL, MANZULLO, and LEVIN introduced bipartisan legislation last year to address the FSC–ETI trade dispute. H.R. 1769, the Jobs Protection Act, would have eliminated the American tax breaks found in violation of WTO rules, and reinvested the savings back into American manufacturers by reducing their tax rates. I, along with 175 other Members of Congress, cosponsored this legislation and have pushed for the House to consider this legislation.

Despite this bipartisan compromise, the Majority leadership has brought to the Floor today a piecemeal, fiscally irresponsible bill that is filled with special interest breaks and will increase already record budget deficits. Further, the major provisions of H.R. 4520 provide over $30 billion in tax incentives for large multinational corporations while providing little to no tax relief to small and medium-sized manufacturers, farmers, and unincorporated businesses. The Republican chairman of the House Small Business Committee has expressed his opposition to this legislation because it fails to include smaller non-Chapter C corporations in its manufacturing benefit.

Because of strong bipartisan opposition to H.R. 4520, the majority has attached 400 pages of additional tax reforms, complications, and unrelated add-ons that dilute from our important mission to fix the FSC–ETI trade dispute, add tens of billions of dollars to the budget deficit, and curb potential investment in our manufacturing sector.

Some of the additional provisions included in H.R. 4520 are items that I have consistently supported including a temporary incentive to repatriate overseas profits in the United States, and extensions of important tax benefits such as the research and development tax credit, wind and biomass electricity production credit, Work Opportunity tax credit, and small business expensing rates. I am hopeful that these items can be acted on by the House separately from this unacceptable legislation.

The substitute authored by Congressman RANGEL was based on the bipartisan FSC–ETI reform bill, H.R. 1769, and would have included extensions of the R&D tax credit, renewable energy production credits, increased small business expensing provisions, tax deductions for teachers, and other important tax provisions. Further, the substitute would provide better treatment of small businesses, farming cooperatives, and domestic manufacturers, while not adding to the federal budget deficit. Unfortunately, the Majority leadership did not even allow debate on the Rangel substitute fearing it would gain wide bipartisan support and displace the unrelated provisions included in H.R. 4520.

Mr. Speaker, with 2.7 million American manufacturing jobs lost over the past years, including over 80,000 in my home state of Wisconsin, we should not be playing partisan games on the House floor. We should be considering legislation that will end European tariffs on American exports, helps domestic farmers and manufacturers be more competitive, closes abused corporate tax loopholes, and does not burden our children with huge amounts of debt that they will have to pay off in the future. The Rangel substitute would do all these things. I urge my colleagues to oppose H.R. 4520 in its current form so that Congress can move forward on responsible ETI–FSC legislation.

INTRODUCTION OF THE VETERANS ADJUSTABLE RATE HOME LOAN EXTENSION ACT OF 2004

HON. SUSAN A. DAVIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 2004

Mrs. DAVIS of California. Mr. Speaker, I am proud to introduce the Veterans Adjustable Rate Home Loan Extension Act because I am committed to strengthening the home loan program that gives thousands of America's veterans the opportunity to achieve home ownership.

When most Americans purchase a home, they have a wide array of home loan options available to them. Through the home loan program administered by the Department of Veterans' Affairs (VA), however, our veterans have limited options. It is my strong belief we should give our veterans the opportunity to select a loan that will meet their needs and make them more competitive—especially in expensive real estate markets.

My legislation would extend a VA pilot program allowing veterans to select adjustable rate mortgages (ARM). Veterans can purchase a home at lower interest rates saving them money. ARM home loans are particularly beneficial for veterans who do not intend to stay

in the home over the life of the mortgage. Extending this program will give us an opportunity to determine whether ARM loans are a good choice for veterans and sound policy.

Again, I am committed to giving our veterans the opportunity to own a home and to improve the VA's home loan program. I am honored to introduce legislation today that helps our veterans achieve the American Dream they fought to preserve.

AFRICAN-AMERICAN EMANCIPATION DAY

HON. RODNEY ALEXANDER

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 2004

Mr. ALEXANDER. Mr. Speaker, I rise today in recognition of one of the oldest and most celebrated holidays in African-American history, June 19th, African-American Emancipation Day.

On tomorrow's date 139 years ago, at the end of the Civil War, Major General Gordon Granger arrived in Galveston, Texas, to enforce the Emancipation Proclamation and ensure that all slaves across the South were set free.

General Granger's order declared that "an absolute equality of rights and rights of property between former masters and slaves, and the connection heretofore existing between them becomes that between employer and free laborer." Upon hearing this news, the celebration began in the streets of Galveston and has spread through the years into a worldwide celebration commemorating African-American freedom.

In 1865, African-Americans began a long struggle to gain equal rights with other citizens. More than 100 years later, courageous men and women were still fighting for the civil rights of African Americans. The celebration of Juneteenth acknowledges the price, history, culture and freedom of part of our American society and helps to unify the Nation as a whole. Africn-Americans have played an important role throughout America's history, and we should all be grateful for their many contributions to our society.

The celebration of Juneteenth that has spread throughout this nation in these 139 years observes the momentous occasions in African-American history and the history of the United States. Each year, the Juneteenth celebration grows bigger and spreads farther than the year before, and I hope these events continue to broaden in the years to come.

Mr. Speaker, as African-Americans gather with family, friends, and neighbors in marking the tradition of Juneteenth, I extend my warmest wishes for a memorable celebration, and I ask all citizens to renew our commitment to a nation of equality and opportunity for all people.

HONORING BENT COUNTY WWII MEMORIAL COMMITTEE

HON. MARILYN N. MUSGRAVE

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 2004

Mrs. MUSGRAVE. Mr. Speaker, I rise today to honor the Bent County World War II Memorial Committee. Bent County was home to at least 1,200 men and women who served in WWII.

To commemorate their homegrown heroes, several citizens made the decision to gather as much information as possible about Bent County residents who served in the war. The 10 members of the WWII Memorial Committee have created a book to preserve the veterans' stories. On May 29, 2004 the book was displayed at the WWII Recognition Program at the old Bent County High School. The book not only contains personal stories and experiences of these veterans, but it also contains two pictures of each veteran, and information on where each veteran was stationed during the war. Other information that was entered included medals and honors veterans received during their time of service.

The committee has found approximately 400 of the 1,200 veterans, and they have received responses from at least 300. Aside from desperately seeking the information needed from the remainder of the veterans they are also collecting memorabilia including uniforms, military records, and cookbooks. The committee knows that this is an ongoing project, and the book and collection will eventually be displayed in the future John W. Rawlings Museum.

I am proud to serve a constituency that is willing to go to such great lengths to honor "America's Greatest Generation." Thank you to the following members of the Bent County WWII Memorial Committee: Fontella Gardner, Donna Dodson, Bill Lutz, Diane Baublits, Betty Pennington, Tom Pointon, Ron Kiniston, C.P. (Jerry) Bryant, Jr., Vivian Pitts, H.E. (Ed) Blackburn, Jr.

I would also like to extend a debt of gratitude to the individuals and businesses that offered special assistance to make this book and event a success: Ladies Auxiliary VFW Post 2411, Kitty Ann Long, VFW Post 2411, Jace Ratzlaff, Constituent Advocate (Congresswoman MARILYN MUSGRAVE), Walmart, Safeway, Mark MacDonnell.

The Las Animas/Bent County Community is fortunate to have had such brave men and women to serve in WWII, and they are fortunate to have so many citizens that recognize the importance of their service to the United States of America.

SUPREME COURT STAYS OUT OF COLORADO REDISTRICTING

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 2004

Mr. FRANK of Massachusetts. Mr. Speaker, I submit to the RECORD the editorial from the New York Times, June 11, to which I referred to in my speech to the House this morning.

[From the New York Times, June 11, 2004]

A TROUBLING DISSENT

The Supreme Court did the right thing this week by staying out of a Colorado redistricting dispute. It properly deferred to the Colorado Supreme Court's ruling resolving the matter. What is troubling, however, is a dissent by Chief Justice William Rehnquist and two of his colleagues that argues for diving into the conflict. Given these justices' eagerness to defer to the states in other matters, the dissent smacks of partisan politics and raises new concerns about the court's neutrality.

After the 2000 census, Colorado redrew its Congressional lines in a way that produced some real contests. One district was divided so evenly that Bob Beauprez, a Republican, won by only 121 votes. But when Republicans won the State Senate last year, they drew new lines that were more favorable to their party. The state's attorney general, a Democrat, challenged them in court.

The Colorado Supreme Court, in a well-reasoned decision, held that the redistricting violated the Colorado Constitution. It said the constitution required that redistricting be done every 10 years, after the census, but no more. The United States Supreme Court has long held that when a state supreme court resolves a case based on the state's constitution, respect for the state's judiciary requires the federal courts to stay out of the matter. A majority did just that this week, when it let the Colorado Supreme Court's ruling stand.

But Chief Justice Rehnquist's dissent, joined by Antonin Scalia and Clarence Thomas, is bluntly dismissive of the Colorado Supreme Court. In the dissenters' view, the court was merely "purporting" to decide the case exclusively according to state law. They would have accepted the case so the United States Supreme Court could have considered reversing the Colorado Supreme Court and reinstating the pro-Republican redistricting plan.

The dissent attracted little notice because it fell one vote short of the four votes needed to review a case. But it is disturbingly reminiscent of the court's ruling in Bush v. Gore, in which five justices who had long been extremely deferential to state power suddenly overruled the Florida Supreme Court's interpretation of Florida election law.

Cases like these quite naturally invite skepticism. As the court learned in 2000, it does grave harm to its reputation if it appears to be deciding election-law cases for partisan advantage. In cases of this sort, the court must make a special effort to show that it is acting on the basis of legal principle, the only basis for a court to act. By departing from his deeply held belief in state autonomy to side with the Republican Party in a redistricting case, Chief Justice Rehnquist has once again invited the public to question this court's motives.

TO COMMEMORATE JUNETEENTH

HON. NICK LAMPSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 2004

Mr. LAMPSON. Mr. Speaker, the annual celebration of African American Emancipation Day, also known as Juneteenth, had its origins in my congressional district. This Juneteenth celebration, a 130 year tradition beginning in Galveston, Texas in 1865, has grown into the nation's oldest and most widely celebrated commemoration of the end of slavery.

Today, Juneteenth celebrations are hosted in cities across America and beyond. It is a day, a week, and in some areas a month–long celebration marked with music, festivals, and family gatherings.

Mr. Speaker, the growing popularity of Juneteenth celebrations signifies a level of growth and dignity in America that has been long overdue. People of all races, religions and backgrounds come together in celebration of Juneteenth to acknowledge a dark period of

our nation's history that continues to influence our society, and to try and make a significant change for the better.

The festivities in my district include the annual Juneteenth Jubilee Parade and Picnic, as well as the Gospel Explosion in the Park and Gospel by the Sea. In addition to the annual events, the African American Heritage organization will present the exhibit "The Making of an Underground Railroad: From Slavery to Freedom." Let us all take a moment to recognize this important holiday, and to continue moving forward in the spirit of freedom and understanding.

RECOGNIZING REVEREND AL JACKSON

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 2004

Mr. ROGERS of Alabama. Mr. Speaker, the Reverend Al Jackson, pastor of Lakeview Baptist Church in Auburn, Alabama, celebrates his 25th year in service to the congregation this year. In May, the congregation held a special celebration to commemorate this milestone, and honor a man who has given so much back to our community.

Born on October 26, 1948 in Florala, Alabama, Samuel Alto Jackson, Jr., has lived a long and prolific life in the ministry. In 1971 he graduated from Samford University and went on to earn his Masters of Divinity at Southwestern Baptist Theological Seminary and his Doctorate of Divinity from the Fuller Theological Seminary in 1985.

Reverend Jackson has served many congregations during his lengthy career, including First Baptist Church in Florala; First Baptist Church in Selma; Carolina Baptist Church in Andalusia; Bethel Heights Baptist Church in Gatesville, Texas; and since 1979, Lakeview Baptist Church in Auburn as its Pastor.

Reverend Jackson has also helped train ministerial students, and has served on the board of Samford University. In addition, he has traveled around the world on mission trips, and is widely recognized in the Southern Baptist Convention for his teachings and his accomplishments.

Mr. Speaker, it is an honor to recognize Reverend Al Jackson on this important occasion, and I thank the House for its attention in honoring a man who has lived his life as a shining example for us all.

TRIBUTE TO THE NORTH JERSEY PHILHARMONIC GLEE CLUB

HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 2004

Mr. PAYNE. Mr. Speaker, I rise today to recognize a cultural treasure in my district, the North Jersey Philharmonic Glee Club, as they celebrate their long and distinguished history on Saturday, June 19, 2004, with their 65th Anniversary Concert, "The Sounds of Broadway."

The North Jersey Philharmonic Glee Club remains dedicated to the preservation of male choral singing in America. Its members are unpaid, drawn to participation through their love of choral music alone.

Formed in 1939, the North Jersey Philharmonic Glee Club is one of the oldest all male singing groups in the Mid-Atlantic States. The group performs a wide variety of music, but maintains a focus on African American and European Classical music for the majority of its repertoire.

The group's performances reach audiences throughout New Jersey in schools, colleges and universities, churches, nursing homes, hospitals, health centers, community centers, and countless other venues where people gather to enjoy the rich culture of our State.

During the Post-World War II era, the Glee Club regularly performed on WNJR radio, and in one of its more memorable performances of that period, the chorus shared the stage with the great Paul Robeson. During the 70s and 80s, the Glee Club's performances paying tribute to African American composers were regularly featured on Suburban Cable (now Comcast) and the New Jersey Network (NJN).

Most recently, the Glee Club has appeared in programs that included Harry Belafonte, Smokey Robinson, Ben Vereen, Savion Glover, and gospel legend Shirley Caesar. They have performed at the White House, Lincoln Center, the New Jersey Performing Arts Center (NJPAC), the Smithsonian Institution, the National Cathedral, Riverside Church, the Schomberg Center in New York City, and the Cathedral Basilica of the Sacred Heart in my home town of Newark.

Mr. Speaker, please join me in extending thanks to the North Jersey Philharmonic Glee Club for their contributions to the cultural life of our community, and I invite my colleagues to join me in sending our congratulations as they celebrate 65 years of musical excellence.

KASHMIR

HON. JOSEPH CROWLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 2004

Mr. CROWLEY. Mr. Speaker, I rise today to speak about India and to respond to recent remarks made on this Floor by Congressman Towns concerning the situation in Kashmir.

First, I would like to praise India, a vast country of over 1,000,000,000 people, for its recent successful exercise in democracy. The elections in India that concluded last month yet again demonstrated the strength and endurance of that country's democratic system and culture. India has been for 57 years the world's largest democracy, with a multiparty system in which all political views are freely expressed and respected. India's example of free and fair democratic elections, and respect for the rule of law, is truly an inspiration and model for the region and the world.

India and the United States share a special relationship as the world's two largest democracies. Our countries are natural allies, and we share the fundamental goal of building a peaceful and democratic world free from the scourge of terrorism. I am confident this relationship will continue to grow stronger because of the shared interests between our countries. Next, I would like to respond briefly to remarks made recently by Congressman Towns about Kashmir. I believe his remarks demand a response given his inaccurate and misleading portrayal of the situation.

In his recent remarks, the Congressman referred to a "successful" hearing held recently on Kashmir by the Subcommittee on Wellness and Human Rights of the Committee on Government Reform. On the contrary, that hearing included the testimony of a number of witnesses whose views on Kashmir were so lopsided that I, along with a handful of other Members not serving on the Subcommittee, felt it imperative to be present and lend some balance to the proceedings. It is unfortunate that this hearing was used as a vehicle for propaganda—one witness even described the hearing as an exercise in India-bashing. It is especially disappointing because it compromises and undermines efforts by India and Pakistan to resolve bilaterally all issues between them. I would like to add here that eligible citizens of India, including in Jammu & Kashmir, freely exercised their right to vote in India's recent elections. Despite terrorist attacks that resulted in the killings of and injuries to government ministers, candidates as well as voters, the people of Jammu & Kashmir came out and voted, much as they did in late 2002 while electing representatives to their own State Assembly. This is much more than can be said of some other countries, where the military continues to dominate the political process.

The situation in the state of Jammu and Kashmir is primarily one of cross-border terrorism, sponsored from across the Line of Control and the International Border in the state by Pakistan. Starting in the early 1980s in the state of Punjab and then since 1988 in the state of Jammu and Kashmir, Pakistan has consistently sought to use terrorism as an instrument of state policy in its dealings with India. The involvement of the Pakistani state in recruiting, training, indoctrinating, financing, arming and infiltrating terrorists into Indian territory is a matter of international and public record. In addition to this, the active Pakistani military, political and diplomatic support to the criminal Taliban regime in Afghanistan, which provided refuge to Osama bin Laden, is also well known.

Despite this record, the Government of India has sought reconciliation and repeatedly extended a hand of friendship to Pakistan. The previous Government in India had initiated this process and the new Government that has just taken office has reiterated its desire to build upon it. Indeed, the new Foreign Minister of India has just announced the rescheduled dates for talks on bilateral issues with Pakistan. These include talks on June 19 and 20 on Confidence Building Measures and on June 27 and 28 between the Foreign Secretaries of the two countries. India's approach is one of friendship and cooperation. The Government of Pakistan should respect the seriousness with which India is committed to engaging in this bilateral dialogue and play its part by living up to the commitments it has made to India and the international community, including the United States, most notably to create an atmosphere free from the menace of terrorism and violence in which the dialogue can be advanced.

India is the world's largest democracy and has stuck to its tenets for over half a century. It has institutions and processes in place that

afford strong constitutional protections for freedom of speech, expression, religion and assembly. There is no doubt that there have been instances of human rights violations, especially in areas affected by terrorist activity. Security forces in Jammu and Kashmir and some Indian states in the North-East of the country are primarily involved in combating the depredations of terrorists, who have been recorded as having been involved in grave violations of human rights. Wherever there have been allegations of violations by security forces, they have, on all occasions, been thoroughly investigated and, wherever deemed necessary, have resulted in the severest punishments possible. India has a free press and other media, an independent judiciary and vigilant non-governmental organizations, which are watchful of administrative and legislative actions and exercise the required oversight. In addition, it has a statutory National Human Rights Commission, which has proved vigilant at calling attention to the need to redress grievances, wherever they might occur, including where security forces are involved.

I would like to make one final point. Congressman Towns' remarks appear to be based on material supplied by an organization calling itself the "Council of Khalistan". This organization supports a separatist agenda for the Indian state of Punjab. This organization has no standing in India, not even in Punjab. Even overseas, it is considered a fringe organization and its calls for secession for the Sikhs of India finds no resonance. The recent elections have demonstrated, more than anything else, that minorities in India have faith in the country's pluralistic, democratic system. Indeed, this organization has a questionable reputation on the Hill as well. In early 2002, a representative of this organization misled staffers in some offices to obtain signatures on a letter to the President.

A TRIBUTE TO WILLIAM "BO" MATTHEWS

HON. ROBERT E. (BUD) CRAMER, JR.

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 2004

Mr. CRAMER. Mr. Speaker, I rise today to recognize Huntsville, Alabama native, William "Bo" Matthews, for his work helping children in our area build a stronger academic foundation.

Bo was an All-State football player at Butler High School. He went on to earn a football scholarship to play for the University of Colorado, and in 1974, after a successful collegiate career, the San Diego Chargers selected Bo as the overall number two pick in the NFL draft. In 1985, after playing with the Chargers, New York Giants, Miami Dolphins, and the Denver Gold of the USFL, Bo retired from professional football and currently resides in Denver, Colorado.

In October of 2001, Bo formed the Bo Matthews Center for Excellence. The Center, which is located in Huntsville, is dedicated to providing academic instruction and support for students from kindergarten through the twelfth grade. Their unique approach brings together some of the best practices in effective teaching and student learning.

Mr. Speaker, the Bo Matthews Center is making a difference in the lives of numerous school children, helping them discover the necessary confidence to be successful in the classroom. In addition, the center is encouraging its students to become lifelong learners and active participants in the community.

On Saturday, June 19th, Bo Matthews will return to North Alabama and will be recognized at the inaugural Community Service Awards Banquet hosted by Conley Chapel Christian Methodist Episcopal Church. Mr. Speaker, I rise today, to welcome Bo back to Huntsville and to thank him for his dedication to our area's children.

TRIBUTE TO SIMON AVARA

HON. BENJAMIN L. CARDIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 2004

Mr. CARDIN. Mr. Speaker, I rise in tribute to a remarkable man from my district. Simon Avara has dedicated many years of his life to the betterment of the Baltimore community. He is an accomplished businessman and friend, as well as my own long-time barber.

In cities and towns across America, barber shops have come to be recognized as familiar gathering places that help create a sense of community. Following in his father's footsteps as a master barber, at the age of 16, Mr. Avara obtained his master license and opened his own shop.

While still a young man, he put his life's dream on hold to serve our Nation during the Korean War. When he returned to Baltimore, he began opening doors for others seeking to pursue a tonsorial profession. He has founded two schools, training a whole new generation of Baltimore barbers.

Today, I am placing in the CONGRESSIONAL RECORD an April 2004 article from RazorsEdge Magazine tracing Mr. Avara's career. I am pleased to have this opportunity to pay tribute to Simon Avara, a true pillar of our community.

SIMON AVARA: A CUT ABOVE

(By Rebecca Mein)

"I see a man in a $600 or $700 suit dressed real well and he has a bad haircut," says Simon Avara. He pauses and then packs a punch. "It spoils everything!"

After all, that "everything" only costs a man about a six bucks if he visits one of Avara's two Baltimore barber schools for a cut.

This 70-year-old master barber has spent nearly a lifetime communicating that message to clients and customers alike.

He runs the International Academy of Hair Design on Pratt Street in downtown Baltimore and Avara's Academy of Hair Design in Dundalk.

You could say Avara was born into the business. In fact, as a young boy, he never even had to leave his own house to get a sense of what his father did for a living.

Back in the 1930's, he remembers seeing his father's clients show up at he family's front door for a last minute cut.

"The judges would knock on our door on Sunday mornings," he says. They wanted a fresh haircut before heading back to the courtroom on Monday.

Avara's father had his own idea of a barber uniform—a suit, a dress shirt, and a tie.

But back then, Avara had no idea that he would one day follow in his father's footsteps.

Sadly, his father would never live to see his son pick up a pair of shears. The older Avara died tragically in a car accident.

Avara was just 14 years old at the time. Little did he know, that summer, people would start coming to him for a haircut.

It all started when a friend of a friend asked for a trim. Within one year, he went from having no experience and no interest to starting a barber school and landing his first apprenticeship.

Only, his first apprenticeship was not quite the same learning experience that he offers his students today. "In those days, you ran errands," he explains. "They'd let you shave behind the ears. I was persistent. I hung in there."

That persistence paid off after a West Baltimore barber gave him his first break. This is where Avara's story takes an extraordinary turn.

"By the time I was 16, I passed the board and got my master license. I was probably one of the youngest barbers in the state."

At just 16 years old, with one year of high school under his belt and some used equipment in his possession, Avara opened his own shop in a former funeral parlor.

He charged 60 cents for a man's cut and 40 cents for a child. "I was very young when this happened," Avara says. "In everything I've done, I've been blessed."

But then, came another twist of events. During the Korean Conflict, Avara was drafted and had to leave his shop for the service. While in Korea, Avara says he had time to think about what he wanted to do when he returned to Baltimore.

He saw his options as either opening a first class salon or opening a school. "I had trained some people before I went. I felt that then, and I still feel, that if you train them right, a part of you will always live."

When Avara returned to civilian life, he wound up making a third choice. He attended cosmetology school in order to improve his skills when it came to cutting women's hair.

Then, he decided it was time to open his own school. Soon after, came another achievement. He became a member of the Maryland State Board of Barber Examiners at age 26.

While in his early 30's he was elected to be president of the National Barber Examiners.

He also served as secretary treasurer of all union-affiliated barber schools in America. He is currently president and founder of the Maryland Hair Designer's Association.

Avara sees his profession as a way to open doors for people from all walks of life. He believes that with some basic reading and writing skills and people skills, anyone can have a solid future in his field.

"You gotta like people," he says. "If you don't like people, don't even enroll in my school."

Students in his school quickly gain hands-on learning experience. He says by the end of the first week, every student has gotten over the fear of cutting that first head of hair.

As for his students' future job security, Avara has no worries, even as technology continues to take over and take away jobs in other industries.

"We never have to worry that there's a machine that could take our place. You're never going to put your head in a machine and dial the cut."

Today, three of Avara's four adult children are trained in the trade. His youngest son runs his Dundalk School.

Avara makes it a point to tell his students that the leading hair stylists out there are all former barbers. "We really teach them how to cut hair, layer hair, and to do it freehand. If you want to see a good man's haircut, look at Cary Grant," says Avara.

Retirement is nowhere in this barber's immediate plans. He plans to continue to pass on his profession to aspiring barbers. Perhaps that is because Avara's job is not just his profession; it is his life's passion.

It's what he does for recreation and relaxation. ''I love it,'' he says. ''I have no hobbies. I have a set of golf clubs in the garage. I'm not saying that I'll work every day like I do now, but I can't sit around and visualize working the boob tube. To be healthy, you have to be active and think young.''

For Avara, that translates to continuing to hold a pair of shears in hand. He estimates so far, he's cut a hundred thousand heads of hair or more, and he's not planning to stop anytime soon.

THE VICTORY JUNCTION GANG CAMP

HON. RICHARD BURR

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 2004

Mr. BURR. Mr. Speaker and colleagues, today I would like to bring to your attention the opening of a wonderful new children's camp in Level Cross, NC.

After years of planning, Kyle Petty, CEO of Petty Enterprises, and his wife Pattie have opened The Victory Junction Gang Camp. This camp is the seventh of the Hole in the Wall Gang Camps network founded by actor Paul Newman. The camp was created to serve as a retreat for critically ill children who deserve the chance to enjoy themselves in a medically safe environment, free of charge.

The Pettys, a family synonymous with generosity, decided to create the camp after the untimely death of their son, Adam, in a tragic race car accident in 2000. After visiting one of the Hole in the Wall Gang Camps in Florida and seeing the joy it brought to the campers, the Pettys felt the children of North Carolina and surrounding states needed such a place of their own. All their hard work—and the hard work of the NASCAR family—paid off this summer. The camp's grand opening was Tuesday, June 15.

Victory Junction is an independent, not-for-profit organization that relies upon the generosity of individuals and corporations. Over the past 2 years, NASCAR has graciously lent its support to Victory Junction through an extensive media campaign and the assistance of NASCAR drivers who have volunteered their time and energy. This summer, the camp will provide much-needed distractions to children afflicted with cancer, asthma, HIV, heart disease, and other diseases.

Much goes into establishing and maintaining a special needs camp. Those that have helped in the planning and building process, and those that are already freely giving their time as medical volunteers, deserve our respect and gratitude. There could be no better tribute to Adam Petty. I commend the Petty family for their dedication to children and public service.

I am so pleased that there is now a local place for some very special children to have an exciting camping experience and well-deserved vacation.

Today, I ask my colleagues and fellow North Carolinians to join me in extending congratulations and support to the Victory Junction Gang Camp. May it enrich the lives of many children in the years to come.

HONORING THE ACHIEVEMENTS OF THE LEADERSHIP TRAINING INSTITUTE OF AMERICA

HON. JOHN BOOZMAN

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Friday June 18, 2004

Mr. BOOZMAN. Mr. Speaker, I rise today to pay tribute to the Leadership Training Institute of America and their inspiring mission of faith for America's youth.

LTIA originated in my home district of northwest Arkansas and has successfully spread throughout the country and even to places as far away as Russia. Their purpose is to provide America's future leaders with a strong Christian foundation of faith in today's secular society.

The program challenges students to develop a Christian worldview and apply that perspective to global conflicts. The students may attend a weeklong seminar once a year—here in our Nation's Capitol—where they meet with their congressional representatives as well as renowned Christian leaders. At the same, the students are encouraged to pursue careers in influential sectors of society.

I believe this training is vital in preparing our future leaders to take their place in society. All too often, our youth are placed in negative, even hostile, environments where they never develop a moral compass or kind spirit. LTIA trains young people to live the Christian faith in an age when such action is not encouraged, and the program gives young people the confidence they need to face a materialistic society.

As the former President Franklin Delano Roosevelt said, ''We cannot always build the future for our youth, but we can build our youth for the future.'' I believe the students involved in the Leadership Training Institute of America are part of our brave future and I applaud their efforts to make America an even greater nation than she is today.

IN RECOGNITION OF THE 20TH ANNIVERSARY OF THE NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN

HON. E. CLAY SHAW, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 2004

Mr. SHAW. Mr. Speaker, I rise today to recognize the 20th anniversary of the National Center for Missing and Exploited Children (NCMEC), which was established by the passage of the Missing Children's Assistance Act of 1984. I am proud to have been an original cosponsor of this legislation. It was my honor to act on behalf of my constituents, John and Revé Walsh, who became effective advocates on behalf of missing children's issues after the abduction and murder of their son, Adam, in 1981. John and Revé's hard work and determination helped to create NCMEC, which now serves as the national clearinghouse for information on missing children and the prevention of child victimization.

It was under the strong and distinguished leadership of the late President Ronald Reagan that the NCMEC was established. On June 13, 1984, President Reagan officially opened the NCMEC in a ceremony at the White House. The President challenged the NCMEC to wake up America and attack the crisis of child abduction. At the time, there was little coordination between the 50 states and the 18,000 law-enforcement agencies. President Reagan encouraged the development of the NCMEC as an institution that could combine the benefits of both the public and private sectors to achieve its goals.

The NCMEC has significantly improved and advanced the coordination of investigation efforts to recover abducted children on the national level in a manner that could not have been accomplished in its absence. The clear effectiveness of this program is evidenced by the remarkable recovery rate of children under this program. In 2004, the NCMEC reported that more than 94 percent of the children reported missing in that year were recovered. Furthermore, the highly publicized AMBER alert program serves as a national tool to create public awareness of abductions and possible threats. Such determined efforts serve an invaluable service to our country in staving off some of the most serious and concerning threats to our Nation's children.

Mr. Speaker, it is my sincere belief that the National Center for Missing and Exploited Children cultivates a culture in this country that appreciates the safety of its children and establishes direct means at recovering children who fall victim to the threats of the people who disregard the laws of basic humanity. It was my honor in supporting the creation of this institution, just as it's my honor to continue to support this program that has had such a positive affect on our Nation. As a member of the Congressional Missing and Exploited Children's Caucus, I will continue working to provide and sustain high levels of support for our law-enforcement agencies in their quest to safely retrieve victims of child abduction.

TRIBUTE TO CAPTAIN NOREEN CONSIDINE

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 2004

Mr. CALVERT. Mr. Speaker, I rise today to honor and pay tribute to an individual whose dedication and contributions to the community of Riverside, CA, and the U.S. Navy Reserve are exceptional. On June 21, Captain Noreen Considine will retire from the Naval Reserves after 27 years of active and reserve military service. We are fortunate to have dynamic and dedicated military and community leaders who willingly and unselfishly give their time and talent to make their communities and nation a better place to live and work. Captain Considine is one of these individuals.

Over the past 27 years Captain Considine has contributed to the Navy, Marine Corps, and Department of Defense in the areas of medical surveillance, hazardous materials management, preventative medicine, and occupational safety and health matters. She has also trained Navy Hospital Corpsmen in managing hazardous materials and workplace hazards.

Since 1997, Captain Considine has served with the Chief of Naval Operations' Occupational Safety and Health Branch, working with

full-time safety experts on pinpointing the causes of mishaps and targeting remedial actions that maximize force protection. She led the establishment of the Navy's 1,001 Safety Success Stories Project, which now serves as a web based showcase of the U.S. Navy's safety accomplishments. Additionally, Captain Considine developed a multimedia presentation of the Navy's occupational safety and health program for safety professionals and Navy Public Affairs. In fact, in March 2003, she was selected to speak on a panel before the Royal Australian Navy regarding military safety. Over the years, Captain Considine has been called up to active duty over a dozen times when her country needed her, including during Desert Storm.

Captain Considine's awards include two U.S. Navy Commendations and the Alaska Humanitarian Services Medal, earned in 1995 as an Officer in charge of a medical detachment to the Northwest Arctic.

Outside of her military accomplishments, Captain Considine is actively involved as an adult literacy program volunteer, a pro-bono technical book reviewer for the American Association for the Advancement of Science, a community advocate for school board accountability and public safety, and much more. As a recent example of her care and service to others, she purchased and shipped several hundred pounds of supplies and personal care items to our military members serving in the War on Terrorism out of her own pocketbook.

Mr. Speaker, Captain Noreen Considine is a woman dedicated to her community and country. Her tireless dedication to the U.S. Navy Reserve and Riverside, CA, has contributed immensely to the betterment of those with whom she comes into contact. For all that Captain Considine has done and given over the years, I am privileged to recognize her accomplishments as she retires from a profession that she gave her heart and soul too, the U.S. Navy Reserve.

PERSONAL EXPLANATION

HON. GEORGE R. NETHERCUTT, JR.

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Friday June 18, 2004

Mr. NETHERCUTT. Mr. Speaker, on Thursday June 17, I was unavoidably detained due to a prior obligation. Had I been present, I would have voted "yea" on rollcall vote No. 260, approving the Journal; "no" on rollcall vote No. 261, agreeing to the Hinchey amendment to H.R. 4568; "no" on rollcall vote No. 262, agreeing to the Sanders amendment to H.R. 4568; "no" on rollcall vote No. 263, agreeing to the Holt amendment to H.R. 4568; "yea" on rollcall vote No. 264, on passage of H.R. 4568, making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2005; "no" on rollcall vote No. 265, on agreeing to the DeFazio amendment to H.R. 4567; and "no" on rollcall vote No. 266, on agreeing to the Sweeney amendment to H.R. 4567.

HONORING MR. VANCE VAN TASSELL

HON. JOHN T. DOOLITTLE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 2004

Mr. DOOLITTLE. Mr. Speaker, today I wish to honor an outstanding citizen and a great friend, Mr. Vance Van Tassell, of Granite Bay, California.

Vance was born and raised in Illinois to the son of an auctioneer and pig farmer. Following in his father's footsteps, he also became an auctioneer at a young age. In fact, throughout his college career he worked as an insurance sales auctioneer and wildcat oil man. He completed his undergraduate studies at the University of Illinois where he also earned a juris doctorate degree.

In the early 1960s, Vance moved to Sacramento to take the California Bar Examination. Since founding the firm of Van Tassell, Fornasero & Wagstaffe in 1963, he has practiced law for over 40 years while maintaining a thriving auction practice as well. As a testament to both the quality of the man and his business, Vance's legal staff averages 18 years of service. One staff member has even been with the firm for 35 years. This loyalty and longevity is easy to understand as Vance has always been generous to a fault with his clients, colleagues, political causes, and many charitable organizations.

Mr. Speaker, more important than his professional success is the fact that Vance is the proud father of five children: Denise, Jeff, Valerie, Victoria and Courtney.

As a devoted Christian, Vance has worshipped at the Capital Christian Center for years, being of service as a volunteer and reaching out to many with the word of the Lord. Recently, the church named him Volunteer of the Year. However, due to his great humility, he was very reluctant to accept any type of acknowledgment for his many efforts.

Vance owns his dream ranch in Point Arena, along California's North Coast, where he has a small herd of longhorn cows with a bull named after his idol, Patton. He loves nothing more than entertaining people there or at his Granite Bay home. All who know him find him to be humble, caring, and giving—in short, remarkable.

Mr. Speaker, it is because of good, decent, hard-working citizens like Vance Van Tassell, that America remains a good, decent, hard-working country. Therefore, it is appropriate now to express thanks and appreciation to my good friend, Vance, for his lifetime of bettering the world around him. May our land always be blessed with more men like him.

AMERICAN JOBS CREATION ACT OF 2004

HON. JEB HENSARLING

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 2004

Mr. HENSARLING. Mr. Speaker, one of my top priorities in Congress is to help ease the overwhelming tax burden on families and small businesses.

I am also a firm believer in fighting for less government and more freedom, and one of the underlying tenets of this philosophy is promoting free trade. Free trade policies provide consumers—not government—the opportunity to make their own decisions about how to spend their money.

Americans benefit from free trade and open markets every day. Free trade undeniably delivers a greater choice of goods and services at lower prices to Americans. Free trade also boosts local economies and jobs for our trading partners, which in turn, creates jobs, improves wages and the standard of living for American workers and their families here at home.

When trade grows, income flows. Reducing and eliminating barriers to trade both at home and abroad is vital to a robust U.S. economy. Nearly one in ten jobs in the United States is directly related to the export of American goods and services. I believe it is vitally important to the future of our Nation that we continue to expand trade in an effort to promote economic growth, peace and prosperity at home and abroad.

Because of my commitment to promoting unfettered trade and untying the hands of American workers and businesses I voted for the American Jobs Creation Act. This legislation will end the damaging tariffs that the European Union has imposed on a host of American goods that have hampered free trade and hurt American businesses since they were imposed in March of this year. In addition, it will decrease the tax rate for small businesses, farmers, and manufacturers and increase America's competitiveness with our global trade partners.

The United States has the second higher corporate tax burden in the world. The American Jobs Creation Act is a step in the right direction to making American companies more competitive in the world marketplace.

The American Jobs Creation Act will also help Texans and taxpayers in eight other states achieve equity under our tax code by allowing them to deduct state sales taxes from their federal income tax returns. The current system is clearly unjust, as it allows a federal tax deduction for state and local income and property taxes. Millions of people from those states that rely on sales taxes are clearly disadvantaged and overlooked by the current system and this jobs bill removes this inequity. It is estimated that the lack of this deduction robs Texans of over $700 million and 16,000 jobs. However, the House passed version only provides this relief for two years. I strongly support a permanent state sales tax deduction, and am hopeful that Congress will make this provision permanent in the future.

Of course, I would ultimately prefer a simpler, more equitable tax-code that treats taxpayers fairly and stops trying to pick winners and losers. All Americans would be better of if Congress repealed both deductions for state and local income tax and the new state sales tax deduction, and put in their place new lower tax rates for both individuals and corporations—and made them permanent. Many of my colleagues keep forgetting that it is not our money; it's the people's money. I am committed to letting Americans keep more of what they earn, without the government stepping in and creating carve-outs, loop-holes and special interest niches.

While this legislation accomplishes several very important goals such as the elimination of tariffs and providing for state sales tax deductibility, it was not all that I had hoped for. I

have serious concerns about several of its provisions, particularly the inclusion of a tobacco bailout. This bill ended a decades old government quota and price support system for tobacco—and that alone is a very good thing. The federal government should not purposefully manipulate markets to try to fix prices. However, I find it highly objectionable that the American taxpayer is asked to foot the bill for buying out tobacco quota owners and tobacco growers. As a former board member of the American Cancer Society in Dallas, I am well aware of the harmful and often fatal affects of tobacco use. While the government has absolutely no business setting up quotas for any product and affecting the market price, I find it abhorrent that Congress would force taxpayers to cough up billions in order to subsidize tobacco. This quota system can and should be ended without the use of taxpayer money.

Unfortunately, rather than decreasing corporate tax rates across the board, this bill also included numerous corporate pork provisions through special tax shelters. Special breaks and exclusions for certain industries, companies and products should not be a policy of the U.S. Congress. This bill includes special treatment for the cruise ship industry, former car dealers, makers of bows and arrows, and others industries. I have nothing against any of these industries, but Congress should not be promoting one product, company or industry over another. All American companies, taxpayers and consumers deserve lower taxes, not a chosen few.

TRIBUTE TO TRI-COUNTY CO-OP WORKERS

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 2004

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to a group of South Carolina workers who are dedicated to serving all of their customers, even in times of crisis. The 67 employees of Tri-County Electric Cooperative serve 17,000 customers in six counties in rural South Carolina, most of which are in the Sixth Congressional District which I am proud to serve in this body. These committed workers were the true heroes of a crushing ice storm that devastated a number of rural areas in January of this year.

The worst ice storm to hit South Carolina in three decades swept through the Midlands area January 26–30, causing enough destruction for the President to declare 17 counties a major disaster area. At the heart of this devastation were an estimated 15,000 Tri-County Co-op customers, who lost power in the midst of freezing temperatures and impassible roads. Within a few days the co-op, under the leadership of Robert G. Wannamaker, had mobilized a massive team effort to repair 250 broken poles and 200 cross arms restoring power to all but ten houses in their service area. They diligently worked in those remote areas to have full service restored to all their customers within a week.

This achievement of the Tri-County Co-op employees is indicative of their willingness to go beyond the call of duty to provide and maintain a better quality of life for rural communities in South Carolina.

Mr. Speaker, I invite you and my colleagues to join me in thanking the brave and dedicated employees of Tri-County Co-op who jeopardized their own safety to insure their customers made it safely through the terrors of this year's winter storm. Their perseverance and dedication are greatly appreciated.

BOUNTIFUL BIRTHDAY BOX AT BEVERLY FARMS ELEMENTARY SCHOOL

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday June 18, 2004

Mr. VAN HOLLEN. Mr. Speaker, I take this opportunity to recognize my constituents at Beverly Farms Elementary School in Potomac, Maryland.

For two years, teachers and students at Beverly Farms have been participating in the Birthday Box Program which allows children to donate duplicate toys and gifts to homeless shelters and other community schools and organizations in Montgomery County. I am proud to note that another school in my congressional district, DuFief Elementary School in Gaithersburg, initiated the concept of the Birthday Box.

Students, parents, and teachers at Beverly Farms also participate in numerous service projects which include walks for the homeless and volunteering at the Stepping Stones Shelter.

Mr. Speaker, Beverly Farms Elementary School is putting smiles on children's faces and lifting spirits throughout our community. It is my honor to submit for the CONGRESSIONAL RECORD an article published in The Gazette by Amy Reardon on the inspirational work done by the students at Beverly Farms and the great goodwill they are achieving.

GIFT BOX ENSURES THAT MORE CHILDREN HAVE A HAPPY BIRTHDAY

(By Amy Reardon)

Ten-year-old Christine Antonsen has so many toys she hasn't had the chance to play with all of them.

Last year when her mother asked her to clean her room, Antonsen found birthday and holiday gifts, still wrapped in plastic, crammed in her closet and under her bed. She had never opened the stained glass art kit, flower printing kit or sand art kit stashed beneath her clothes and toys, so she decided to donate them to Beverly Farms Elementary School's Bountiful Birthday Box.

Antonsen is one of more than 50 students who have contributed to the birthday box program, which has students deliver duplicate gifts for donation to county shelters, community organizations and Beverly Farms' sister school Maryvale Elementary School in Rockville.

Antonsen's mother, Tracy Toppings, the PTA's community service committee chair, was inspired to start the program by the number of toys her daughter had but did not use. It is a concept the school borrowed from DuFief Elementary School in Gaithersburg.

For the past two years, students at Beverly Farms have chosen to donate duplicate birthday, holiday and bar/bat mitzvah gifts to the school's Bountiful Birthday Box instead of returning the items for more loot.

''If you get a present that you already have on your birthday, Christmas, Hanukkah or any of those holidays, you can return it,'' said 7–year-old Nicholas Muscarella. ''But if you put it in the birthday box, it goes to families that don't have enough money to buy presents.''

Each month students are reminded to bring in duplicate gifts instead of returning them. Big presents, such as board games and dolls, go to Stepping Stones Shelter in Rockville and the National Center for Children and Families in Bethesda. Small donations, such as decks of cards, go to Beverly Farm's sister-school Maryvale for its school store.

''If kids don't get any birthday presents they won't feel very happy, so we're donating to them,'' said 7–year-old Rachel Rabinovitz.

The birthday box allows Stepping Stones Shelter—a 90–day homeless shelter for families in need—to throw birthday parties for children living there, said Tina McKendree, executive director.

''The children in the shelter often don't get new things,'' McKendree said. ''If they can open something that is brand new, it makes it that much more special.

''They also know there are other children out there, who care about them. It helps keep their spirits up during a difficult time.''

Toppings said the box is only a small part of the school's community service program. Beverly Farms PTA formed its community service committee three years ago after the Sept. 11, 2001, terrorist attacks and directs most of its service projects to Stepping Stones Shelter and Maryvale Elementary.

The committee's biggest annual event is the Fannie Mae Foundation's Help the Homeless walk, which raises money for Stepping Stones Shelter.

Tying itself to two organizations has made the program easy to maintain and allows the group to address needs as they arise, according to Toppings.

The partnership with Stepping Stones Shelter began when the school first hosted a homeless walk in 2000.

Over the years, the school's service to the shelter has spawned independent volunteerism from the Beverly Farms community. Students have donated their allowances while families and scouting troops have gone to the shelter to volunteer: cooking dinner, reading to children or throwing holiday parties, McKendree said.

''Through the partnership the kids learn more about the homeless and how they can get involved,'' McKendree said.

The sister-school concept, which links schools through resources and activities, is not unique to Maryvale and Beverly Farms. Compared to the 3 percent of students who receive free and reduced-price meals at Beverly Farms, 40 percent of students at Maryvale participate in the program.

''The idea behind the program is to be aware of differences in the community both ethnically and economically,'' Toppings said.

Laura Marantz, school guidance counselor at Beverly Farms who collects donations to the birthday box, said the emphasis on community service and donations teaches the children empathy and generosity at a young age.

''[The birthday box program] helps them have perspective and realize how fortunate they are,'' Marantz said.

SHAN THÉVER

HON. LINDA T. SÁNCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 2004

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, a person greatly deserving of recognition from my community is Shane K.

Théver, an inspiring leader in the South Asian Community and a real advocate for political change among the Asian population. He is not one to stand idly by and let others be the ones to speak out. He has and continues to be a pioneer in his proactive involvement for the improvement of the practice of law, minority business development, and the furtherance of social causes He was recently recognized by the California State Assembly for his outstanding achievements in community leadership, and the lasting impression he has made on those with whom he has been associated.

Among his achievements, he has an outstanding academic record from UCLA, and his first contribution to his community upon receiving his law degree was in providing Legal Aid Services to those most in need throughout the Los Angeles area. He has since established a distinguished private practice in health care and employment law.

In recognition of his strong leadership, President Bill Clinton nominated Shan to serve as the Assistant Director of the Minority Business Development Agency under Secretary of Commerce, Ron Brown.

In addition to his Federal service, Mr. Théver has been an activist at the State level as well, serving on California's medical board and adjudicating disciplinary cases against physicians, as well as chairing the legislative advisory committee for workers' compensation in 1986.

At the local level, Shan Théver served as the Mayor's appointee to the Los Angeles Airport Advisory Committee, which was charged with advising the Airport Commission and the Los Angeles City Council. He was Treasurer of the Municipal Improvement Corporation for Los Angeles, which was responsible for floating the City of Los Angeles bonds and, in 1989, he served on California Attorney General John Van de Kamp's Asian Advisory Council to recommend hate crime legislation.

Among his many other achievements, Shan Théver has served as a member of the UCLA Law Alumni Board of Directors, Steering Committee of the California Minority Counsel Program, Ethnic Advisory Group of the South Coast Air Quality Management District, California State Bar Board of Governors, and Minority Relations Committee, appointed by the State Bar Board of Governors, as well as the Asian Pacific American Bar Association of Los Angeles.

With great respect I commend Shan Théver for showing extraordinary leadership and inspiring others in the South Asian community to become proactive in their neighborhoods, churches, local organizations, the legal field and in government. He encourages everyone to get involved and make a difference. For his outstanding work, I would also like to congratulate Mr. Théver on his selection by the South Asian Bar Association of Southern California as the recipient of the Trailblazer Award. His fine example will lead many others to follow and become an instrumental force for change for the South Asian community.

AMERICAN JOBS CREATION ACT OF 2004

HON. CAROLYN C. KILPATRICK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 2004

Ms. KILPATRICK. Mr. Speaker, on June 17, 2003, I was in my congressional district on official business and unable to vote on H.R. 4520. Had I been here I would have cast a ''yes'' vote on the motion to recommit, and a ''no'' vote on final passage. My opposition to H.R. 4520 was based on a number of factors.

First, the majority opted to employ a closed-rule which precluded consideration of the Rangel alternative that would have removed the provisions that provide incentives to move jobs overseas. The Rangel alternative included all the extenders that Representative THOMAS added to his bill, such as small business expensing, R&D tax credit, and renewable energy—wind, solar—credits. The Rangel alternative would have provided the same temporary foreign income repatriation provision contained in the Senate Grassley/Baucus bill. The Rangel alternative provided a permanent solution on deductibility of State and local sales taxes, as opposed to the 2-year, limited provision under the Thomas bill. The Rangel alternative did not add to the deficit, and it dropped controversial revenue raisers from H.R. 4520—such as outsourcing tax collections to private debt collectors—and strengthened tax shelter provisions and rules that crack down on corporate expatriates.

In essence Chairman THOMAS cobbled together a variety of corporate tax breaks, extenders, and other sweeteners that have nothing to do with reforming international tax law. Fundamentally, H.R. 4520 pushed tax breaks for overseas investment and jobs abroad. During a time of historic job loss in America, H.R. 4520 retained as its core, $35 billion in incentives to U.S. firms to invest overseas. In my district, there is a need for domestic jobs, not out-sourced jobs. My constituents want American jobs and companies to remain here. Finally, H.R. 4520 will add to the deficit. At a time of historic deficits and without a realistic budget plan, instead of simply solving a $4 billion problem, H.R. 4520 includes nearly $150 billion in gross tax cuts with a net cost of $34 billion over the 10 years.

Mr. Speaker, H.R. 4520 will generate tremendous economic misery on Americans who can least afford it, and will benefit corporations that have shipped desperately needed jobs in America overseas. Had I been here, my ''no'' vote would have symbolized my conviction that perpetual tax cuts and deficit spending have to stop.

Daily Digest

Highlights

The House passed H.R. 4567, Department of Homeland Security Appropriations Act for Fiscal Year 2005.

Senate

Chamber Action

Routine Proceedings, pages S7029–S7059

Measures Introduced: Three bills and two resolutions were introduced, as follows: S. 2547–S. 2549, and S. Res. 383–384. **Page S7054**

Measures Reported: Report to accompany S.J. Res. 39, approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003. (S. Rept. No. 108–281)

S. Res. 322, designating August 16, 2004, as "National Airborne Day".

S. Res. 357, designating the week of August 8 through August 14, 2004, as "National Health Center Week".

S. Res. 370, designating September 7, 2004, as "National Attention Deficit Disorder Awareness Day". **Page S7054**

Measures Passed:

Marine Turtle Conservation Act: Senate passed H.R. 3378, to assist in the conservation of marine turtles and the nesting habitats of marine turtles in foreign countries, clearing the measure for the President. **Page S7058**

National Fund for Excellence in American Indian Education: Senate passed H.R. 3504, to amend the Indian Self-Determination and Education Assistance Act to redesignate the American Indian Education Foundation as the National Fund for Excellence in American Indian Education, clearing the measure for the President. **Page S7058**

Celebrating Fatherhood: Committee on the Judiciary was discharged from further consideration of S. Res. 379, protecting, promoting, and celebrating fatherhood, and the resolution was then agreed to. **Pages S7058–59**

Commending Tampa Bay Lightning Hockey Team: Senate agreed to S. Res. 383, commending the National Hockey League Tampa Bay Lightning for winning the 2004 Stanley Cup Championship. **Page S7059**

National Defense Authorization Act: Senate continued consideration of S. 2400, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, taking action on the following amendments proposed thereto: **Pages S7030–43**

Adopted:

Durbin Amendment No. 3196, to ensure that a Federal employee who takes leave without pay in order to perform service as a member of the uniformed services or member of the National Guard shall continue to receive pay in an amount which, when taken together with the pay and allowances such individual is receiving for such service, will be no less than the basic pay such individual would then be receiving if no interruption in employment had occurred. **Pages S7030–33, S7041**

Reid Modified Amendment No. 3297, to repeal the phase-in of concurrent payment of retired pay and veterans' disability compensation for veterans with a service-connected disability rated as 100 percent. **Pages S7040–42**

Pending:

Bond Modified Amendment No. 3384, to include certain former nuclear weapons program workers in the Special Exposure Cohort under the Energy Employees Occupational Illness Compensation Program and to provide for the disposal of certain excess Department of Defense stocks for funds for that purpose. **Page S7030**

Brownback Amendment No. 3235, to increase the penalties for violations by television and radio broadcasters of the prohibitions against transmission of obscene, indecent, and profane language. **Page S7030**

Burns Amendment No. 3457 (to Amendment No. 3235), to provide for additional factors in indecency penalties issued by the Federal Communications Commission. **Page S7030**

Durbin Amendment No. 3225, to require certain dietary supplement manufacturers to report certain serious adverse events. **Pages S7033–34**

Lautenberg Amendment No. 3291, to require a protocol on media coverage of the return to the United States of the remains of members of the Armed Forces who are killed overseas. **Pages S7034–35**

Warner Amendment No. 3458 (to Amendment No. 3291), to propose a substitute expressing the sense of Congress on media coverage of the return to the United States of the remains of deceased members of the Armed Forces from overseas. **Pages S7035–37**

Reed Amendment No. 3353, to limit the obligation and expenditure of funds for the Ground-based Midcourse Defense program pending the submission of a report on operational test and evaluation. **Pages S7037–42**

A unanimous-consent agreement was reached providing for further consideration of the bill at 1 p.m., on Monday, June 21, 2004. **Page S7059**

Messages From the House: **Page S7054**

Additional Cosponsors: **Pages S7054–55**

Statements on Introduced Bills/Resolutions: **Pages S7055–57**

Additional Statements: **Pages S7053–54**

Amendments Submitted: **Pages S7057–58**

Notices of Hearings/Meetings: **Page S7058**

Privilege of the Floor: **Page S7058**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 2:26 p.m., until 1 p.m., on Monday, June 21, 2004. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S7059.)

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Measures Introduced: 11 public bills, H.R. 4612, 4615–4624; and 3 resolutions, H.J. Res. 98; H. Con. Res. 457, and H. Res. 682, were introduced. **Pages H4579–80**

Additional Cosponsors: **Pages H4580–81**

Reports Filed: Reports were filed today as follows:

H.R. 4613, making appropriations for the Department of Defense for the fiscal year ending September 30, 2005 (H. Rept. 108–553);

H.R. 4614, making appropriations for energy and water development for the fical year ending September 30, 2005 (H. Rept. 108–554); and

H.R. 3706, to adjust the boundary of the John Muir National Historic Site (H. Rept. 108–555). **Page H4579**

Department of Homeland Security Appropriations Act for Fiscal Year 2005—Rule: The House passed H.R. 4567, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2005, by a yea-and-nay vote of 400 yeas to 5 nays, Roll No. 275. The bill was also considered on Thursday, June 17. **Pages H4510–60**

Agreed to:

Sabo amendment that requires that funding for the Information Analysis and Infrastructure Analysis Directorate be made available for reviewing chemical plant vulnerability assessments and security plans required by the department; **Page H4514**

Ryun of Kansas amendment (no. 23, printed in the Congressional Record of June 16) that prohibits the use of funds to amend the oath of allegiance required by section 337 of the Immigration and Nationality Act; and **Page H4535**

Roybal-Allard amendment (no. 1, printed in the Congressional Record of June 15) that prohibits the use of funds to process or approve a competition by employees of the Bureau of Citizenship and Immigration Services of the Department of Homeland Security who are known as Immigration Information Officers, Contact Representatives, or Investigative Assistants (by a recorded vote of 242 ayes to 163 noes, Roll No. 269). **Pages H4531–35, H4554**

Rejected:

Jackson-Lee of Texas amendment (no. 19, printed in the Congressional Record of June 16) that sought to increase funding for the Citizens Corps program; **Pages H4510–12**

Jackson-Lee of Texas amendment that sought to increase funding for science and technology research,

development, test and evaluation, acquisition, and operations (by a recorded vote of 137 ayes to 269 noes, Roll No. 267); **Pages H4514–15, H4552–53**

DeLauro amendment that sought to prohibit the use of funds to issue an order under a task and delivery order contract to entities not in compliance with sec. 835 of PL 107–296 (by a recorded vote of 182 ayes to 221 noes, Roll No. 268); (agreed by unanimous consent to limit time of debate on the amendment, equally divided and controlled). **Pages H4523–31, H4553**

Tancredo amendment that sought to prohibit funds from being used in contravention of section 642(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (by a recorded vote of 148 ayes to 259 noes, Roll No. 270); (agreed by unanimous consent to limit the time for debate on the amendment) **Pages H4535–39, H4554–55**

Maloney amendment (no. 9, printed in the Congressional Record of June 15) that sought to limit the number of grants available under the Urban Area Security Initiative (by a recorded vote of 113 ayes to 292 noes, Roll No. 271); **Pages H4539–41, H4555**

Sabo amendment that sought to require the Privacy Officer of the Department of Homeland Security to conduct privacy impact assessments of proposed rules as authorized by the Homeland Security Act of 2002 (by a recorded vote of 199 ayes to 205 noes, Roll No. 272); **Pages H4551, H4556**

Markey amendment (no. 10, printed in the Congressional Record of June 15) that sought to prohibit the use of funds to approve, renew, or implement any aviation cargo security plan that permits the transporting of unscreened or uninspected cargo on passenger planes (by a recorded vote of 191 ayes to 211 noes, Roll No. 273); (agreed by unanimous consent to limit the time for debate on the amendment) and **Pages H4544–50, H4556–57**

Velazquez amendment that sought to prohibit the use of funds to enter into statewide contracts for security guard services (by a recorded vote of 201 ayes to 205 noes, Roll No. 274). **Pages H4551–52, H4557–58**

Withdrawn:

Loretta Sanchez of California amendment that was offered and subsequently withdrawn that would have directed the Office for State and Local Government Coordination and Preparedness to ensure that States disburse grant funds obligated to a local government by not later than 15 days after receipt of an invoice for an authorized outlay by the local government; **Pages H4512–13**

Millender-McDonald amendment that was offered and subsequently withdrawn, that would have increased funding for port security grants; and **Pages H4519–23**

King of Iowa amendment that was offered and subsequently withdrawn that would have reduced overall funding appropriated in the Act. **Page H4550**

Point of Order sustained against:

Section of the bill on page 31, lines 11–15 regarding pre-disaster grant award allocations; **Page H4513**

Section 524 of the bill, page 47, lines 6 through 13, regarding review and certification of Computer Assisted Passenger Prescreening System; **Page H4518**

Sections 512(b) and (c) regarding the Buy American Act; 514 regarding the sale of property by the Department of Homeland Security; and 525 regarding the use of funds for reviewing or altering reports directed to be submitted to the Committees on Appropriations; **Page H4518**

Section 526(b) regarding the prohibition on orders under task and delivery order contracts; **Page H4519**

Filner amendment that sought to amend the Immigration and Nationality Act; **Pages H4541–42**

Obey amendment that sought to provide funds necessary to support operations to improve the security of our homeland due to the global war on terrorism; **Pages H4542–44**

Turner amendment (no. 22, printed in the Congressional Record of June 16) that sought to provide funding for additional expenses that are related to procurement, installation or operation of radiation portal monitoring technology; and **Page H4544**

Sherman amendment (no. 13, printed in the Congressional Record of June 16) that sought to prohibit the use of funds for processing the importation of an article that is a product of Iran. **Pages H4550–51**

H. Res. 675, the rule providing for consideration of the bill was agreed to on Wednesday, June 16.

Canada-United States Interparliamentary Group: The Chair announced the Speaker's appointment of Representatives Houghton (Chairman), Dreier, Shaw, Stearns, Manzullo, Smith (MI), English, Souder, and Tancredo to the United States Delegation of the Canada-United States Interparliamentary Group. **Page H4562**

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, June 23. **Page H4562**

Meeting Hour: Agreed that when the House adjourn today, it adjourn to meet at 12:30 p.m. on Monday, June 21, for Morning Hour debate. **Page H4562**

Quorum Calls—Votes: One yea-and-nay vote and eight recorded votes developed during the proceedings of today and appear on pages H4552–53, H4553, H4554, H4554–55, H4555, H4556, H4556–57, H4557–58 and H4559–60. There were no quorum calls.

Adjournment: The House met at 9 a.m. and adjourned at 7:08 p.m.

Committee Meetings

No committee meetings were held.

CONGRESSIONAL PROGRAM AHEAD

Week of June 21 through June 26, 2004

Senate Chamber

On *Monday,* at 1 p.m., Senate will resume consideration of S. 2400, Department of Defense Authorization.

During the balance of the week, upon conclusion of S. 2400, DOD Authorization, Senate will begin consideration of S. 2062, Class Action Fairness Act. Also, Senate may consider any other cleared legislative and executive business.

Senate Committees

(Committee meetings are open unless otherwise indicated)

Committee on Agriculture, Nutrition, and Forestry: June 23, Subcommittee on Production and Price Competitiveness, to hold hearings to examine proposed legislation permitting the Administrator of the Environmental Protection Agency to register Canadian pesticides, 10 a.m., SD–628.

June 24, Subcommittee on Forestry, Conservation, and Rural Revitalization, to hold hearings to examine the implementation of the Healthy Forests Restoration Act (P.L. 108–148), 9:30 a.m., SD–562.

Committee on Appropriations: June 22, Subcommittee on District of Columbia, to hold hearings to examine the structural imbalance of the District of Columbia, 10 a.m., SD–138.

June 22, Subcommittee on Defense, business meeting to markup proposed legislation making appropriations for the Department of Defense for the fiscal year ending September 30, 2005, 10 a.m., SD–192.

June 22, Full Committee, business meeting to markup proposed legislation making appropriations for the Department of Defense for the fiscal year ending September 30, 2005, 3:30 p.m., SD–106.

Committee on Armed Services: June 23, to hold hearings to examine the transition to sovereignty in Iraq, focusing on U.S. policy, ongoing military operations, and status of U.S. Armed Forces, 9:30 a.m., SH–216.

June 24, Full Committee, to hold hearings to examine the nomination of General George W. Casey, Jr., USA, for reappointment to the grade of general and to be Commander, Multi-National Force-Iraq, 10 a.m., SR–222.

Committee on Banking, Housing, and Urban Affairs: June 22, to hold hearings to examine regulatory reform proposals, 10 a.m., SD–538.

Committee on Commerce, Science, and Transportation: June 22, to hold hearings to examine aviation security, 9:30 a.m., SR–253.

June 23, Subcommittee on Science, Technology, and Space, to hold hearings to examine successes in the field of stem cell research, 11 a.m., SR–253.

June 23, Subcommittee on Competition, Foreign Commerce, and Infrastructure, to hold hearings to examine peer-to-peer networks, 2:30 p.m., SR–253.

June 24, Subcommittee on Aviation, to hold hearings to examine security screening options for airports, 9:30 a.m., SR–253.

June 24, Subcommittee on Science, Technology, and Space, to hold hearings to examine H.R. 2608, to reauthorize the National Earthquake Hazards Reduction Program, 2:30 p.m., SR–253.

Committee on Energy and Natural Resources: June 22, Subcommittee on Energy, to hold hearings to examine the Department of Energy's High Performance Computing research and development activities in both the National Nuclear Security Administration and the Office of Science, and S. 2176, to require the Secretary of Energy to carry out a program of research and development to advance high-end computing through the Office of Science, 2:30 p.m., SD–366.

June 23, Subcommittee on Public Lands and Forests, to hold hearings to examine the grazing programs of the Bureau of Land Management and the Forest Service, including permit renewals, recent and proposed changes to grazing regulations, and the Wild Horse and Burro program, as it relates to grazing, and the Administration's proposal for sagegrouse habitat conservation, 2:30 p.m., SD–366.

June 24, Subcommittee on National Parks, to hold hearings to examine S. 2543, to establish a program and criteria for National Heritage Areas in the United States, 2:30 p.m., SD–366.

Committee on Finance: June 22, to hold hearings to examine tax-exempt organizations, focusing on governance and best practices of charities, charities accommodating tax shelters, and current problems and issues in the charitable community, 10 a.m., SDG–50.

Committee on Foreign Relations: June 21, to hold hearings to examine the nominations of Douglas L. McElhaney, of Florida, to be Ambassador to Bosnia and Herzegovina, and Aldona Wos, of North Carolina, to be Ambassador to the Republic of Estonia, 10:30 a.m., SD–419.

June 21, Full Committee, to hold hearings to examine the nominations of Charles Graves Untermeyer, of Texas, to be Ambassador to the State of Qatar, and William T. Monroe, of Virginia, to be Ambassador to the Kingdom of Bahrain, 3 p.m., SD–419.

June 22, Full Committee, business meeting to consider pending calendar matters, Time to be announced, S–116, Capitol.

June 22, Full Committee, to hold hearings to examine the safety and security of Peace Corps volunteers around the world, 9:30 a.m., SD–419.

June 23, Full Committee, to hold hearings to examine the nominations of June Carter Perry, of the District of Columbia, to be Ambassador to the Kingdom of Lesotho, Joyce A. Barr, of Washington, to be Ambassador to the Republic of Namibia, R. Barrie Walkley, of California, to

be Ambassador to the Gabonese Republic, and to serve concurrently and without additional compensation as Ambassador to the Democratic Republic of Sao Tome and Principe, James D. McGee, of Florida, to be Ambassador to the Republic of Madagascar, Cynthia G. Efird, of the District of Columbia, to be Ambassador to the Republic of Angola, Jackson McDonald, of Florida, to be Ambassador to the Republic of Guinea, and Christopher William Dell, of New Jersey, to be Ambassador to the Republic of Zimbabwe, 10 a.m., SD–419.

June 23, Full Committee, to hold closed hearings to examine Iraq as June 30, 2004 approaches, 3 p.m., S–407, Capitol.

June 24, Subcommittee on Western Hemisphere, Peace Corps and Narcotics Affairs, to hold hearings to examine the state of democracy in Venezuela, 2:30 p.m., SD–419.

Committee on Governmental Affairs: June 23, to hold hearings to examine the nomination of David M. Stone, of Virginia, to be an Assistant Secretary of Homeland Security, 11:30 a.m., SD–342.

June 23, Financial Management, the Budget, and International Security, to hold hearings to examine weapons of mass destruction smuggling networks and U.S. programs and initiatives, such as the Proliferation Security Initiative, to counter these proliferation threats, 2:30 p.m., SD–342.

Committee on Health, Education, Labor, and Pensions: June 24, to hold hearings to examine the reauthorization of the Carl D. Perkins Vocational and Technical Education Act, 10 a.m., SD–430.

Committee on Indian Affairs: June 23, business meeting to consider pending calendar business; to be followed by an oversight hearing to examine Indian tribal detention facilities, 10 a.m., SR–485.

Committee on the Judiciary: June 22, to hold hearings to examine preserving traditional marriage, focusing on states' perspective, 10 a.m., SD–226.

June 22, Subcommittee on Terrorism, Technology and Homeland Security, to hold hearings to examine the use of subpoena authority and pretrial detention of terrorists in fighting terrorism, 2:30 p.m., SD–226.

June 23, Full Committee, to hold hearings to examine pending judicial nominations, 10 a.m., SD–226.

June 23, Full Committee, to hold hearings to examine the law of biologic medicine, 2:30 p.m., SD–226.

Committee on Veterans' Affairs: June 22, to hold hearings to examine pending Veterans' programs bills, 2:45 p.m., SR–418.

Special Committee on Aging: June 22, to hold hearings to examine the Medicaid crisis, 10 a.m., SD–628.

House Chamber

To be announced.

House Committees

Committee on Agriculture, June 23, Subcommittee on Conservation, Credit, Rural Development, and Research, hearing to review Agricultural Biotechnology, 10 a.m., 1300 Longworth.

Committee on Appropriations, June 22, Subcommittee on Military Construction, on Air Force Budget Request, 9:30 a.m., B–300 Rayburn.

Committee on Armed Services, June 22, hearing on Progress in Iraq, 9 a.m., 2118 Rayburn.

June 23, hearing on the U.S. global defense footprint, 10 a.m., 2118 Rayburn.

June 24, Subcommittee on Readiness, hearing on contractor support in the Department of Defense, 10 a.m., 2118 Rayburn.

June 24, Subcommittee on Tactical Air and Land Forces, hearing on Department of Defense small caliber ammunition programs, 2 p.m., 2118 Rayburn.

Committee on Education and the Workforce, June 22, Subcommittee on 21st Century Competitiveness, hearing entitled "H.R. 4283, the College Access and Opportunity Act: Does Accreditation Provide Students and Parents Accountability and Quality?" 10:30 a.m., 2175 Rayburn.

June 23, full Committee, hearing entitled "No Child Left Behind: Raising Student Achievement in America's Big City Schools," 10:30 a.m., 2175 Rayburn.

June 24, Subcommittee on Employer-Employee Relations, hearing entitled "Examining Innovative Health Insurance Options for Workers and Employers," 10 a.m., 2175 Rayburn.

Committee on Energy and Commerce, June 23, Subcommittee on Commerce, Trade and Consumer Protection, hearing entitled "Travel, Tourism, and Homeland Security: Improving Both without Sacrificing Either," 10 a.m., 2322 Rayburn.

June 23, Subcommittee on Telecommunications and the Internet, hearing entitled "Protecting Homeland Security: A Status Report on Interoperability Between Public Safety Communications Systems," 1:30 p.m., 2322 Rayburn.

June 24, Subcommittee on Oversight and Investigations, hearing entitled "A Review of Hospital Billing and Collection Practices," 1:30 p.m., 2123 Rayburn.

Committee on Financial Services, June 22, Subcommittee on Financial Institutions and Consumer Credit, hearing entitled "The New Basel Accord: Private Sector Perspectives," 10 a.m., 2128 Rayburn.

June 23, Subcommittee on Financial Institutions and Consumer Credit and the Subcommittee on Housing and Community Opportunity, joint hearing entitled "Promoting Homeownership by Ensuring Liquidity in the Subprime Mortgage Market," 10 a.m., 2128 Rayburn.

June 24, Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises, oversight hearing on the Public Company Oversight Board, 10 a.m., 2128 Rayburn.

Committee on Government Reform, June 22, Subcommittee on Energy Policy, Natural Resources and Regulatory Affairs, hearing entitled "LNG Import Terminal and Deepwater Port Siting: Federal and State Roles," 2 p.m., 2247 Rayburn.

June 22, Subcommittee on National Security, Emerging Threats and International Relations, to continue hearings on "Nuclear Security: Can DOE Meet Facility Security Requirements?" (Part II), 10 a.m., 2154 Rayburn.

June 23, full Committee, hearing entitled ''Common Sense Justice for the Nation's Capital: An Examination of Proposals to Give D.C. Residents Direct Representation,'' 10 a.m., 2154 Rayburn.

June 23, Subcommittee on Technology, Information Policy, Intergovernmental Relations and the Census, hearing entitled ''Geospatial Information: Are we Headed in the Right Direction or Are We Lost?'' 2 p.m., 2154 Rayburn.

June 24, full Committee, hearing entitled ''Target Washington: Coordinating Federal Homeland Security Efforts with Local Jurisdictions in the National Capital Region,'' 10 a.m., 2154 Rayburn.

June 24, Subcommittee on Human Rights and Wellness, hearing entitled ''Living with Disabilities in the United States: A Snapshot,'' 2:30 p.m., 2154 Rayburn.

Committee on International Relations, June 22, hearing on A Parent's Worst Nightmare: The Heartbreak of International Child Abductions, 2 p.m., 2172 Rayburn.

June 22, Subcommittee on Asia and the Pacific, hearing on U.S. Policy Toward South Asia, 10 a.m., 2172 Rayburn.

June 23, full Committee, hearing on Stolen Passports: A Terrorist's First Class Ticket, 10:30 a.m., 2172 Rayburn.

June 23, Subcommittee on Asia and the Pacific, hearing on Recent Developments in Hong Kong, 1:30 p.m., 2200 Rayburn.

June 23, Subcommittee on the Middle East and Central Asia, hearing on Iranian Proliferation: Implications for Terrorists, their State-Sponsors, and U.S. Counter-proliferation Policy, 2 p.m., 2172 Rayburn.

June 24, Subcommittee on Africa, hearing on Confronting War Crimes in Africa, 2 p.m., 2172 Rayburn.

June 24, Subcommittee on International Terrorism, Nonproliferation and Human Rights, hearing on Trafficking in Persons: A Global Review, 9 a.m., 2200 Rayburn.

Committee on the Judiciary, June 22, oversight hearing entitled ''Safeguarding Americans from a Legal Culture of Fear: Approaches to Limiting Lawsuit Abuse,'' 10 a.m., 2141 Rayburn.

June 22, Subcommittee on Crime, Terrorism, and Homeland Security, hearing on S. 1194, Mentally Ill Offender Treatment and Crime Reduction Act of 2003, 3 p.m., 2141 Rayburn.

June 23, full Committee, to markup the following bills: H.R. 3247, Trail Responsibility and Accountability for the Improvement of Lands Act of 2003; H.R. 338, Defense of Privacy Act; H.R. 3632, Anti-Counterfeiting Amendments of 2003, and H.R. 2934, Terrorist Penalties Enhancement Act of 2003, 10 a.m., 2141 Rayburn.

June 23, Subcommittee on Immigration, Border Security, and Claims, to continue hearings on ''Families and Business Limbo: the Detrimental Impact of the Immigration Backlog,'' 4 p.m., 2141 Rayburn.

June 24, Subcommittee on Commercial and Administrative Law, to continue oversight hearings on the Administrative Conference of the United States, II: Why is There a Need to Reauthorize the Conference? 2:30 p.m., 2237 Rayburn.

June 24, Subcommittee on the Constitution, oversight hearing entitled ''Limiting Federal Court Jurisdiction to Protect Marriage for the States,'' 10 a.m., 2141 Rayburn.

June 24, Subcommittee on Courts, the Internet, and Intellectual Property, oversight hearing entitled ''Patent Quality Improvement: Post-Grant Opposition,'' 4 p.m., 2141 Rayburn.

Committee on Resources, June 23, hearing on S. 1721, American Indian Probate Reform Act of 2003, 10 a.m., 1324 Longworth.

June 23, Subcommittee on Forests and Forest Health, oversight hearing on Developing Biomass Potential: Turning Hazardous Fuels into Valuable Products, 2 p.m., 1334 Longworth.

June 23, Subcommittee on Water and Power, hearing on the following: H.R. 4300, Eastern Municipal Water District Recycled Water System Pressurization and Expansion Project; H.R. 4389, To authorize the Secretary of the Interior to construct facilities to provide water for irrigation, municipal, domestic, military, and other uses from the Santa Margarita River, California; H.R. 4459, Llagas Reclamation Groundwater Remediation Initiative; and a measure To authorize the Secretary of the Interior, acting through the Bureau of Reclamation and in coordination with other Federal, State, and local government agencies, to participate in the funding and implementation of a balanced, long-term groundwater remediation program in California, 2 p.m., 1324 Longworth.

June 24, full Committee, hearing on the following bills: H.R. 831, To provide for and approve the settlement of certain land claims of the Bay Mills Indian Community; and H.R. 2793, To provide for and approve the settlement of certain land claims of the Sault Ste. Marie Tribe of Chippewa Indians, 2 p.m., 1324 Longworth.

June 24, Subcommittee on Energy and Mineral Resources, hearing on the following: H.R. 4010, National Geologic Mapping Reauthorization Act of 2004; and a measure to reduce temporarily the royalty required to be paid for sodium produced on Federal lands, 10 a.m., 1334 Longworth.

June 24, Subcommittee on Fisheries Conservation, Wildlife and Oceans, hearing on H.R. 3320, American Aquaculture and Fisheries Resources Protection Act, 10 a.m., 1324 Longworth.

Committee on Rules, June 21, to consider H.R. 4613, Making appropriations for the Department of Defense for the fiscal year ending September 30, 2005, 5 p.m., H–313 Capitol.

Committee on Science, June 23, hearing on the Report of the President's Commission on Implementation of United States Space Exploration Policy, 10 a.m., 2318 Rayburn.

June 24, Subcommittee on Energy, hearing on Nuclear R&D and the Idaho National Laboratory, 10 a.m., 2318 Rayburn.

June 24, Subcommittee on Environment, Technology and Standards, hearing on Testing and Certification for Voting Equipment: How Can the Process Be Improved? 2 p.m., 2318 Rayburn.

Committee on Transportation and Infrastructure, June 22, Subcommittee on Highways, Transit and Pipelines, oversight hearing on Public Transportation Security, 10 a.m., 2167 Rayburn.

June 24, Subcommittee on Water Resources and Environment, oversight hearing on Upper Mississippi and Illinois Rivers—Recommendations for Navigation Improvements and Ecosystem Restoration, 10 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, June 23, oversight hearing entitled: ''Protecting the Rights of Those Who Protect Us: Public Sector Compliance with the Uniformed Services Employment and Reemployment Rights Act (USERRA) and Improvements to the Servicemembers Civil Relief Act (SCRA);'' followed by a hearing to examine an expanded enforcement role for the Office of Special Counsel and public sector compliance with USERRA, and the following measures: H.R. 3779, Safeguarding Schoolchildren of Deployed Soldiers Act of 2004; H.R. 4477, Patriotic Employer Act of 2004; the USERRA Health Care Coverage Extension Act of 2004; and the Servicemembers Legal Protection Act of 2004, 10 a.m., 334 Cannon.

June 24, Subcommittee on Health, hearing to consider a measure to authorize numerous capital leases, changes to the enhanced-use lease authority, capital asset and construction matters, 9:30 a.m., 334 Cannon.

Committee on Ways and Means, June 22, Subcommittee on Oversight, hearing on Tax Exemption: Pricing Practices of Hospitals, 10 a.m., 1100 Longworth.

Select Committee on Homeland Security, June 24, hearing entitled ''Information Sharing After September 11: Perspectives on the Future,'' 10:30 a.m., room to be announced.

Joint Meetings

Conference: June 23, meeting of conferees on H.R. 3550, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, 2 p.m., RHOB 2167.

Next Meeting of the SENATE

1 p.m., Monday, June 21

Senate Chamber

Program for Monday: Senate will resume consideration of S. 2400, National Defense Authorization Act.

Next Meeting of the HOUSE OF REPRESENTATIVES

12:30 p.m., Monday, June 21

House Chamber

Program for Monday: Consideration of Suspensions: to be announced.

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