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# Congressional Record

PROCEEDINGS AND DEBATES OF THE 107<sup>th</sup> CONGRESS, SECOND SESSION

Vol. 148

WASHINGTON, WEDNESDAY, JANUARY 23, 2002

No. 1

## House of Representatives

The House met at noon.

The SPEAKER. This being the day fixed by Public Law 107-98 of the 107th Congress, enacted pursuant to the 20th Amendment to the Constitution for the meeting of the 2nd session of the 107th Congress, the House will be in order.

The prayer will be offered by the Chaplain.

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer: "Sing a new song to the Lord, sing to the Lord, all the Earth. Sing to the Lord and bless His name, proclaim His power day after day."

Lord, may this new session of the 107th Congress give You praise from its beginning and be to Your glory in the end.

With new vigor and genuine orchestration, may the Members of the House of Representatives lift their voices in the anthem of freedom and justice while they, with all America, grow in virtue day after day.

Be with these Members, Lord, as they come together to accomplish the work of Your people with hearts attuned to the movement of Your spirit. May their voices in unison be heard around the Earth.

As they work toward a just society through the enactment of law, fill them with compassion and care for all who are suffering from oppression or loss. In them, let Your spirit find creative expression that will lift the hearts of those who yearn to hear the melodious promise of security and peace. Peace is Your gift, now and forever.

Amen.

### CALL OF THE HOUSE

The SPEAKER. The Clerk will utilize the electronic system to ascertain the presence of a quorum.

Members will record their presence by electronic device.

The call was taken by electronic device, and the following Members responded to their names:

#### [Roll No. 1]

Abercrombie	Combest	Goode	Kildee	Moran (KS)	Sherman
Ackerman	Condit	Goodlatte	Kilpatrick	Moran (VA)	Sherwood
Aderholt	Cooksey	Gordon	King (NY)	Morella	Shimkus
Akin	Cox	Goss	Kingston	Murtha	Shows
Allen	Coyne	Graham	Kirk	Myrick	Shuster
Andrews	Cramer	Granger	Klecza	Nadler	Simmons
Armey	Crane	Graves	Knollenberg	Neal	Simpson
Baca	Crenshaw	Green (TX)	Kolbe	Nethercutt	Skeen
Bachus	Crowley	Green (WI)	Kucinich	Ney	Skelton
Baird	Cubin	Greenwood	LaFalce	Northup	Smith (MI)
Baker	Culberson	Grucci	LaHood	Norwood	Smith (NJ)
Baldacci	Cummings	Gutknecht	Lampson	Nussle	Smith (TX)
Baldwin	Cunningham	Hall (OH)	Langevin	Oberstar	Smith (WA)
Barcia	Davis (CA)	Hall (TX)	Lantos	Obey	Souder
Barrett	Davis (IL)	Hansen	Larsen (WA)	Olver	Spratt
Bartlett	Davis, Jo Ann	Harman	Latham	Ose	Stearns
Bass	Davis, Tom	Hart	LaTourette	Otter	Stenholm
Bentsen	Deal	Hastert	Leach	Owens	Strickland
Bereuter	DeFazio	Hastings (FL)	Lee	Oxley	Stump
Berkley	Delahunt	Hastings (WA)	Levin	Pastor	Stupak
Biggert	DeLauro	Hayworth	Lewis (CA)	Paul	Sununu
Bilirakis	DeMint	Herger	Lewis (GA)	Pelosi	Sweeney
Bishop	Deutsch	Hill	Lewis (KY)	Pence	Tancredo
Blunt	Diaz-Balart	Hilliard	Linder	Peterson (MN)	Tanner
Boehlert	Dingell	Hobson	Lipinski	Petri	Tauscher
Boehner	Doggett	Hoeffel	LoBiondo	Phelps	Tauzin
Boozman	Dooley	Hoekstra	Lofgren	Pitts	Taylor (MS)
Borski	Doolittle	Holden	Lowey	Platts	Terry
Boswell	Dreier	Holt	Lucas (KY)	Pombo	Thompson (CA)
Boucher	Duncan	Honda	Lucas (OK)	Price (NC)	Thompson (MS)
Boyd	Dunn	Horn	Luther	Putnam	Thornberry
Brady (PA)	Edwards	Hostettler	Lynch	Rahall	Thune
Brady (TX)	Ehlers	Hoyer	Maloney (CT)	Ramstad	Tiahrt
Brown (FL)	Ehrlich	Hulshof	Maloney (NY)	Regula	Tiberi
Brown (OH)	Emerson	Hunter	Manzullo	Rehberg	Tierney
Brown (SC)	Engel	Isakson	Markey	Reynolds	Toomey
Bryant	Eshoo	Israel	Mascara	Rivers	Towns
Buyer	Etheridge	Issa	Matheson	Rodriguez	Turner
Calvert	Evans	Istook	Matsui	Roemer	Udall (CO)
Camp	Farr	Jackson (IL)	McCarthy (MO)	Rogers (KY)	Udall (NM)
Cannon	Fattah	Jackson-Lee	McCollum	Rogers (MI)	Upton
Cantor	Ferguson	(TX)	McCrery	Ross	Velazquez
Capito	Filner	Jefferson	McDermott	Rothman	Visclosky
Capps	Flake	Jenkins	McGovern	Royce	Walden
Capuano	Fletcher	Johnson (CT)	McHugh	Rush	Walsh
Cardin	Foley	Johnson (IL)	McInnis	Ryan (WI)	Wamp
Carson (IN)	Forbes	Johnson, E. B.	McIntyre	Ryun (KS)	Watson (CA)
Castle	Ford	Johnson, Sam	McKeon	Sabo	Waxman
Chabot	Fossella	Jones (NC)	McKinney	Sanchez	Weiner
Chambliss	Frelinghuysen	Kanjorski	McNulty	Sandlin	Weldon (PA)
Clay	Frost	Kaptur	Meehan	Sawyer	Weller
Clayton	Ganske	Keller	Meek (FL)	Saxton	Wexler
Clement	Gekas	Kelly	Meeks (NY)	Schakowsky	Whitfield
Clyburn	Gilchrest	Kennedy (MN)	Mica	Schiff	Wicker
Coble	Gilman	Kennedy (RI)	Millender-McDonald	Schrock	Wilson (NM)
Collins	Gonzalez	Kerns	Miller, Dan	Scott	Wilson (SC)
			Miller, George	Sensenbrenner	Wolf
			Miller, Jeff	Serrano	Wynn
			Mollohan	Shadegg	Young (FL)
			Moore	Shaw	
				Shays	

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

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



Printed on recycled paper.

□ 1228

The SPEAKER. On this rollcall, 347 Members have recorded their presence by electronic device, a quorum.

Under the rule, further proceedings under the call are dispensed with.

#### PERSONAL EXPLANATION

Ms. SOLIS. Mr. Speaker, during rollcall vote No. 1 on quorum call I was unavoidably detained. Had I been present, I would have voted "present."

#### PLEDGE OF ALLEGIANCE

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

Mr. HANSEN 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.

#### MESSAGE FROM THE PRESIDENT

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

#### MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monohan, one of its clerks, announced that the Senate has passed with amendment in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 1892. An act to amend the Immigration and Nationality Act to provide for the acceptance of an affidavit of support from another eligible sponsor if the original sponsor has died and the Attorney General has determined for humanitarian reasons that the original sponsor's classification petition should not be revoked.

H.R. 2215. An act to authorize appropriations for the Department of Justice for fiscal year 2002, and for other purposes.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 2215) "An Act to authorize appropriations for the Department of Justice for fiscal year 2002, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. LEAHY, Mr. KENNEDY, and Mr. HATCH, to be the conferees on the part of the Senate.

The message also announced that the Senate has passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 3448. An act to improve the ability of the United States to prevent, prepare for, and respond to bioterrorism and other public health emergencies.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 3448) "An Act to improve the ability of the United States to prevent, prepare for, and respond to bio-

terrorism and other public health emergencies," and requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. KENNEDY, Mr. DODD, Mr. HARKIN, Ms. MIKULSKI, Mr. JEFFORDS, Mr. GREGG, Mr. FRIST, Mr. ENZI, and Mr. HUTCHINSON, to be the conferees on the part of the Senate.

The message also announced that the Senate has passed with amendments in which the concurrence of the House is requested, a concurrent resolution of the House of the following title:

H. Con. Res. 211. Concurrent resolution commending Daw Aung San Suu Kyi on the 10th anniversary of her receiving the Nobel Peace Prize and expressing the sense of the Congress with respect to the Government of Burma.

The message also announced that the Senate has passed bills, a joint resolution and concurrent resolutions of the following titles in which the concurrence of the House is requested:

S. 392. An act to grant a Federal charter to Korean War Veterans Association, Incorporated, and for other purposes.

S. 990. An act to amend the Pittman-Robertson Wildlife Restoration Act to improve the provisions relating to wildlife conservation and restoration programs, and for other purposes.

S. 1099. An act to increase the criminal penalties for assaulting or threatening Federal judges, their family members, and other public servants, and for other purposes.

S. 1214. An act to amend the Merchant Marine Act, 1936, to establish a program to ensure greater security for United States seaports, and for other purposes.

S. 1400. An act to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to extend the deadline for aliens to present a border crossing card that contains a biometric identifier matching the appropriate biometric characteristic of the alien.

S. 1608. An act to establish a program to provide grants to drinking water and wastewater facilities to meet immediate security needs.

S. 1622. An act to extend the period of availability of unemployment assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act in the case of victims of the terrorist attacks of September 11, 2001.

S. 1637. An act to waive certain limitations in the case of use of the emergency fund authorized by section 125 of title 23, United States Code, to pay the costs of projects in response to the attack on the World Trade Center in New York City that occurred on September 11, 2001.

S. 1803. An act to authorize appropriations under the Arms Export Control Act and the Foreign Assistance Act of 1961 for security assistance for fiscal years 2002 and 2003, and for other purposes.

S. 1834. An act for the relief of retired Sergeant First Class James D. Benoit and Wan Sook Benoit.

S. 1858. An act to permit the closed circuit televising of the criminal trial of Zacarias Moussaoui for the victims of September 11th.

S. 1864. An act to amend the Public Health Service Act to establish a Nurse Corps and recruitment and retention strategies to address the nursing shortage, and for other purposes.

S. 1888. An act to amend title 18 of the United States Code to correct a technical error in the codification of title 36 of the United States Code.

S.J. Res. 12. Joint resolution granting the consent of Congress to the International Emergency Management Assistance Memorandum of Understanding.

S. Con. Res. 90. Concurrent resolution expressing the sense of Congress regarding the efforts of people of the United States of Korean ancestry to reunite with their family members in North Korea.

S. Con. Res. 92. Concurrent resolution recognizing Radio Free Europe/Radio Liberty's success in promoting democracy and its continuing contribution to United States national interests.

#### DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON TODAY

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

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

There was no objection.

#### COMMITTEE TO NOTIFY THE PRESIDENT

Mr. ARMEY. Mr. Speaker, I offer a privileged resolution (H. Res. 331) providing for a committee to notify the President of the assembly of the Congress, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 331

*Resolved*, That a committee of two Members be appointed by the Speaker on the part of the House of Representatives to join with a committee on the part of the Senate to notify the President of the United States that a quorum of each House has assembled and Congress is ready to receive any communication that he may be pleased to make.

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### APPOINTMENT AS MEMBERS OF COMMITTEE TO NOTIFY THE PRESIDENT, PURSUANT TO HOUSE RESOLUTION 331

The SPEAKER. The Chair appoints as members of the committee on the part of the House to join a committee on the part of the Senate to notify the President of the United States that a quorum of each House has been assembled, and that Congress is ready to receive any communication that he may be pleased to make, the gentleman from Texas (Mr. ARMEY) and the gentleman from Missouri (Mr. GEPHARDT).

□ 1230

#### NOTIFICATION OF THE SENATE

Mr. ARMEY. Mr. Speaker, I offer a privileged resolution (H. Res. 332) to inform the Senate that a quorum of the House has assembled, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

## H. RES. 332

*Resolved*, That the Clerk of the House inform the Senate that a quorum of the House is present and that the House is ready to proceed with business.

The resolution was agreed to.

A motion to reconsider was laid on the table.

## DAILY HOUR OF MEETING

Mr. ARMEY. Mr. Speaker, I offer a privileged resolution (H. Res. 333) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

## H. RES. 333

*Resolved*, That unless otherwise ordered, before Monday, May 13, 2002, the hour of daily meeting of the House shall be 2 p.m. on Mondays; 11 a.m. on Tuesdays; and 10 a.m. on all other days of the week; and from Monday, May 13, 2002, until the end of the second session, the hour of daily meeting of the House shall be noon on Mondays; 10 a.m. on Tuesdays, Wednesdays, and Thursdays; and 9 a.m. on all other days of the week.

The resolution was agreed to.

A motion to reconsider was laid on the table.

## JOINT SESSION OF THE CONGRESS—STATE OF THE UNION MESSAGE

Mr. ARMEY. Mr. Speaker, I offer a privileged concurrent resolution (H. Con. Res. 299) and ask for its immediate consideration.

The SPEAKER. The Clerk will report the concurrent resolution.

The Clerk read the concurrent resolution, as follows:

## H. CON. RES. 299

*Resolved by the House of Representatives (the Senate concurring)*, That the two Houses of Congress assemble in the Hall of the House of Representatives on Tuesday, January 29, 2002, at 9 p.m., for the purpose of receiving such communication as the President of the United States shall be pleased to make to them.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

## MAKING IN ORDER MORNING HOUR DEBATES

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that on legislative days of Monday and Tuesday during the second session of the 107th Congress, the House shall convene 90 minutes earlier than the time otherwise established by order of the House solely for the purpose of conducting "morning hour debate," except that on Tuesdays after May 13, 2002 the House shall convene for that purpose 1 hour earlier than the time otherwise established by order of the House;

The time for morning hour debate shall be limited to 30 minutes allocated to each party, except that on Tuesdays after May 13, 2002, the time shall be limited to 25 minutes allocated to each

party and may not continue beyond 10 minutes before the hour appointed for the resumption of the session of the House; and the form of proceedings to morning hour debate shall be as follows: The prayer by the Chaplain, the approval of the Journal, and the Pledge of Allegiance to the Flag shall be postponed until resumption of the session of the House; initial and subsequent recognitions for debate shall alternate between the parties; recognition shall be conferred by the Speaker only pursuant to lists submitted by the majority leader and minority leader; no Member may address the House for longer than 5 minutes, except the majority leader, the minority leader, or the minority whip; and following morning hour debate, the Chair shall declare a recess pursuant to clause 12 of rule I until the time appointed for the resumption of the session of the House.

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

There was no objection.

## GRANTING MEMBERS OF THE HOUSE PRIVILEGE TO EXTEND REMARKS AND INCLUDE EXTRANEOUS MATERIAL IN THE CONGRESSIONAL RECORD FOR THE SECOND SESSION OF THE 107TH CONGRESS

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that, for the second session of the 107th Congress, all Members be permitted to extend their remarks and to include extraneous material within the permitted limit in that section of the RECORD entitled "Extension of Remarks."

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

There was no objection.

## MAKING IN ORDER MOTIONS TO SUSPEND THE RULES ON TODAY

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that the Speaker be authorized to entertain motions to suspend the rules relating to the following measures on the legislative day of Wednesday, January 23, 2002: H.R. 700, H.R. 2234, H. Res. 330.

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

There was no objection.

## ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Pursuant to clause 4 of rule I, the Speaker signed the following enrolled bills and joint resolutions on Friday, December 21, 2001:

H.R. 1, to close the achievement gap with accountability, flexibility, and choice, so that no child is left behind;

H.R. 2873, to extend and amend the program entitled Promoting Safe and Stable Families under title IV-B, subpart 2 of the Social Security Act, and

to provide new authority to support programs for mentoring children of incarcerated parents; to amend the Foster Care Independent Living Program under title IV-E of that act to provide for educational and training vouchers for youths aging out of foster care, and for other purposes;

House Joint Resolution 79, making further continuing appropriations for the fiscal year 2002, and for other purposes;

House Joint Resolution 80, appointing the day for the convening of the second session of the 107th Congress.

And Speaker pro tempore GILCHREST signed the following enrolled bills on Thursday, January 3, 2002:

H.R. 1088, to amend the Securities Exchange Act of 1934 to reduce fees collected by the Securities and Exchange Commission, and for other purposes;

H.R. 2277, to provide for work authorization for nonimmigrant spouses of treaty traders and treaty investors;

H.R. 2278, to provide for work authorization for nonimmigrant spouses of intracompany transferees, and to reduce the period of time during which certain intracompany transferees have to be continuously employed before applying for admission to the United States;

H.R. 2336, to extend for 4 years, through December 31, 2005, the authority to redact financial disclosure statements of judicial employees and judicial officers;

H.R. 2506, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and for other purposes;

H.R. 2751, to authorize the President to award a Gold Medal on behalf of the Congress to General Henry H. Shelton and to provide for the production of bronze duplicates of such medal for sale to the public;

H.R. 2869, to provide certain relief for small businesses from liability under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, and to amend such act to promote the cleanup and reuse of brownfields, to provide financial assistance for brownfields revitalization, to enhance State response programs, and for other purposes;

H.R. 2884, to amend the Internal Revenue Code of 1986 to provide tax relief for victims of the terrorist attacks against the United States, and for other purposes;

H.R. 3030, to extend the basic pilot program for employment eligibility verification, and for other purposes;

H.R. 3061, making appropriations for the Department of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2002, and for other purposes;

H.R. 3248, to designate the facility of the United States Postal Service located at 65 North Main Street in Cranbury, New Jersey, as the "Todd Beamer Post Office Building";

H.R. 3334, to designate the Richard J. Guadagno Headquarters and Visitors Center at Humboldt Bay National Wildlife Refuge, California;

H.R. 3338, making appropriations for the Department of Defense for the fiscal year ending September 30, 2002, and for other purposes;

H.R. 3346, to amend the Internal Revenue Code of 1986 to simplify the reporting requirements relating to higher education tuition and related expenses;

H.R. 3348, to designate the National Foreign Affairs Training Center as the George P. Shultz National Foreign Affairs Training Center;

H.R. 3392, to name the National Cemetery in Saratoga, New York, as the Gerald B.H. Solomon Saratoga National Cemetery, and for other purposes;

H.R. 3447, to amend title 38, United States Code, to enhance the authority of the Secretary of Veterans' Affairs to recruit and retain qualified nurses for the Veterans Health Administration, to provide an additional basis for establishing the inability of veterans to defray expenses of necessary medical care, to enhance certain health care programs of the Department of Veterans' Affairs, and for other purposes.

#### APPOINTMENT AS MEMBER TO THE PERMANENT SELECT COMMITTEE ON INTELLIGENCE

The SPEAKER. Pursuant to clause 11 of rule X, clause 11 of rule I, and the order of the House of Thursday, December 20, 2001, authorizing appointments and waiving clause 11(a)(1) of rule X, the Speaker on Tuesday, January 22, 2002, appointed the following Member of the House to the Permanent Select Committee on Intelligence:

Mr. EVERETT of Alabama.

#### COMMUNICATION FROM HON. RICHARD A. GEPHARDT, DEMOCRATIC LEADER

The SPEAKER. The Chair lays before the House the appointment made by the minority leader during the same sine die adjournment pursuant to the order of the House on Thursday, December 20, 2001.

HOUSE OF REPRESENTATIVES,  
OFFICE OF THE DEMOCRATIC LEADER,  
Washington, DC, January 4, 2002.

Hon. J. DENNIS HASTERT,  
Speaker of the House, House of Representatives,  
Washington, DC.

DEAR MR. SPEAKER: Pursuant to section 955(b)(1)(B) of Public Law 105-83, I hereby appoint the following Member to the National Council on the Arts:

Ms. Betty McCollum, MN

Yours Very Truly,

RICHARD A. GEPHARDT.

#### COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, December 21, 2001.

Hon. J. DENNIS HASTERT,  
The Speaker, House of Representatives,  
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on December 20, 2001 at 7:30 p.m.

That the Senate agreed to conference report H.R. 2506.

That the Senate passed without amendment H.J. Res. 79.

That the Senate passed without amendment H.J. Res. 80.

With best wishes, I am

Sincerely,

JEFF TRANDAH, *Clerk of the House.*

#### COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, December 21, 2001.

Hon. J. DENNIS HASTERT,  
The Speaker, House of Representatives,  
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on December 20, 2001 at 12:04 p.m.

That the Senate passed without amendment H.R. 2277.

That the Senate passed without amendment H.R. 2278.

That the Senate passed without amendment H.R. 2751.

That the Senate passed without amendment H.R. 2869.

That the Senate passed without amendment H.R. 3030.

That the Senate passed without amendment H.R. 3248.

That the Senate passed without amendment H.R. 3334.

That the Senate passed without amendment H.R. 3346.

That the Senate passed without amendment H.R. 3392.

That the Senate passed without amendment H.R. 3447.

That the Senate passed without amendment H.R. 3348.

That the Senate passed without amendment H. Con. Res. 292.

With best wishes, I am

Sincerely,

JEFF TRANDAH, *Clerk of the House.*

PERIODIC REPORT ON THE NATIONAL EMERGENCY WITH RESPECT TO THE RISK OF NUCLEAR PROLIFERATION CREATED BY THE ACCUMULATION OF WEAPONS-USABLE FISSION MATERIAL IN THE TERRITORY OF THE RUSSIAN FEDERATION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 107-174)

The SPEAKER laid before the House the following message from the Presi-

dent of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on International Relations and ordered to be printed:

*To the Congress of the United States:*

As required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), I transmit herewith a 6-month periodic report on the national emergency with respect to the risk of nuclear proliferation created by the accumulation of weapons-usable fissile material in the territory of the Russian Federation that was declared in Executive Order 13159 of June 21, 2000.

GEORGE W. BUSH.  
THE WHITE HOUSE, January 23, 2002.

#### ANNIVERSARY OF ROE V. WADE

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

Mr. LINDER. Mr. Speaker, on yesterday over 100,000 Americans representing nearly every State in the Nation marched in opposition to one of our Nation's most notorious and, I think, tragic Supreme Court rulings, the decisions to legalize abortion in the United States.

Twenty-nine years ago yesterday the U.S. Supreme Court ruled seven to two that the U.S. Constitution affords a woman the right to obtain an abortion. But what was not known at the time was that the case of Roe v. Wade would only add another fissure in the societal fabric.

In addition yesterday to voicing his admiration for those who seek to protect the right to life, President Bush proclaimed last Sunday to be National Sanctity of Life Day. I too support the efforts of these Americans, and I am grateful that America may follow President Bush's leadership as he works to mend this fissure by truly recognizing this noble cause and valuing the culture of life.

What we have learned from the events of September 11 is that life, every life is sacred. Now, more than ever, we must reaffirm our commitment to the sanctity of life. And I am hopeful that life, our most sacred of gifts, can be preserved and protected for all humans, born and unborn.

#### AMERICANS NEED ECONOMIC STIMULUS PACKAGE

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

Mr. PITTS. Mr. Speaker, we are in a recession. People are losing their jobs and their retirement savings. The Congress needs to do something about it.

The House has passed an economic stimulus package, not once, but twice,

in order to accommodate critics. It is common knowledge that the economic stimulus package we passed in December has enough support to become law. It has enough votes to pass not just in the House but in both Chambers of Congress.

Mr. Speaker, we in the House have done our part. We have passed a good bill, a bill that will help the unemployed, the underemployed, and those who would create jobs in the first place. We have shown that we care. We have done more than just talk.

Now the bill is out of our hands. I understand that it is against House rules to comment on the other body's inaction, so I will not. But I will say that the American people need this economic stimulus. I will say that the media reports that the stimulus has the votes to pass into law, and people are waiting for a vote.

#### A BALANCED FEDERAL BUDGET

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

Mr. PENCE. Mr. Speaker, in this past year and future year of war and politics and recession, I rise today to urge my colleagues to respond to that higher calling of Members of the United States House of Representatives under the Constitution of the United States and commit ourselves on this first day of this second session of the 107th Congress to be a Congress that balances the Federal budget.

The headlines, Mr. Speaker, are filled with an American corporation which through either mismanagement or criminality has done a disservice to millions of middle-class shareholders and to thousands of its employees, even some from my own family who live in Texas.

It is fundamentally a failure of that corporation to manage its budget. Let us not likewise fail in this Congress to give the American people, even in these recessionary times, a balanced Federal budget. Let us begin this day to live out that proverb that if you owe debts, pay debts. And let us live out our commitment in this Republican-dominated Congress to provide a balanced Federal budget for the American people.

#### TREATMENT OF DETAINEES

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

Mr. KINGSTON. Mr. Speaker, now comes the usual liberal cadre of bleeding hearts in America lead by the former Attorney General, Ramsey Clark, saying we are mistreating the prisoners in Guantanamo Bay.

I just returned from Quetta, Pakistan. Quetta is an interesting city, population around 200,000; and yet, it has been swelled by refugees from Afghani-

stan by 500,000 people, kids who are illiterate; kids who do not have any opportunity to have education; people who do not have work; 7 percent who have running water. And yet these victims of wars because of the Taliban and these wicked criminals who are in Guantanamo Bay must suffer.

What about the victims in America, those who lost loved ones and the families, who had their first bitter Christmas alone this year? What about them?

What does Attorney General Clark think in the morning? His passion goes out to the prisoners in Guantanamo Bay, yet never a thought about all the refugees, over 3 million refugees in Iran and Pakistan, out of Afghanistan, never a thought about the victims in the United States of America.

What is more important? Getting the headline one more time and showing the world what you are all about. Well, I am glad most of America has common sense and are wisely ignoring such allegations as the unfair treatment of prisoners. We have better things to do. We have a war to fight. We have to move on.

#### ASSISTING RETIREES AND UNEMPLOYED WORKERS

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I represent the 18th Congressional District in Texas, Houston, Texas, where we have found an enormous corporate and human tragedy. But the human tragedy is what I speak to today, the greatest tragedy, and that we in Congress have to fix the problem. We must help the retirees and employees who have been so negatively impacted by this debacle.

So I hope as we proceed in these hearings, we lay upon the minds and hearts of our fellow colleagues in this Congress, help the retirees across the Nation who have lost millions of dollars, let us put these unemployed workers and their families back on their feet.

Mr. Speaker, I intend to file legislation today to make sure that we prioritize our responsibilities, helping the retirees and helping the unemployed workers. I tell you that those in Texas are crying out for help and I hope that we will help them.

□ 1245

#### REMEMBERING JACK SHEA

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

Mr. DREIER. Mr. Speaker, it saddens me to report to the House the tragic loss of a great patriot, a wonderful American, who on the eve of the Olympics was killed. I am referring to Jack Shea, a 91-year-old individual who was

the first American to win two gold medals in the Olympics in 1928. His son was in the Olympics in 1964, and his grandson Jimmy Shea is poised to participate for the first time in an Olympic event, which I personally participated in when our late departed colleague Mr. Solomon took me to Lake Placid; that is, the skeleton run, and we were going to have the opportunity for the first time ever to have third generation Americans participate in the Olympics.

We just got the news yesterday that Mr. Shea was killed in a horrible accident, and so I would like to at this moment extend my condolences to all of the family members and the friends of the Sheas and all of those participating in our very important team, and I know that his grandfather would want me to wish Jimmy Shea well as he prepares with his skeleton sled that is painted with the red, white and blue colors to have great success in Salt Lake City.

#### EXPRESSING SUPPORT FOR SOLDIERS TRANSPORTING DETAINEES TO GUANTANAMO, CUBA

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

Mr. ISSA. Mr. Speaker, I rise today in support of our fighting men and women who have done so valiant and done so well in Afghanistan and in support of the measures that they have taken to secure and safely transport the detainees from Afghanistan, a cold and inhospitable climate and one in which medical support is not properly available, to Guantanamo, Cuba.

Additionally, I pledge to ensure that the safety of our men and women is maintained and the safety of the detainees by personally going to Cuba, by looking and seeing the conditions under which they are held to ensure that they are humanitarian, but as a military veteran to also ensure that the precautions are taken so that never again will either a detainee or our men and women guarding those detainees be killed because of the kind of uprisings that have occurred not once but twice in the region.

Mr. Speaker, I believe that this body should commit itself to understanding that problem and supporting our fighting men and women and their ability to maintain the safety of the detainees and themselves.

#### CONSIDERING MEMBER AS FIRST SPONSOR OF H.R. 548

Mr. JEFF MILLER of Florida. Mr. Speaker, I ask unanimous consent that I might hereafter be considered as first sponsor of H.R. 548, a bill originally introduced by the gentleman from Florida, Mr. SCARBOROUGH, for the purposes of adding cosponsors and requesting reprints pursuant to clause 7 of rule XII.

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

There was no objection.

# ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Such record votes, if postponed, will be taken after debate has concluded on all motions to suspend the rules.

## ASIAN ELEPHANT CONSERVATION REAUTHORIZATION ACT OF 2001

Mr. GILCHREST. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 700) to reauthorize the Asian Elephant Conservation Act of 1997.

The Clerk read as follows:

Senate amendment:

Page 4, strike out all after line 12 down to and including line 19 and insert:

(b) TECHNICAL CORRECTIONS.—

(1) The matter under the heading "MULTINATIONAL SPECIES CONSERVATION FUND" in title I of the Department of the Interior and Related Agencies Appropriations Act, 1999 (16 U.S.C. 4246; 112 Stat. 2681–237), is amended—

(A) by striking "section 5304 of" and all that follows through "section 6 of the Asian Elephant Conservation Act of 1997" and inserting "section 5 of the Rhinoceros and Tiger Conservation Act of 1994 (16 U.S.C. 5304), part I of the African Elephant Conservation Act (16 U.S.C. 4211 et seq.), and section 5 of the Asian Elephant Conservation Act of 1997 (16 U.S.C. 4264)";

(B) by striking "16 U.S.C. 4224" and inserting "section 2204 of the African Elephant Conservation Act (16 U.S.C. 4224)";

(C) by striking "16 U.S.C. 4225" and inserting "section 2205 of the African Elephant Conservation Act (16 U.S.C. 4225)"; and

(D) by striking "16 U.S.C. 4211" and inserting "section 2101 of the African Elephant Conservation Act (16 U.S.C. 4211)".

(2) Effective on the day after the date of enactment of the African Elephant Conservation Reauthorization Act of 2001 (107th Congress)—

(A) section 2104(a) of the African Elephant Conservation Act is amended by striking "this Act" and inserting "this title"; and

(B) section 2306(b) of the African Elephant Conservation Act (16 U.S.C. 4245(b)) is amended by striking "this Act" each place it appears and inserting "this title".

## SEC. 6. AUTHORIZATION OF APPROPRIATIONS FOR NATIONAL FISH AND WILDLIFE FOUNDATION.

Section 10(a)(1) of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3709(a)(1)) is amended—

(1) by striking "2003" and inserting "2005"; and

(2) in subparagraph (A), by striking "\$20,000,000" and inserting "\$25,000,000".

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

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

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

This legislation was introduced by our distinguished colleague the gentleman from New Jersey (Mr. SAXTON) and it was overwhelmingly approved by the House on June 12. This measure will extend the Asian Elephant Conservation Act at its existing authorization level.

Since its enactment in 1997, Congress has appropriated \$2.9 million to fund 46 conservation projects in 12 range countries. These funds, which are the only continuous source of money for the Asian elephants, have had a dramatic, positive impact on the ongoing international struggle to save this flagship species from extinction.

While many Americans were thrilled by the recent birth of an Asian elephant at the National Zoo, it is essential that natural habitat be preserved and protected for these animals. This is a fundamental goal of H.R. 700 because the battle to save the irreplaceable species is far from won.

During consideration in the other body, a number of technical corrections were made to the Multinational Species Conservation Fund. We have reviewed those modifications and support them.

Furthermore, the other body extended the authorization for the National Fish and Wildlife Foundation for 2 years and corrected a mistake made last year in their authorization levels. The National Fish and Wildlife Foundation was created by Congress in 1984 to conserve fish, wildlife and plants and the habitats on which they depend.

In nearly 20 years, the Foundation has funded over 5,000 projects which have restored nearly 20 million acres of habitat, and over 11,000 miles of streams and waterways have been enhanced. In addition, the Foundation has been extremely successful in leveraging limited public dollars with corporate, private and other nonprofit funds. By any objective standard, the foundation has done an effective job of promoting healthy populations of fish, wildlife and plants.

I support these improvements and I urge an aye vote on H.R. 700 so that we can send this important legislation to the President for his signature, and I urge an aye vote on this legislation.

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

## REPORT OF COMMITTEE TO NOTIFY PRESIDENT

Mr. ARMEY. Mr. Speaker, your committee on the part of the House to join a like committee on the part of the Senate to notify the President of the United States that a quorum of each House has been assembled and is ready to receive any communication that he may be pleased to make has performed that duty.

The President asked us to report that he will be pleased to deliver his message at 9 p.m. on Tuesday, January 29, 2002, to a joint session of the two Houses.

Mr. GEPHARDT. Mr. Speaker, I second the thoughts of the majority leader, and both Democrats and Republicans will welcome the President here on Tuesday night for the State of the Union.

The SPEAKER pro tempore. The Chair thanks the committee.

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

Mrs. CHRISTENSEN. Mr. Speaker, I yield myself such time as I might consume.

I rise in support, Mr. Speaker, of H.R. 700, a bill to reauthorize the Asian Elephant Conservation Act.

I would also like to recognize and applaud the bill's sponsor, the gentleman from New Jersey (Mr. SAXTON), for his continued leadership in protecting these magnificent, yet imperiled animals.

Unlike African elephants, the steep decline in the population of Asian elephants was not widely known until 1997. Sadly, we have learned that this population, at one time flourishing, is now fragmented into ever-shrinking remnant populations scattered across 13 countries throughout Southern and Southeast Asia.

Fortunately, the Asian Elephant Conservation Act has helped range states the address the multiple threats which have contributed to the decline of this keystone species in the wild.

Grants initiated under the Asian Elephant Conservation Program have provided valuable financial assistance to impoverished areas.

These funds have supported a wide assortment of projects within range states, including conservation, planning, scientific research, education and community outreach, as well as anti-poaching and law enforcement activities.

Progress on the ground is being made. That is why this legislation is fully supported by the administration and by many international conservation organizations, including the World Wildlife Fund and the Wildlife Conservation Society.

Mr. Speaker, H.R. 700 is virtually the same legislation that the House passed earlier this year by the lopsided vote of 401 to 15. The other technical amendments made by the other body to H.R. 700 are noncontroversial, and I urge my colleagues to support this legislation to reauthorize this important wildlife program.

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

Mr. GILCHREST. Mr. Speaker, I yield such time as he may consume to the gentleman from New Jersey (Mr. SAXTON), the author of the legislation. (Mr. SAXTON asked and was given permission to revise and extend his remarks.)

Mr. SAXTON. Mr. Speaker, I thank the gentleman from Maryland (Mr. GILCHREST) for yielding me the time.

Mr. Speaker, during the years that I have been involved in this issue, from

time to time folks come to me and say why are you concerned about the situation involving the Asian elephants. I just wanted to take a few minutes this morning to explain why that is and how we got to where we are with this program that has been quite successful.

Mr. Speaker, in 1997 I introduced this bill because I became startled to learn that there were less than 40,000 Asian elephants living in the wild. Furthermore, nearly 50 percent of those elephants were living in various national parks in India, while the remaining animals were scattered in fragmented populations in 12 other countries in South and Southeast Asia.

Mr. Speaker, it occurred to me that with the rapid decline in the population of this species, it is not without reason that one could conclude that they would actually some day, in the not too distant future, become extinct unless something was done by the variety of people who care about issues involving wildlife.

The primary reason for this serious decline in population is the loss of essential habitat. That should be no surprise to anyone. It is no secret that elephants and man are in direct competition for the same resources. In most cases, it was the elephants who lost.

In addition, Asian elephants are poached for their bones, hide, meat and teeth and are still captured for domestication, and conflicts between elephants and people are escalating at an alarming rate.

Furthermore, it was clear that millions of Americans were not aware of the plight of Asian elephants and, in addition, range countries lacked the financial resources to help conserve this flagship species.

Without an international effort, the future of the Asian elephant was in serious jeopardy, and in response to this problem, along with a number of other Members, we proposed the establishment of the Asian Elephant Conservation Fund. The concept was modeled after the highly successful African Elephant Conservation Fund.

The fundamental goal of this legislation was to obtain a small amount of Federal assistance for on-the-ground conservation projects. Fortunately, this important legislation was overwhelmingly approved by both bodies and was finally signed into law in 1997.

Under the provisions of this act, \$25 million could be set aside for the Asian elephant conservation funds until September 30, 2002. In fact, some \$2.9 million in Federal funds have been allocated and these moneys have been matched by an additional \$1.1 million in private donations.

These funds have been used to underwrite 46 conservation projects in 12 range countries to help benefit the Asian elephant population. While the early indication is that the worldwide population of Asian elephants has stopped its precipitous decline, it is unrealistic to believe that \$3 million can save the species from extinction.

We have been successful but we are not finished. Nevertheless, this law has sent a powerful message to the international community that we must not allow this flagship species to disappear from the wild.

□ 1300

The United States must continue to play its crucial leadership role. So I am pleased to have introduced this reauthorization and am hopeful that it will again pass the House of Representatives and be signed into law by the President.

Mrs. CHRISTENSEN. Mr. Speaker, I yield myself such time as I may consume, and I would like to once again commend the gentleman from New Jersey (Mr. SAXTON) for his passion on this issue and his leadership at the committee.

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

Mr. GILCHREST. Mr. Speaker, I yield myself such time as I may consume to also compliment the gentleman from New Jersey (Mr. SAXTON) for his effort on this issue, and the staff, and all those who helped push this bill through. I urge my colleagues to vote "aye" on this legislation.

Mr. PUTNAM. Mr. Speaker, I rise today to support the Asian Elephant Conservation Act, H.R. 700. This important measure will help protect the future of the Asian elephant by supporting and providing resources to conservation programs around the world.

The Center for Elephant Conservation, located in my congressional district in Polk County, Florida, is dedicated to the conservation, breeding, and scientific study of Asian elephants. The Center for Elephant Conservation, sponsored through private funding from Ringling Brothers, is a global focal point for the worldwide study of the Asian elephant. Knowledge developed at the conservation center is shared with veterinary scientists dedicated to the preservation of the Asian elephant around the world.

With fewer than 50,000 Asian elephants left internationally, the animal has been placed on the Endangered Species Act. The captive breeding program at the Elephant Conservation Center, however, is one of the most successful in the world, with over 12 elephant births in the last decade and is dedicated to the care and husbandry of elephants.

The Asian Elephant Conservation Reauthorization Act would enable critical conservation efforts to continue to protect endangered species for future generations. Since 1997 when the bill was first authorized, over 27 conservation grants, matched in private funding, have been designated in nine different countries for the protection of the Asian elephant.

The Act, which extends authorization to 2007, will continue to help preserve the future of the Asian elephant by supporting programs for the promotion of elephant conservation, resettlement of elephants, education on population dynamics and feeding patterns and other important elephant conservation programs.

Please join me in support of the Asian Elephant Conservation Reauthorization Act and help to preserve the future of the Asian elephant.

Mr. GILCHREST. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. SIMPSON). The question is on the motion offered by the gentleman from Maryland (Mr. GILCHREST) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 700.

The question was taken.

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

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

The yeas and nays were ordered.

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

#### TUMACACORI NATIONAL HISTORICAL PARK BOUNDARY REVISION ACT OF 2001

Mr. GILCHREST. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2234) to revise the boundary of the Tumacacori National Historical Park in the State of Arizona, as amended.

The Clerk read as follows:

H.R. 2234

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

#### SECTION 1. SHORT TITLE.

*This Act may be cited as the "Tumacacori National Historical Park Boundary Revision Act of 2001".*

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

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

(1) *Tumacacori Mission in southern Arizona was declared a National Monument in 1908 in recognition of its great historical significance as "one of the oldest mission ruins in the southwest".*

(2) *In establishing Tumacacori National Historical Park in 1990 to include the Tumacacori Mission and the ruins of the mission of Los Santos Angeles de Guevavi and the Kino visita and rancharia of Calabazas, Congress recognized the importance of these sites "to protect and interpret, for the education and benefit of the public, sites in the State of Arizona associated with the early Spanish missionaries and explorers of the 17th and 18th centuries".*

(3) *Tumacacori National Historical Park plays a major role in interpreting the Spanish colonial heritage of the United States.*

(b) PURPOSES.—*The purposes of this Act are—*

(1) *to protect and interpret the resources associated with the Tumacacori Mission by revising the boundary of Tumacacori National Historical Park to include approximately 310 acres of land adjacent to the park; and*

(2) *to enhance the visitor experience at Tumacacori by developing access to these associated mission resources.*

#### SEC. 3. BOUNDARY REVISION, TUMACACORI NATIONAL HISTORICAL PARK, ARIZONA.

*Section 1(b) of Public Law 101-344 (16 U.S.C. 410ss(b)) is amended—*

(1) *by inserting after the first sentence the following new sentence: "The park shall also consist of approximately 310 acres of land adjacent to the original Tumacacori unit of the park and*



generally depicted on the map entitled "Tumacacori National Historical Park, Arizona Proposed Boundary Revision 2001", numbered 310/80,044, and dated July 2001."'; and

(2) in the last sentence—

(A) by striking "The map" and inserting "The maps"; and

(B) by striking "the offices" and inserting "the appropriate offices".

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

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

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

Mr. Speaker, H.R. 2234, introduced by the gentleman from Arizona (Mr. PASTOR), would authorize the expansion of the boundary of the Tumacacori National Historical Park to include 310 acres of adjacent land. These lands were originally part of a chain of missions established by the Spanish from north-central Sonora, Mexico, to San Xavier del Bac near present-day Tucson. In 1908, President Theodore Roosevelt set aside 9 acres immediately around the church and declared it a national monument. Since that time, boundaries have been changed to include other significant missions, and in 1990 the monument was declared a National Historical Park.

The park's general management plan identifies the need to acquire these additional lands, which were all a part of the original mission. The expansion would allow the Park Service to replant the orchard and add a program with livestock and farming, while enhancing the development of the Juan Bautista de Anza National Historic Trail. The current landowners of the property are willing sellers and are supportive of this legislation.

Mr. Speaker, this legislation is supported by both the majority and the minority as well as the administration, and I urge my colleagues to support the bill.

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

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

The Tumacacori Mission was declared a national monument in 1908, making it one of the first monuments declared in the United States. The site contains the ruins of the original mission church, which dates from the 17th century, as well as a limekiln and cemetery. Over time, the monument was expanded; and in 1990, the area was established as a National Historical Park.

However, certain features of the compound, including an irrigation ditch and orchard, lie on private lands adjacent to the park. H.R. 2234 revises the boundary of the park to include an additional 310 acres which were originally part of the mission. The land is divided into two parcels and both landowners

support the park expansion. It is our understanding this expansion will allow the National Park Service to move park facilities away from historic buildings and allow the park to recreate the mission and orchard as they once appeared.

Tumacacori serves as a cultural and historical touchstone for a variety of different peoples, including Native American, Spanish, Mexican, and European cultures. Expansion of this site will allow improved interpretation and preservation of this valuable area. We commend our colleague, the gentleman from Arizona (Mr. PASTOR), for his work on this legislation and support the passage of H.R. 2234.

Mr. Speaker, I yield such time as he may consume to the gentleman from Arizona (Mr. PASTOR).

Mr. PASTOR. Mr. Speaker, I thank the gentlewoman from the Virgin Islands for yielding me this time.

As my good friend, the gentleman from Maryland (Mr. GILCHREST) and the ranking member of the subcommittee, has explained, there is a lot of history in the Tumacacori National Park; and what we are attempting to do is to extend the boundaries to approximately 310 acres. The reason we want to do this is that the park's general management plan calls for the acquisition of additional lands. We want to ensure that the support facilities, which are greatly needed, can be built on the site but will not detract from the historical mission.

Also, we want to create a living museum, a living park; and so by acquiring the land, we will restore orchards that were utilized during the time that the Spanish were coming to this mission. There are two large properties now bordering the park. A 90-acre ranch lies to the south and east and this ranch contains the remains of the historic orchard and other mission-related cultivated lands. To the north and east, 220 acres of undeveloped land contain the remains of the mission fields and sites that now have many artifacts.

The expansion of the park's boundary would allow the Park Service to further enhance the visitor's experience at Tumacacori by the replanted orchard and by adding a living history program. We also want to develop the Juan Bautista de Anza National Historic Trail that now exists on private land between Tumacacori and the town of Tubac.

In this last appropriation bill, in the Department of the Interior appropriations, which was signed by the President recently, included was \$1 million to construct administration and maintenance facilities at this park, removing these functions from the viewed historical areas. This is an important first step taken by this Congress toward preserving the history of this monumental place and these beautiful times. I ask the House to now take the next step by increasing the boundaries of the park.

Mr. Speaker, I would like to take a few minutes to pay tribute to the chairman of the committee, the gentleman from Utah (Mr. HANSEN). He has assisted the people of Arizona in the many years that he has been chairman in the increase of monuments and increase of parks, and so I want to thank him for his support and his friendship.

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

Mr. KOLBE. Mr. Speaker, I thank the gentleman for yielding me this time; and I do rise in support of H.R. 2234, the Tumacacori National Historical Park Boundary Revision Act of 2001. And in doing so, I want to pay special tribute to my colleague, the gentleman from Arizona (Mr. PASTOR), whose idea and whose vision has brought this about and which I believe is making a very significant improvement to this important historical park.

As has already been mentioned by earlier speakers, the legislation revises the boundary of this historical park, the Tumacacori National Historical Park, in southeastern Arizona, to include approximately 310 acres of land which are now adjacent to the park. The park includes three mission sites that were established by Jesuit Father Kino on the then-northern frontier of New Spain. And of course this area has a fascinating history of its relationship with Spain and the Jesuit missions.

Father Kino established this mission in 1690, and the priests maintained a presence at the mission for over 150 years. However, when financial aid from Spain ceased with the Mexican independence in 1821, all native Spaniards were expelled from Mexico and Tumacacori's last resident Spanish priest was forced to leave. But the Mexican priests continued to maintain it, even as Apache raids increased. Then, in 1848, when the soldiers left the nearby town of Tubac, the residents of Tumacacori followed.

A few years later, in 1853, Tubac and Tumacacori became part of the United States with the Gadsden Purchase that added it to the territory of New Mexico and Arizona. It was September 15, 1908, when President Theodore Roosevelt proclaimed this as a national monument and it was redesignated as a park in 1990.

Tumacacori is just a few miles from the ranch where I grew up. People then and people now go to this historic park to tour the mission park and to go back and visit the late 17th and early 18th centuries. I remember as a schoolchild many visits to this wonderful place and the sense of history and culture that it brings to all of us that live there and to, I think, all the people of the United States.

Today, we are recognizing the importance of this historic site both for what it was in the 17th century and what it will continue to be in the 21st century. I am very pleased to support this legislation and urge its adoption.



Mrs. CHRISTENSEN. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. GILCHREST. Mr. Speaker, I yield myself such time as I may consume to highly compliment the gentleman from Arizona (Mr. PASTOR) and the gentleman from Arizona (Mr. KOLBE) for their dedication to this legislation and for an informed statement about the history of this area.

I know it must be beautiful to both gentlemen, and I am sure that they are very happy it is going to be protected.

Mr. RAHALL. Mr. Speaker, I would like to take this opportunity to commend our colleague, Representative PASTOR, for his work on this important legislation.

Given that we are still a comparatively young nation, the list of sites in the United States dating from the 17th century is a short one. We must be certain to provide those few we have with the protection they deserve. This legislation achieves this important goal.

Furthermore, few sites in America speak to the history of such a broad array of peoples. This area is rich in Native American, Spanish, Mexican and European culture. Such rich and diverse history must be preserved and H.R. 2234 will do just that.

Representative PASTOR has described to me the annual fiesta held at the old mission attended by hundreds of people representing each of the cultures which value this site. I am very pleased that, thanks to Representative PASTOR's diligence, this year's fiesta may take place on an expanded site that more accurately represents the way this historic area once looked.

We thank our Republican colleagues for their assistance in moving this legislation, commend Representative PASTOR for his hard work and urge our colleagues to support H.R. 2234.

Mr. GILCHREST. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time and urge an "aye" vote on the legislation.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Maryland (Mr. GILCHREST) that the House suspend the rules and pass the bill, H.R. 2234, as amended.

The question was taken.

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

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

The yeas and nays were ordered.

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

#### GENERAL LEAVE

Mr. GILCHREST. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material in the RECORD on the two bills just considered, H.R. 700 and H.R. 2234.

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

There was no objection.

#### EXPRESSING SENSE OF HOUSE OF REPRESENTATIVES REGARDING BENEFITS OF MENTORING

Mr. CASTLE. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 330) expressing the sense of the House of Representatives regarding the benefits of mentoring.

The Clerk read as follows:

#### H. RES. 330

Whereas the future course of the United States depends on its children and youth;

Whereas educated, confident, and nurtured children will make our Nation stronger;

Whereas research has shown that mentoring measurably affects young people by increasing school attendance, improving rates of secondary school graduation and college attendance, decreasing involvement with drugs and alcohol, and decreasing violent behavior;

Whereas considerable numbers of our Nation's children face difficult circumstances: 1 out of 4 children lives with only 1 parent; 1 out of 10 children is born to teenaged parents; 1 out of 5 children lives in poverty; and 1 out of 10 children will not finish secondary school;

Whereas mentoring is a proven, effective strategy to combat such circumstances by matching a caring, responsible adult with a child to provide guidance, stability, and direction to the child and to build the child's confidence;

Whereas it is estimated that more than 16,000,000 children in the United States need or want a mentor but mentoring programs nationwide serve at most 750,000 of such children;

Whereas a coalition of mentoring organizations have designated January as National Mentoring Month;

Whereas the establishment of a National Mentoring Month would emphasize the importance of mentoring and recognize with praise and gratitude the many individuals in the United States who are involved with mentoring; and

Whereas the establishment of a National Mentoring Month would encourage more individuals to volunteer as mentors, to the benefit of our Nation's children: Now, therefore, be it

*Resolved*, That it is the sense of the House of Representatives that mentoring relationships can benefit America's youth and result in improved school attendance and academic achievement.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Delaware (Mr. CASTLE) and the gentleman from California (Mrs. DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from Delaware (Mr. CASTLE).

#### GENERAL LEAVE

Mr. CASTLE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H. Res. 330.

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

There was no objection.

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

Mr. Speaker, I rise in strong support of H. Res. 330, the legislation recog-

nizing the importance of mentoring. The resolution, introduced by the gentleman from Nebraska (Mr. OSBORNE), reminds us all of the important role that caring adults play in the lives of our Nation's youth; and I thank the gentleman for his work in Congress as well as his work with his own mentoring organization, TeamMates of Nebraska, on this important issue.

Today's teens cope with major physical changes, emotional ups and downs, peer pressures, and a changing identity; but they are also confronted by a more complex and impersonal society where drugs and alcohol are easily available and tragedies such as AIDS and violence strike too close to home. In this time of growth and uncertainty, our children need positive role models or mentors in their lives.

Simply, a mentor is an adult who, along with parents, provide young people with support, counsel, and friendship. Most importantly, mentors are people who care. And for many people, that makes all the difference.

According to recent research, children with mentors are 46 percent less likely to begin using illegal drugs, 52 percent less likely to skip school, and 33 percent less likely to get into fights. In addition, children of mentors reported greater confidence in their performance at school and better relationships with their families.

□ 1315

Despite these positive outcomes, too many children who need a mentor do not have one. In my State of Delaware alone, an estimated 10,000 young people could benefit from a positive, supportive relationship with an adult; but only 7,000 are currently served.

Nationally, more than 16 million children need a mentor, but current programs reach only 750,000. It is, therefore, appropriate that this January, the inaugural National Mentoring Month, we encourage caring adults to reach out to the children and youth in their communities. In Delaware, everyone from the Governor and the Delaware Mentoring Council to local businesses will be working hard to recruit 1,000 new mentors. It is my hope that other States will rise to the challenge to connect each of our Nation's children with caring adults.

As part of that effort, I want to recognize the many businesses, churches, and community groups that partner with our schools to provide mentors to children in need as well as the informal mentoring relationships that exist between teachers, coaches, and neighbors. I also want to recognize those who lend their expertise or contribute financially to mentoring organizations. Their support is as important as volunteering to become a mentor.

The events of September 11, as tragic as they were, taught us about charity, heroism, and our own capacity to care about others. As we pause to recall the teacher, neighbor, or coach who made a positive impression on our lives, I hope

we will return the favor by becoming a mentor to a child in need. Together we can guide our Nation's youth into adulthood, helping them reach their fullest potential. I cannot imagine a greater gift.

Mr. Speaker, I thank the gentleman for his resolution, and I urge an "aye" vote.

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

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

(Mrs. DAVIS of California asked and was given permission to revise and extend her remarks.)

Mrs. DAVIS of California. Mr. Speaker, I thank the gentleman from Delaware (Mr. CASTLE) for this opportunity to join him in support of National Mentoring Month. Hundreds of thousands of children each year have an opportunity to grow into stronger young people and adults because of the caring attention of an older person. This relationship can move a child's life in important directions; but we need not just hundreds of thousands, but millions, of volunteers to address the lives of those young people who would benefit from this personal attention.

The gentleman from Delaware (Mr. CASTLE) expressed the dimensions of the need. It is our hope that National Mentoring Month will focus many more people on this opportunity. I would like to take a few minutes to share my own experiences with a variety of mentoring programs. As a school board member in San Diego, we approved programs which encouraged older students to act as mentors to younger ones. For example, a fifth grade student might meet regularly with a first grader to read with her. Eighth grade students might write stories in their creative writing class and present them to third graders. These can be quality learning experiences for each pair of young people.

There are programs like Rolling Readers that coordinate regular pairing of children and volunteer adults to coach reading skills. These volunteers may be retired or working, but can be flexible in their hours; and I am proud that one of my staff members, Carla Meyers, has been a lunchtime volunteer, meeting once a week, to read with a student in a Capitol Hill elementary school.

In San Diego we have an award winning school, the Monarch School, which brings homeless children who often have not been in school into an educational setting. The Downtown Rotary Club recruits its members on one-on-one mentors to spend regular time with these needy young people, often in after-school hours.

Coming from San Diego with its large military population, I took the opportunity to sponsor an amendment to the Juvenile Justice Bill to encourage one-on-one mentoring programs for at-risk juveniles with the Department of Defense personnel. There are several

military mentoring programs which are making a real difference. For example, the Department of Military Affairs and the Florida National Guard, in conjunction with the State of Florida, has designed a program called About Face, which brings low-income, at-risk kids into National Guard armory facilities to increase their functional life skills, to improve their basic skills, teach computer literacy, and help them with their homework. More importantly, they teach kids that someone cares about them and their future.

Personally, I had the wonderful opportunity to be the first executive director of the Aaron Price Fellows program. I developed an educational enrichment program focused on civic responsibility with a group of 40 young people of diverse ethnic and economic backgrounds drawn from several local high schools each year. Each student was involved in the program for 3 years, and what they learned from one another and the people with whom they met throughout the city gave them lifelong learning skills. One of the favorite trips for each class was coming to Washington, D.C., where the students saw for themselves this political process.

Did it make a difference in students lives? As they continued to keep in touch with me, I see young people, many of whom came from lower-economic circumstances, whose aspirations and educational achievement have led them to become teachers and bankers, social workers, international relief workers and even a town mayor.

I am honored to have two former fellows working on my staff. Jennette Lawrence is a valued legislative assistant here. Todd Gloria, a field representative in the district, earned a Truman Fellowship to go to graduate school, but wanted first to be part of our political process. After being an intern in my office and then graduating from UCSD, Arzo Mansury chose to work resettling new Afghan refugees, people from her birth country, and now hopes to be part of the rehabilitation process of that country.

The stories are legion, but I would like to close with the memory of a very special young man, Willie Jones. Living in a low-income area punctuated by gangs and drugs, Willie became a model citizen, a fine student, and a neighborhood leader in urging others to leave gangs. Unfortunately, as he prepared to leave for a 4-year scholarship at Cornell, where he would study to be a doctor, Willie was gunned down in a drive-by shooting.

Rather than focus on his death, I like to think that my mentoring helped Willie become the outstanding young man that he was; and in his own short years, his mentoring had led other young people to stronger adult lives.

When I meet successful adults from challenging backgrounds and ask them what made the difference in their lives, it is always an adult, usually not a

family member, who saw something special in them and mentored them. Everyone can be that life-changing influence in a young person's future.

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

Mr. CASTLE. Mr. Speaker, I yield such time as he may consume to the gentleman from Ohio (Mr. BOEHNER).

Mr. BOEHNER. Mr. Speaker, I thank my colleagues for bringing this resolution to the floor today.

We all know that far too many children in our society do not have strong role models at home. Parents are too busy; or in many neighborhoods, parents may not even exist. What we have found around the country is that mentoring really does work. It provides a role model for many of these children that they do not see on a day-to-day basis in their own lives. I congratulate the gentleman from Nebraska (Mr. OSBORNE), the coach, as we call him, for bringing this resolution to the floor and keeping our attention focused on mentoring. As the chairman of the Committee on Education and the Workforce, the gentleman from Nebraska (Mr. OSBORNE) has not let a week go in the last year when he did not talk to me about the need to promote mentoring.

Mr. Speaker, H.R. 1, which we passed last December and the President signed into law several weeks ago, contains a significant amount of funding for a new mentoring program to provide seed money to generate more mentors around the country. During the signing of the bill, the President himself talked about the need for mentoring, and suggested to people if they really wanted to do something and help young people in need, go to a school and become a mentor.

I think that action and the action we are taking today will help bring this to more people's attention. It will help children. But as important as it is for us to help children, I also think that mentors themselves get an awful lot out of mentoring. I think the gentleman from San Diego just demonstrated to us what it meant her to be a mentor to this young man.

I have people in my district who are mentors. And I remember one specifically, Mr. Richard Scott from Sidney, Ohio, a retired construction company executive. He and his wife are mentors in an elementary school in Sidney, and the richness they get out of helping young people is something that enriches their lives by reaching out to help others.

Mr. Speaker, let me congratulate all those today who are mentoring around the country, and let us encourage more of our fellow citizens to take an hour a week or two hours a week and go to a local school and help one young person in America get a better life.

Mrs. DAVIS of California. Mr. Speaker, I yield 5 minutes to the gentleman from California (Mr. SCHIFF).

Mr. SCHIFF. Mr. Speaker, I rise in support of the resolution and urge my

fellow citizens to join the mentoring program near where they live. Several years ago when I was a State senator in Sacramento, we had a hearing at which Father Greg Boyle testified. Father Boyle works with at-risk youth in Los Angeles, and he was asked if he could point to any one thing that distinguished those young people from at-risk backgrounds that led to their success, that was a cause for their high achievement; and he said that they all had two common characteristics: they got a job, and they had a mentor. They had the dignity, the discipline, the hope that comes from work; and they had a mentor, someone who cared whether they succeeded or failed. It might have been a member of the clergy, a parent, a grandparent, a probation officer or a teacher, but someone who cared about what happened to that child's life. Those words had such an air of truth about them, I have kept them with me to this day.

Mr. Speaker, 15 years ago I became a mentor. I walked into the Big Brothers of Greater Los Angeles; and I was matched with a young man, then 7 years old, David McMillan. It was one of the best days of my life when I became a Big Brother. We started out going to the beach, the movies, roller skating and going to the park, or reading or talking with each other. He would give me criticism of my music taste, and I would accept it. We would spend time just catching up on each other's lives; and we have become in a very short space of time, family to each other, and we have shared in each other's successes and failures and trials and tribulations. It has been one of the best additions to my life.

So while I cannot speak from the point of view of a mentee, I can speak from the point of view of a mentor about how it enriches the life of the mentor.

David is doing phenomenally well. He graduated from Yale University and is now a graduate student at USC where he is an aspiring film maker. I am frequently asked whether, but for my influence in David's life, do I think he would have gone on to Yale University. And after much reflection, I have to say no. I think he would have gone on to Harvard University, which is, of course, the cruelest thing one can say to a Yalie. So if David is watching, I got him again. But this has more than a grain of truth in it. David is an exceptional young man, and he comes from an exceptional family.

David would have done well under any circumstance; but there are many, many young people who really need the benefit of a mentor, need the benefit of someone in their lives to help them gain direction, gain a sense of self-worth, a sense of purpose, and most important of all, a sense of being loved by someone else.

I hope this resolution today will encourage more Americans to become mentors to make a contribution. Much of what we do, whether in Congress or

in our private jobs or in teaching or in any profession, we hope makes a positive difference in lives; but the result is often intangible and unknown. I encourage my colleagues to become a mentor because the results are very tangible, seen every day in the face of the young person mentored.

Mr. Speaker, I thank the gentleman from Nebraska (Mr. OSBORNE) and the gentlewoman from California (Mrs. DAVIS) for being our Democratic floor manager.

□ 1330

Mrs. DAVIS of California. Mr. Speaker, I yield such time as he may consume to the gentleman from Georgia (Mr. LEWIS).

Mr. LEWIS of Georgia. Mr. Speaker, I want to thank the gentlewoman from California for yielding me this time.

Mr. Speaker, I rise in strong support of this resolution. I want to take the time to salute the many youth organizations and groups, and not just youth organizations and groups but adult organizations and groups; and salute all of the mentors, people who are making a difference in the lives of our children, our young people.

This is a time to salute groups such as the Boys & Girls Clubs, Big Brothers and Big Sisters and groups and organizations like the 100 Black Men of America for their commitment and dedication to mentoring by ensuring that all children and young people have valuable skills. This sense of caring, this sense of sharing, this sense of giving of ourselves to help others, sometimes as a mentor, as some have stated much earlier, you learn more and you probably receive more than you actually give. It is part of the American tradition that we participate in a sense of caring and sharing, for our young people, for our children to have a relationship with adults, to have safe places to go after school hours.

There are so many organizations and so many groups all across America that are doing tremendous, unbelievable things to help mold and shape our young people, which is so necessary during this time in our history.

Mentoring not only gives children a head start but also meets the serious public responsibility of protecting our young people, showing our young people a different way, a better way, a more excellent way. So many children and so many young people in so many troubled communities need someone to hold their hand, to show them the way, to show them the light. These mentoring relationships benefit American children, and in so many instances it improves the larger community and creates a greater sense of community, a greater sense of family, a greater sense of what I like to call one house, that we all are in the same house, that we all are in this thing together.

I think in a city like Atlanta, my city, and in other places where you have mentors working, it improves school attendance, academic achieve-

ment, encourages young people not just to watch television but to read a book, to go out and help someone, to provide some service.

I urge all of my colleagues to support this very important resolution. It means so much. It will send a strong message that will urge other Americans to give a little time, to share a little time, to give of yourself. That is what life is all about, helping others, especially those that have been sort of left out and do not have the benefits of maybe a wonderful, loving family, maybe do not have the benefit of a good head start. I think mentoring helps people to catch up, helps those that have been left out and left behind.

I urge my colleagues to support this very important resolution. I thank my friends on both sides of the aisle for bringing this resolution before us.

Mr. CASTLE. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Maryland (Mr. GILCREST).

Mr. GILCREST. Mr. Speaker, I thank the gentleman from Delaware for yielding me this time, and I want to thank the gentleman from Nebraska (Mr. OSBORNE) for offering this legislation, this resolution, to us this afternoon and to all those people who this afternoon have participated in this discussion and expressed their feelings on the concept of mentoring and the benefit that is the result.

A number of us in here, I am sure, have done some type of mentoring throughout our adult years and have found that specific relationships between adults and children are generally, especially in the context of mentoring, long lasting, they provide friendship between the mentor and the child that is being mentored, they provide an avenue, an opportunity for the child to understand what is beyond the next curve, what are the opportunities that are out there, what are the fears that I have for the future or my present circumstance. Mentoring is an extraordinary opportunity to do a number of very positive things.

A number of years ago, shortly after I got out of the service and I was in my early twenties, and I thought I was quite old when I was in my early twenties, myself, some of my brothers and some friends who had recently come back from Vietnam or were starting college got together with a lawyer and a minister to create a Boy Scout troop for designated legally, judicially designated juvenile delinquents. We had 20 young teenagers in that troop. Ten were white and 10 were black. None of us had a college education, but we understood the relationship between young people and responsible adults to open an avenue of opportunity. We stayed with those teenagers for about a year; then we all went off to college or we got married or we went someplace else.

Mr. Speaker, those teenagers are now in their forties. They are not young adults. They are middle-aged adults.

Whenever we run into them periodically, they still talk about the first time that they caught a fish, the first time they built a campfire, the first time they went on a long hike, the first time they actually sat with an adult and read a book. The idea of mentoring is a long-term idea; and the positive benefits to the child, the teenager, the young adult and the adult that is involved is rather enormous.

Mr. Speaker, I will close with this statement: there are many Americans that have extraordinary talents. Those talents are in music, they are in art, they are in math, they are in the sciences, they are just in being a human; and each one of those adults that has a specific talent is unique. That unique person can give that young child a perspective on the wonders of our country and the world, opportunities that can be unmatched.

Mr. CASTLE. Mr. Speaker, I yield 3 minutes to the gentleman from Florida (Mr. KELLER).

Mr. KELLER. Mr. Speaker, I thank the gentleman for yielding me this time. I rise today as a supporter and original cosponsor of Coach OSBORNE's mentoring resolution, which honors National Mentoring Month and recognizes the benefits of mentoring.

I would like to tell my colleagues a little bit about my background and why mentoring is important for education. Before getting elected to Congress, I had the happy privilege of serving as the volunteer chairman of the Orlando/Orange County Compact Program, which is the largest mentoring program for public schools in the State of Florida. I also had the opportunity to serve as a mentor myself to two students at Boone High School in Orlando. I learned firsthand how important that is to education, particularly as it relates to preventing children from dropping out of high school.

In the State of Florida, we had a big problem. Only 53 percent of our children were graduating from high school, worst in the country. In Orlando, my hometown, we decided to do something about it in 1988 by creating the Orlando/Orange County Compact Program, which is a mentoring program that matches up students at risk of dropping out of high school with business people from the local community, sort of like a Big Brothers/Big Sisters, program where they meet 1 hour a week. The results of mentoring proved to be dramatic. Over the past 10 years, 98 percent of the students in the Compact program graduated from high school, the number-one graduation rate in the United States. From worst to first.

Let me just give one example why this was successful. There is a young man named Lennard who is an African American student at Jones High School, an inner city school in downtown Orlando. He was struggling in school, making Ds and Fs, skipping school, had been arrested for selling drugs. He was going to drop out. He

agreed to have a mentor on one condition. He said, "Just don't give me a white guy." Naturally we matched him up with a white mentor, an AT&T executive named Paul Hurling. He worked with him every week. They became friends. To make a long story short, by the end of his high school career, Lennard went on to become Orange County Student of the Year. He won two tickets to an Orlando Magic basketball game through a school raffle. He called up his mentor and said, "I'm so excited, I won two front row tickets." His mentor replied, "That's great. Why don't you invite your best friend." Lennard replied, "That's why I called you." Mentoring literally makes a difference in people's lives.

I commend Coach OSBORNE for bringing forth this resolution. I urge all my colleagues to support it. I know in Florida, Governor Jeb Bush has just announced this week a mentoring initiative throughout the entire State that is going to result in 115,000 people having mentors. I think Congress is appropriately recognizing the importance of National Mentoring Month. I urge my colleagues to vote "yes" on this important resolution.

Mr. CASTLE. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Georgia (Mr. ISAKSON), a member of the Committee on Education and the Workforce, who had so much to do with H.R. 1 last year.

Mr. ISAKSON. Mr. Speaker, I thank the gentleman from Delaware for yielding me this time.

I rise really to praise the gentleman from Nebraska (Mr. OSBORNE). This is a man who has written a resolution that is a reflection of the life that he has lived, by being a mentor to hundreds of young athletes, being a father figure for those that did not have them, being a person who demonstrated the difference in right and wrong. This House is fortunate to have the gentleman from Nebraska (Mr. OSBORNE), and we will be fortunate today to unanimously pass this resolution.

In John Kennedy's inauguration, there was a poem by Robert Frost read which ended, "Two roads diverged in a yellow wood and I took the one less traveled by and that made all the difference."

For many of America's youngsters, what makes all the difference in the road less traveled by is a positive mentor to show them the light, show them the way, and show them the direction. I praise the author, the gentleman from Nebraska (Mr. OSBORNE). I am pleased to give my support to this important resolution.

Mr. CASTLE. Mr. Speaker, I yield the balance of my time to the gentleman from Nebraska (Mr. OSBORNE), the distinguished sponsor of the resolution. I think the gentleman from Georgia (Mr. ISAKSON) said it wonderfully well. The gentleman from Nebraska (Mr. OSBORNE) came obviously to Congress with a very distinguished background, recognized by most people in

this country for what he had done in his own form of mentoring, which was coaching; but he had a strong bent for mentoring which we heard about early and often since he has been here. He has become the conscience of the House of Representatives with respect to the subject of mentoring. He is clearly one of, if not the national leader on the whole subject of mentoring in this country. We are delighted that he was able to get here. He did have some transportation problems and has just made it.

The SPEAKER pro tempore (Mr. SIMPSON). The gentleman from Nebraska (Mr. OSBORNE) is recognized for 7 minutes.

Mr. OSBORNE. Mr. Speaker, I appreciate the kind comments of the gentleman and rise in strong support of this resolution.

Over the last 36 years of my life, I was involved in coaching and dealt with young people on a daily basis. I guess some of the observations I had were not all positive. We saw some tremendous changes in our culture, in our young people, over those 36 years. Some of those changes had to do with family. I think many people can intuitively understand those things that I am talking about. In the early 1960s, we saw very few people that we were recruiting dealing with living without both of their biological parents. Today, that number is almost 50 percent, so there is a huge number have had some dysfunction in their families.

We went from a 5 percent out-of-wedlock birthrate in 1960 to 33 percent today. Currently, we have 18 million fatherless children in our country. I guess I saw firsthand that when your father is not around and many times does not even care to stay around long enough to see what you look like, it leaves a hole in your life. Usually, you are spending the rest of your life somehow trying to fill that gap, and sometimes it is with all the wrong things. There has been a tremendous amount of change in our family structure.

We have also seen some significant changes in the culture. We currently are the most violent country in the world for children in regard to homicide and suicide. Second place is not even very close. We have also seen some significant increases in drugs and alcohol. And, of course, all of these things have been very harmful to our children.

I guess from my standpoint, the greatest threat to our country today is not terrorism, it is not the economy, it is not Social Security, it is not Medicare. Rather, it is what is happening to our young people, because if our young people are not in good shape, do not have the character, do not have the background to hold this country together, we will go the way of many other civilizations.

□ 1345

So, we cannot pass a law that is going to solve these problems, unfortunately, but we can provide a mentor. A

mentor is an adult who cares, who affirms, who supports and provides a vision for young people. So many young people really do not have an idea of what they could be or what they could accomplish, and that is where a mentor oftentimes comes in.

Mentoring works. Studies, many studies, have shown these particular data: A mentoring program will reduce absenteeism from school by more than 50 percent, produces significantly better grades, higher graduation rates. In addition, mentoring reduces drug abuse by nearly 50 percent and also significant reductions in alcohol abuse and also reduces smoking. It also results in a significant reduction in teen pregnancy and promiscuous behavior. It results in improved self-esteem, personal hygiene and interpersonal relationships. Finally, a good mentoring program reduces fighting, antisocial behavior and criminal behavior by significant degrees.

Currently in the United States we are mentoring roughly 500,000 young people, and it is estimated by school authorities and people who work with young people we have approximately 20 million young people who are desperately in need of a mentor. So we feel that this initiative is a step in the right direction.

It is only a start. It can provide some significant data as to what works, what is the best way to mentor, and we plan to have at least some mentoring programs in every State in the Union that will give us the data that we need to follow this valuable exercise.

Mr. Speaker, I want to thank my colleagues on the Committee on Education and the Workforce for their support, and urge adoption of this measure.

Mr. Speaker, I rise in strong support of this resolution, which recognizes the benefits of mentoring and the thoughtful investments in mentoring programs that have been made across the country. I have spoken of the benefits of mentoring many times on this floor and I am pleased that the House is now considering this resolution.

On Monday of this week, I was in Omaha, NE, with Governor Mike Johanns who signed a proclamation naming January as Mentoring Month in Nebraska. Other States have held big kickoff events in January to commemorate National Mentoring Month:

Minnesota held a kick-off event at the State Capitol building on January 3 that included sports figures, political leaders, youth, and media.

Delaware held an event announcing their commitment to recruit 1,000 new mentors for Delaware children.

Ohio had a televised Outstanding Mentor Awards event that included State representatives, television personalities, and representatives from the schools and volunteer commission as presenters and judges.

Boston had a roundtable on "Who mentored you" followed by a "Mentoring Evening with the Boston Celtics."

There are dozens of other events, including mentor recruitment fairs, training events, fun events for mentors and the children they men-

tor going on all around the country. In addition, last week, President Bush signed a proclamation naming January National Mentoring Month. In addition, a postage stamp promoting mentoring is now available through the United States Postal Service.

So far, 29 States have officially created formal State mentoring partnerships, which are bipartisan collaborative efforts of public and private sector leaders to increase the number of young people with mentors, increase resources dedicated to mentoring, ensure quality standards, and expand mentor programming. Altogether, in the year 2000, state mentoring partnerships:

- Recruited over 66,000 mentors;
- Trained nearly 25,000 mentors;
- Provided technical assistance to over 3,300 organizations;
- Responded to nearly 15,000 inquiries;
- Leveraged over \$11 million in new resources for mentoring; and
- Partnered with over 2,800 program providers.

Two really excellent examples of States with a strong commitment to mentoring are California and Florida.

In California, an executive order of Governor Pete Wilson launched the Governor's Mentoring Partnership in 1995. The initial \$10 million investment made by the State has grown to \$23.4 million per year, to invest in grants to quality local mentoring programs. Further, the initial goal of 250,000 young people in quality mentoring relationships has grown to 1 million. In addition, California's initiative allows release-time policy for State employees of 40 hours per year. Twenty-nine local mentoring partnerships have been created throughout the State and \$800,000 is available per year for technical assistance. Finally, to survive into the future, a private sector foundation developed to secure private dollars for the initiative.

In Florida, Governor Jeb Bush launched the Governor's Mentoring Initiative in 1999. It has a statewide goal to recruit 200,000 mentors. Governor Bush signed an executive order allowing all executive officer staff 1 paid hour of administrative leave, and the Florida Cabinet passed an administrative order allowing State employees 1 paid hour of administrative leave (as a result 1,800 mentored in May). The State of Florida has committed over \$12 million in direct support of mentoring initiative through the legislature and a 13 percent increase to public schools of tutoring and mentoring. Florida has also created a Corporate Honor Role with over 60 businesses that support mentoring programs.

I am pleased that Congress has made the commitment to support mentoring through authorization and appropriations for the Mentoring for Success Program, which is authorized at \$17.5 million for fiscal year 2002. This tiny investment can reap huge dividends. Mentoring can make such a difference in the lives of young people who need the support of a strong role model in their lives. I hope that thousands of children can benefit from mentors thanks to the strong support offered for mentoring programs at the Federal, State, and local levels. Every child deserves a chance to succeed, and, for many, mentoring can make the difference. Please support this resolution to commend the hard work of so many making a difference in the lives of our Nation's young people.

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

Mr. Speaker, it has been a pleasure to be here today and to speak in support of the National Mentoring Month. I want to thank my colleague the gentleman from Nebraska (Mr. OSBORNE) for his distinguished career in working with young people. We really appreciate that. The gentleman has been a great role model.

In closing, as we remember Martin Luther King, Jr. this week, I recall that he said, "Everyone can be a drum major for peace." Paraphrasing him, everyone can be a drum major for mentoring.

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

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

Mr. Speaker, in final closing, I would like to thank the gentlewoman from California (Mrs. DAVIS) and also thank obviously the gentleman from Nebraska (Mr. OSBORNE), but also all the other speakers who spoke here today.

All these individuals spoke of incidents from their own lives or incidents in their lives and incidents they knew about in which young people were helped by mentoring. I think any reasoning person who has seen mentoring in action knows what a valuable substitute it can be sometimes for what is missing in somebody's life to help them. For that reason, I would hope we would all unanimously embrace this legislation before us.

Mr. BEREUTER. Mr. Speaker, as a cosponsor of the resolution, this Member wishes to add his strong support for H. Res. 330, which expresses the sense of the House of Representatives that a National Mentoring Month should be established. In addition to raising awareness, a key goal of the effort is to encourage more individuals to become mentors.

This Member would like to commend the distinguished gentleman from Ohio (Mr. BOEHNER), the chairman of the House Committee on Education and the Workforce, and the distinguished gentleman from California (Mr. MILLER), the ranking member of the House Committee on Education and the Workforce for bringing this important resolution to the House floor today. This Member would also like to commend the distinguished gentleman from Nebraska (Mr. OSBORNE) for sponsoring H. Res. 330 and for his personal interest in establishing mentoring relationships nationwide.

Many children throughout the United States face difficult situations—and when matched with a caring and responsible adult, positive results ensue. Research has shown that mentoring benefits young people in a positive manner by increasing school attendance, improving rates of secondary school graduation and college attendance, decreasing involvement with drugs and alcohol, and reducing violent behavior.

Mr. Speaker, in closing, this Member urges his colleagues to support H. Res. 330.

Mr. DAVIS of Illinois. Mr. Speaker, I rise to comment on the positive attributes of mentoring. In the days of yesteryear, it was believed one needed a toga to be mentor,

whereas the protégés would sit at the feet of the wise one and learned the mysteries of life. In our modern world, we have a more accurate definition of contemporary trends in mentoring. Mentoring is known as the most frequent and effective method of transmitting knowledge and wisdom in society; virtually everyone has experienced it.

In an educational setting, mentoring has proven to be beneficial to all parties, be it, new teachers learning from veteran professors or students developing their perception of the world at large. Considerable studies have indicated a lesser attrition rate among new teachers whose induction program included mentoring. In 1998, a National Association of State Boards of Education survey found that among new special education teachers who continued to teach for a second year, 20 percent noted that they stayed because of the mentoring support they had received.

It is worth mentioning that both mentors and protégés responded favorably to the mentoring process. The experienced teachers were enthusiastic because they believed that mentoring allowed them to help others improve themselves, receive respect and obtain fresh ideas and energy from the new teachers. The protégés, on the other hand, demonstrated more complete planning, more effective classroom instruction, and more target goal setting.

Other studies on the same subject demonstrated the influence mentoring can have on younger students. It gives them a head start to a successful life. In a 1995 Impact Study by Big Brothers/Big Sisters of America, we now know that 53 percent of these students were less likely to skip school; 46 percent were less likely to begin using illegal drugs; and 37 percent less likely to skip a class.

The Quantum Opportunity Program funded by the Ford Foundation showed that high school students from families receiving public assistance who had a mentor were more likely than others to graduate from high school and enroll in college. They also had fewer arrests.

Mr. Speaker, mentoring is truly a valuable tool at the disposal of anyone who is willing to assist those in need. Many successful people started this way. I hope this tool will be used more readily across the Nation.

Ms. MILLENDER-MCDONALD. Mr. Speaker, I rise today to address the importance of mentoring. In today's society, our children face many challenges and they need every bit of help that we can provide for them. Mentors can provide that extra help for our children. Matching a caring, responsible individual with a young person is a proven strategy that improves the life of that person. A mentor's guidance helps to build up their confidence, enthusiasm, and trust. Studies have shown the positive impacts of mentoring, including increasing attendance at school, improving rates of high-school graduation and college attendance, and decreasing involvement with drugs and violent behaviors. Research has shown that the positive impacts go both ways, and that many mentors report having learned from their experience.

But mentors are in short supply; 16 million young people are estimated to need mentors, and there simply are not enough to go around. January has been designated as "National Mentoring Month". We need to use this time to raise awareness of mentoring on a national level and to empower and energize the programs that provide mentoring programs in our

local communities. The youth of America need positive direction and mentoring is a great way to do this.

Mr. GEORGE MILLER of California. Mr. Speaker, I want to first and foremost thank my colleague from Nebraska, TOM OSBORNE, for bringing this resolution to the floor. He is the author of the mentoring program recently signed into law by the President as part of the No Child Left Behind Act and he is also a co-sponsor of my bill, the Younger Americans Act, which would make youth development programs such as mentoring, a national priority.

Mr. Speaker, consider the following:

Twenty-Two percent of violent crime victims in the United States are juveniles and children under age 12 make up approximately one fourth of all juvenile victims known to police. My State of California ranks 48th among the 50 States and the District of Columbia for the percentage of youth detained in the California Youth Authority (CYA), county camps, juvenile halls, and private institutions.

Nationally, we know that alcohol and drug use among youth remains a serious public health concern. In California, we are finding that while self-reported teen drug use declined in the mid-eighties through the early nineties, we are now experiencing a strong rebound. And, children are using more dangerous drugs such as heroin and methamphetamines.

We also know that the need for adult-supervised environments in the after school hours is significant. About half of all California children ages 5 to 14 have both parents or a single parent working at least 30 hours per week.

These numbers describe just some of the problems our children face. For too long however, we have focused on providing remedies to these problems that only address the negative behaviors instead of looking at ways that promote the positive and healthy development of our youth.

This resolution takes us in this new direction where the focus is placed squarely on what children need to grow into healthy, safe, and well-educated adults. Making sure that all children have access to a caring and responsible adult relationship through quality mentoring programs is critical to this effort.

There is an overwhelming body of research to demonstrate the benefits of programs that guide youth development in a positive manner. According to a report released by Public/Private Ventures, a child's involvement in a mentoring relationship with a caring and responsible adult can reduce their participation in alcohol and drugs and increase attendance in school. We also know that students with adult supervision during after-school hours have better work habits, better relationships with their peers and better emotional adjustment.

California has long recognized the need for mentoring programs and since 1995 over 340,000 children have benefited from programs that match youth with caring and responsible adult mentors through the California Mentoring Initiative.

Volunteers in Probation and Families First Inc., represent just two examples of outstanding programs in the Initiative that offer quality mentoring relationships to youth in my district.

I want to applaud Mr. OSBORNE for bringing this resolution to the floor and I look forward to working with him to expand the number of mentoring programs across the country. I also

invite him and the 72 cosponsors of the Younger Americans Act to work with me on getting that bill passed. Only then will we have a national youth development policy that assures all children and youth have access to the educational, health, and economic resources they need to realize their full potential.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise this afternoon in support of H. Res. 330, which expresses the sense of this body regarding the benefits of mentoring.

Mentoring is a proven strategy that dramatically improves the lives of young people by matching a caring, responsible individual with them.

A mentor's guidance helps a young person build confidence, enthusiasm, and trust. Studies have shown that mentoring has a definitive impact on young people by increasing attendance at school, improving rates of high-school graduation and college attendance, and decreasing involvement with drugs and violent behaviors. Mentoring opens young people's eyes to a brighter future.

Research further indicates that mentors also benefit: One study found that 75 percent of the mentors surveyed reported that their mentoring experience had a "very positive" effect on their lives. And 83 percent indicated that they learned or gained personally from their mentoring experience.

The biggest challenge facing mentoring, however, is that mentors are in short supply. It is estimated that only 5 percent of the 16 million young people who need or want mentors have them. There are simply not enough mentors to go around.

Mentoring can occur in various forms. An adult can regularly contribute one lunch hour a week to help a student strengthen reading skills. A young person and her mentor can hang around once a week and play basketball, go to a museum, or visit a historical site. Any amount of consistent, quality time together will make a difference in the lives of young people.

On January 18, President Bush proclaimed January 2002 as National Mentoring Month and encouraged Americans to serve as role models for our country's youth and to volunteer as mentors. Governors, Mayors, and other government officials around the country have also passed similar proclamations for their own communities.

As a concerned citizen and Chair of the Congressional Children's Caucus, I urge my colleagues to support this legislation and to continue our hard work to ensure that children have hope for a bright future.

Mrs. MEEK of Florida. Mr. Speaker, I rise in strong support of this important resolution recognizing the benefits of mentoring, and I also want to commend Congressman OSBORNE for his hard work and initiative on this issue.

Mr. Speaker, Webster's dictionary defines "mentor" as "a trusted friend or advisor." A mentor offers a child, or youth, support, encouragement, and academic assistance.

Young people in America currently face overwhelming obstacles. Nearly one-half of all children grow up without one biological parent or in difficult home environments.

Others struggle socially, academically, or emotionally. Often, the lack of a strong role model in a child's life creates a vacuum that the child seeks to fill with drugs, alcohol, violence, or sex.

There is solid evidence that well-run mentoring programs can change a young person's



life, reduce drug and alcohol use and improve academic achievement.

Research has shown that mentoring reduces absenteeism from school and drug and alcohol abuse by nearly 50 percent, and also substantially reduces teen pregnancy violence.

Through mentoring, young people gain increased self-esteem and motivation to succeed.

Mentors do not parent. A mentor provides stable, responsible guidance to enable a child or youth to make good, positive decisions.

We should recognize all mentors including younger mentors involved in peer mentoring. It is important to encourage not only adults to become mentors, but also older youth.

When the mentor is an older student not too far in age from the mentee, this transforming relationship affects both young people.

All of us have heard the expression that "it is better to give than to receive;" the mentoring relationship offers the opportunity to two people to enter into this life-changing experience of giving and receiving.

Mr. Speaker, we have both the ability and the responsibility to give all of our children a chance to succeed. Mentoring provides this chance. I urge my colleagues to vote in favor of this resolution.

Mr. GILMAN. Mr. Speaker, I rise today in support of the resolution introduced by the gentleman from Nebraska, Mr. OSBORNE. This resolution coincides with the President designating January, National Mentoring month and I am pleased to lend my support to this important issue.

The future course of the United States depends on its children and youth. Educated, confident, and nurtured children will make our Nation stronger. Research has shown that mentoring measurably affects young people by increasing school attendance, improving rates of secondary school graduation and college attendance, decreasing involvement with drugs and alcohol, and decreasing violent behavior. Considerable numbers of our Nation's children face difficult circumstances: 1 out of 4 children lives with only 1 parent; 1 out of 10 children is born to teenaged parents; 1 out of 5 children lives in poverty; and 1 out of 10 children will not finish secondary school.

Mentoring is a proven, effective strategy to combat such circumstances by matching a caring, responsible adult with a child to provide guidance, stability, and direction to the child and to build the child's confidence. It is estimated that more than 16,000,000 children in the United States need or want a mentor but mentoring programs nationwide serve at most 750,000 of such children.

Many children throughout the United States face difficult circumstances in their lives and when matched with a caring and responsible adult, positive results ensue. The effects of mentoring include the improvement of school attendance and academic achievement, decreased substance abuse, and reduced violent behavior.

Accordingly, I urge my colleagues to support this resolution to help create more awareness for the positive benefits of mentoring programs in our Nation.

Mr. BILIRAKIS. Mr. Speaker, I rise in strong support of H. Res. 330.

I have always believed that mentors and volunteers play an important role in encouraging our nation's youth to excel in academics and in life. Caring relationships with adults can

nurture and empower a child to succeed in areas which otherwise may threaten a child's ability to overcome obstacles.

Mentors and volunteers bridge an important gap between a child's home life and school. We all agree that parental involvement in a child's education is critical to ensuring that student's academic achievement and confidence, but unfortunately, not every child has a parent that is actively involved in his or her life.

Having adult mentors and volunteers present in the schools signals their concern and love for our nation's youth. I am proud to salute the thousands of mentors and volunteers in my congressional district.

The numbers of adults committed to serving our children are astounding—26,005 mentors and volunteers contributed 1,092,957 hours in Pinellas County Schools in 2001. An additional 31,653 mentors and volunteers spent 1,280,898 hours in Hillsborough County Schools, and 13,000 adults contributed over 300,000 hours in Pasco County Schools.

Mr. Speaker, we should do all that we can to encourage mentoring relationships between adults and our nation's youth. The benefits of mentoring relationships are numerous—mentors provide positive role models for children in a world that desperately needs them. This resolution recognizes the importance of mentoring, and I am glad that my colleague has brought our attention to this issue today.

Mr. FORBES. Mr. Speaker, as an original cosponsor of H. Res. 330, I rise in strong support of this resolution to honor the community service we know as mentoring.

This time-tested method of helping children—particularly at-risk children—to grow and learn benefits all. As the parents of our, my wife and I have been fully engaged as role models and mentors for our own children. There is nothing more fulfilling for us than to work with them to shape their futures and open their minds and hearts to all the possibilities that lay before them. But far too many children do not have this opportunity. One in four children has only one parent, who may not have the time to spend with her son or daughter. One in ten children is born to teenaged parents, who themselves need guidance. These children need a helping hand to come from outside the home.

As we celebrate National Mentoring Month, we should honor the commitment of the men and women who spend time with these kids and help to give them hope for tomorrow. Working one child at a time, they make a real difference in their communities. They keep children off of the streets and out of trouble. They keep drug dealers from finding buyers. They keep gang recruiters from finding new members.

We should also give thanks to those organizations that connect these men and women to the children who need them. Some of these groups are big names we all know and respect, like America's Promise and Big Brothers, Big Sisters and Partnership for a Drug-Free America. Others spring up in communities all across America. They may be a church group or a women's club. Whether the group is large or small, the outcome is the same—children who can smile at their futures again.

I urge all my colleagues to support the mentors in their communities and to support this resolution.

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

The SPEAKER pro tempore (Mr. SIMPSON). The question is on the motion offered by the gentleman from Delaware (Mr. CASTLE) that the House suspend the rules and agree to the resolution, H. Res. 330.

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

A motion to reconsider was laid on the table.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Debate has concluded on all motions to suspend the rules.

Pursuant to the provisions of clause 8, rule XX, the Chair will now put the question on motions to suspend the rules on which further proceedings were postponed earlier today.

Votes will be taken in the following order:

Concurring in the Senate amendment to H.R. 700, by the yeas and nays; and H.R. 2234, by the yeas and nays.

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

#### ASIAN ELEPHANT CONSERVATION REAUTHORIZATION ACT OF 2001

The SPEAKER pro tempore. The pending business is the question of suspending the rules and concurring in the Senate Amendment to H.R. 700.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Maryland (Mr. GILCHREST) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 700, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 349, nays 23, not voting 63, as follows:

[Roll No. 2]

YEAS—349

Abercrombie	Boyd	Coyne
Ackerman	Brady (PA)	Cramer
Aderholt	Brady (TX)	Crane
Allen	Brown (FL)	Crenshaw
Andrews	Brown (OH)	Crowley
Armey	Brown (SC)	Cubin
Baca	Bryant	Cummings
Bachus	Burr	Cunningham
Baird	Buyer	Davis (CA)
Baker	Calvert	Davis (FL)
Baldacci	Camp	Davis (IL)
Baldwin	Cannon	Deal
Barcia	Capito	DeFazio
Barrett	Capps	Delahunt
Bartlett	Capuano	DeLauro
Bass	Cardin	DeLay
Bentsen	Carson (IN)	DeMint
Bereuter	Castle	Deutsch
Berkley	Chabot	Diaz-Balart
Berry	Chambliss	Dingell
Biggert	Clay	Doggett
Billirakis	Clayton	Dooley
Bishop	Clement	Doollittle
Blunt	Clyburn	Dreier
Boehlert	Combest	Duncan
Boehner	Condit	Dunn
Boozman	Conyers	Edwards
Borski	Cooksey	Ehlers
Boswell	Costello	Ehrlich
Boucher	Cox	Emerson

Engel  
Eshoo  
Etheridge  
Evans  
Farr  
Fattah  
Ferguson  
Filner  
Fletcher  
Foley  
Forbes  
Ford  
Fossella  
Frank  
Frelinghuysen  
Frost  
Ganske  
Gekas  
Gephardt  
Gilchrest  
Gillmor  
Gilman  
Gonzalez  
Gordon  
Goss  
Graham  
Granger  
Graves  
Green (TX)  
Green (WI)  
Greenwood  
Grucci  
Gutknecht  
Hall (TX)  
Hansen  
Harman  
Hart  
Hastings (FL)  
Hastings (WA)  
Hefley  
Hill  
Hilliard  
Hobson  
Hoeffel  
Hoekstra  
Holden  
Holt  
Honda  
Horn  
Hoyer  
Hulshof  
Isakson  
Israel  
Issa  
Istook  
Jackson (IL)  
Jackson-Lee  
(TX)  
Jefferson  
Jenkins  
Johnson (CT)  
Johnson (IL)  
Johnson, E. B.  
Johnson, Sam  
Jones (NC)  
Kanjorski  
Kaptur  
Keller  
Kelly  
Kennedy (MN)  
Kennedy (RI)  
Kildee  
King (NY)  
Kirk  
Klecza  
Knollenberg  
Kolbe  
Kucinich  
LaFalce  
LaHood  
Lampson  
Langevin  
Lantos  
Larsen (WA)  
Larson (CT)  
Latham  
LaTourette

Leach  
Lee  
Levin  
Lewis (CA)  
Lewis (GA)  
Linder  
Lipinski  
LoBiondo  
Lofgren  
Lowey  
Lucas (KY)  
Lucas (OK)  
Lynch  
Maloney (CT)  
Maloney (NY)  
Manzullo  
Markey  
Mascara  
Matheson  
Matsui  
McCarthy (MO)  
McCarthy (NY)  
McCollum  
McCrery  
McDermott  
McGovern  
McHugh  
McInnis  
McIntyre  
McKeon  
McKinney  
McNulty  
Meehan  
Meek (FL)  
Meeks (NY)  
Menendez  
Mica  
Millender-  
McDonald  
Miller, Dan  
Miller, George  
Miller, Jeff  
Moore  
Mollohan  
Moore  
Moran (KS)  
Moran (VA)  
Morella  
Murtha  
Myrick  
Nadler  
Neal  
Nethercutt  
Ney  
Northup  
Norwood  
Nussle  
Oberstar  
Obey  
Osborne  
Ose  
Otter  
Owens  
Oxley  
Pallone  
Pascarell  
Pastor  
Payne  
Pelosi  
Peterson (MN)  
Peterson (PA)  
Petri  
Phelps  
Pickering  
Pitts  
Platts  
Pombo  
Pomeroy  
Portman  
Price (NC)  
Price (OH)  
Putnam  
Rahall  
Ramstad  
Rangel  
Regula  
Rehberg

## NAYS—23

Akin  
Cantor  
Coble  
Collins  
Culberson  
Davis, Jo Ann  
Flake  
Goode

Goodlatte  
Hayworth  
Herger  
Hostettler  
Hunter  
Kerns  
Paul  
Pence

Reynolds  
Rivers  
Rodriguez  
Roemer  
Rogers (KY)  
Rogers (MI)  
Ros-Lehtinen  
Ross  
Rothman  
Rush  
Ryan (WI)  
Sabo  
Sanchez  
Sanders  
Sandlin  
Sawyer  
Saxton  
Schakowsky  
Schiff  
Schrock  
Scott  
Serrano  
Shaw  
Shays  
Sherman  
Sherwood  
Shimkus  
Shows  
Shuster  
Simpsons  
Simpson  
Skeen  
Skelton  
Smith (MI)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Snyder  
Souder  
Spratt  
Stark  
Stearns  
Stenholm  
Strickland  
Stupak  
Sununu  
Sweeney  
Tancredo  
Tanner  
Tauscher  
Tauzin  
Taylor (MS)  
Taylor (NC)  
Terry  
Thompson (CA)  
Thompson (MS)  
Thornberry  
Thune  
Tiahrt  
Tiberi  
Tierney  
Towns  
Turner  
Udall (CO)  
Udall (NM)  
Upton  
Velaquez  
Visclosky  
Walden  
Walsh  
Wamp  
Watson (CA)  
Watt (NC)  
Watts (OK)  
Waxman  
Weiner  
Weldon (PA)  
Weller  
Wexler  
Whitfield  
Wicker  
Wilson (NM)  
Wilson (SC)  
Wolf  
Wynn  
Young (AK)  
Young (FL)

## NOT VOTING—63

Ballenger  
Barr  
Barton  
Becerra  
Berman  
Blagojevich  
Blumenauer  
Bonilla  
Bonior  
Bono  
Burton  
Callahan  
Carson (OK)  
Davis, Tom  
DeGette  
Dicks  
Doyle  
English  
Everett  
Gallegly  
Gibbons

## □ 1414

Messrs. PENCE, RYUN of Kansas, ROYCE, GOODLATTE, SENSENBRENNER, and HUNTER, and Mrs. JO ANN DAVIS of Virginia changed their vote from “yea” to “nay.”

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

So (two-thirds having voted in favor thereof) the rules were suspended and the Senate amendment was concurred in.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. SOLIS. Mr. Speaker, during rollcall vote No. 2 on Jan. 23, 2002, I was unavoidably detained. Had I been present, I would have voted “yea.”

## □ 1415

## MINORITY WHIP

Mr. GEPHARDT. Mr. Speaker, as leader of the Democratic Caucus, I have been directed to report to the House that the Democratic Members have selected as their minority whip the gentlewoman from California, the Honorable NANCY PELOSI.

As a matter of information to the Members of the House, it is my understanding that this is the highest position to which a woman has been elected in the history of the House of Representatives.

## TUMACACORI NATIONAL HISTORICAL PARK BOUNDARY REVISION ACT OF 2001

The SPEAKER pro tempore (Mr. SIMPSON). The pending business is the question of suspending the rules and passing the bill, H.R. 2234, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Maryland (Mr. GILCHREST) that the House suspend the rules and pass the bill, H.R. 2234, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 356, nays 14, not voting 65, as follows:

## [Roll No. 3]

## YEAS—356

Abercrombie  
Ackerman  
Aderholt  
Akin  
Allen  
Andrews  
Armey  
Baca  
Bachus  
Baird  
Baker  
Baldacci  
Baldwin  
Barcia  
Barrett  
Bartlett  
Bass  
Bentsen  
Bereuter  
Berkley  
Berry  
Biggert  
Bilirakis  
Bishop  
Blunt  
Boehlert  
Boehner  
Boozman  
Borski  
Boswell  
Boucher  
Boyd  
Brady (PA)  
Brady (TX)  
Brown (FL)  
Brown (OH)  
Brown (SC)  
Bryant  
Burr  
Buyer  
Calvert  
Camp  
Cannon  
Capito  
Capps  
Capuano  
Cardin  
Carson (IN)  
Carson (OK)  
Castle  
Chabot  
Chambliss  
Clay  
Clayton  
Clement  
Clyburn  
Collins  
Combest  
Condit  
Conyers  
Cooksey  
Costello  
Cox  
Coyne  
Cramer  
Crane  
Crenshaw  
Crowley  
Cubin  
Culberson  
Cummings  
Cunningham  
Davis (CA)  
Davis (FL)  
Davis (IL)  
Davis, Jo Ann  
Deal  
DeFazio  
Delahunt  
DeLauro  
DeLay  
DeMint  
Deutsch  
Diaz-Balart  
Dingell  
Doggett  
Dooley  
Doolittle  
Dreier  
Duncan  
Dunn  
Edwards  
Ehlers  
Ehrlich  
Emerson  
Engel

Eshoo  
Etheridge  
Evans  
Farr  
Fattah  
Ferguson  
Filner  
Flake  
Fletcher  
Foley  
Forbes  
Fossella  
Frank  
Frelinghuysen  
Frost  
Ganske  
Gekas  
Gephardt  
Gilchrest  
Gillmor  
Gilman  
Gonzalez  
Gordon  
Goss  
Graham  
Granger  
Graves  
Green (TX)  
Green (WI)  
Greenwood  
Grucci  
Gutknecht  
Hall (OH)  
Hall (TX)  
Hansen  
Harman  
Hart  
Hastings (FL)  
Hastings (WA)  
Hayworth  
Hefley  
Hill  
Hilliard  
Hobson  
Hoeffel  
Hoekstra  
Holden  
Holt  
Honda  
Horn  
Hoyer  
Hulshof  
Hunter  
Isakson  
Israel  
Issa  
Istook  
Jackson (IL)  
Jackson-Lee  
(TX)  
Jefferson  
Jenkins  
Johnson (CT)  
Johnson (IL)  
Johnson, E. B.  
Johnson, Sam  
Kanjorski  
Kaptur  
Keller  
Kelly  
Kennedy (MN)  
Kennedy (RI)  
Kildee  
King (NY)  
Kirk  
Klecza  
Knollenberg  
Kolbe  
Kucinich  
LaFalce  
Lantos  
Larsen (WA)  
Larson (CT)  
Latham  
LaTourette  
Leach  
Lee  
Levin  
Lewis (CA)  
Lewis (GA)  
Linder  
Lipinski  
LoBiondo

Lofgren  
Lowey  
Lucas (KY)  
Lucas (OK)  
Lynch  
Maloney (CT)  
Maloney (NY)  
Markey  
Mascara  
Matheson  
Matsui  
McCarthy (MO)  
McCarthy (NY)  
McCollum  
McCrery  
McDermott  
McGovern  
McHugh  
McInnis  
McIntyre  
McKeon  
McKinney  
McNulty  
Meehan  
Meek (FL)  
Meeks (NY)  
Menendez  
Mica  
Millender-  
McDonald  
Miller, Dan  
Miller, George  
Miller, Jeff  
Mollohan  
Moore  
Moran (KS)  
Moran (VA)  
Morella  
Murtha  
Nadler  
Neal  
Nethercutt  
Ney  
Northup  
Norwood  
Nussle  
Oberstar  
Obey  
Oliver  
Osborne  
Ose  
Otter  
Owens  
Oxley  
Pallone  
Pascarell  
Pastor  
Payne  
Pelosi  
Pence  
Peterson (MN)  
Peterson (PA)  
Petri  
Phelps  
Pickering  
Pitts  
Platts  
Pombo  
Pomeroy  
Portman  
Price (NC)  
Pryce (OH)  
Putnam  
Rahall  
Ramstad  
Rangel  
Regula  
Rehberg  
Reynolds  
Rivers  
Rodriguez  
Roemer  
Rogers (KY)  
Rogers (MI)  
Ros-Lehtinen  
Ross  
Rothman  
Rush  
Ryan (WI)  
Ryun (KS)  
Sabo  
Sanchez  
Sanders  
Sandlin  
Sawyer  
Saxton

Schakowsky	Stenholm	Upton
Schiff	Strickland	Velazquez
Schrock	Stump	Visclosky
Scott	Stupak	Walden
Serrano	Sununu	Walsh
Shadegg	Sweeney	Wamp
Shaw	Tancredo	Watson (CA)
Shays	Tanner	Watt (NC)
Sherman	Tauscher	Watts (OK)
Sherwood	Taylor (MS)	Waxman
Shimkus	Taylor (NC)	Weiner
Shows	Terry	Weldon (PA)
Shuster	Thompson (CA)	Weller
Simmons	Thompson (MS)	Wexler
Simpson	Thornberry	Whitfield
Skeen	Thune	Wicker
Skelton	Tiahrt	Wilson (NM)
Smith (NJ)	Tiberi	Wilson (SC)
Smith (TX)	Tierney	Wolf
Smith (WA)	Toomey	Wynn
Snyder	Towns	Young (AK)
Souder	Turner	Young (FL)
Spratt	Udall (CO)	
Stark	Udall (NM)	

## NAYS—14

Coble	Jones (NC)	Schaffer
Goode	Kerns	Sensenbrenner
Goodlatte	Kingston	Smith (MI)
Herger	Paul	Stearns
Hostettler	Royce	

## NOT VOTING—65

Ballenger	Gutierrez	Ortiz
Barr	Hastert	Quinn
Barton	Hayes	Radanovich
Becerra	Hilleary	Reyes
Berman	Hinchey	Riley
Blagojevich	Hinojosa	Rohrabacher
Blumenauer	Hoolley	Roukema
Bonilla	Houghton	Roybal-Allard
Bonior	Hyde	Sessions
Bono	Inslee	Slaughter
Burton	John	Solis
Callahan	Jones (OH)	Tauzin
Cantor	Kilpatrick	Thomas
Davis, Tom	Kind (WI)	Thurman
DeGette	Largent	Trafficant
Dicks	Lewis (KY)	Vitter
Doyle	Luther	Waters
English	Manzullo	Watkins (OK)
Everett	Miller, Gary	Weldon (FL)
Ford	Mink	Woolsey
Gallegly	Myrick	Wu
Gibbons	Napolitano	

□ 1426

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. CANTOR. Mr. Speaker, due to complications with my voting card I was recorded as not voting in rollcall No. 3 on January 23, 2002. I ask that the RECORD reflect that I would have voted "yea" in this vote.

Ms. SOLIS. Mr. Speaker, during rollcall vote No. 3 on January 23, 2002 I was unavoidably detained. Had I been present, I would have voted "yea."

## PERSONAL EXPLANATION

Mr. LEWIS of Kentucky. Mr. Speaker, due to official business in my congressional district, I missed rollcall votes No. 2 and No. 3. Had I been present, I would have voted "yea."

## PERSONAL EXPLANATION

Ms. SLAUGHTER. Mr. Speaker, I was unable to be present for rollcall vote No. 2 and No. 3. Had I been present, I would have voted "yea" on rollcall vote No. 2 and No. 3.

## PERSONAL EXPLANATION

Mr. RILEY. Mr. Speaker, I was unavoidably detained for rollcall No. 1, Call of the House Quorum. Had I been present I would have voted "present."

I was also unavoidably detained for rollcall No. 2, H.R. 700, the Asian Elephant Conservation Reauthorization Act of 2001 (Concur in Senate Amendment). Had I been present I would have voted "yea."

I was also unavoidably detained for rollcall No. 3, H.R. 2234, the Tumacacori National Historical Park Boundary Revision Act of 2001. Had I been present I would have voted "yea."

## PERSONAL EXPLANATION

Mr. KIND. Mr. Speaker, today, January 23, due to family considerations, I unfortunately was not able to vote on three rollcall votes.

Had I been present, I would have voted "present" on rollcall No. 1.

I also would have voted "yea" on rollcall No. 2—reauthorizing a conservation program for Asian elephants and "yea" on rollcall No. 3—expanding the Tumacacori National Historic Park in Arizona.

## PERSONAL EXPLANATION

Ms. KILPATRICK. Mr. Speaker, I was unavoidably detained for some of the legislative business scheduled for today, Wednesday, January 23. Had I been present, I would have voted "yea" on rollcall No. 2, H.R. 700, the Asian Elephant Conservation Reauthorization Act and rollcall No. 3, H.R. 2234, the Tumacacori National Historical Park Boundary Revision Act.

## REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF S. 1762, ESTABLISHING FIXED INTEREST RATES FOR STUDENT AND PARENT BORROWERS

Ms. PRYCE of Ohio, from the Committee on Rules, submitted a privileged report (Rept. No. 107-354) on the resolution (H. Res. 334) providing for consideration of the bill (S. 1762) to amend the Higher Education Act of 1965 to establish fixed interest rates for student and parent borrowers, to extend current law with respect to special allowances for lenders, and for other purposes, which was referred to the House Calendar and ordered to be printed.

## LETTER TO THE PRESIDENT

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

Mr. SMITH of Michigan. Mr. Speaker, I wrote an open letter to the President which I would review at this time.

"I urge you to submit a budget in February that recognizes and addresses the rapid increases in deficit spending. The need to raise the debt ceiling within the next few weeks and the new CBO projections showing budget deficits in

2002 and 2003 underline the challenges we face.

"While the weak economy has played a substantial part, overspending is the primary cause of the current problem. When the last budget limitation agreement was reached in 1997, the Congressional Budget Office projected Federal revenues of \$1.408 trillion for 2002 for a balanced budget. The actual figure was \$1.893 trillion, or 41 percent more than was projected."

So revenues are higher than expected.

"Unfortunately, spending grew even more—to \$2.003 trillion—enormously beyond the 1998 projections.

"We need to take a more serious" role and I would insert the letter in the RECORD.

HOUSE OF REPRESENTATIVES,  
Washington, DC, January 22, 2002.

Hon. GEORGE W. BUSH,  
*President of the United States, The White House, Washington, DC.*

DEAR MR. PRESIDENT: I urge you to submit a budget in February that recognizes and addresses the rapid increase in deficit spending. The need to raise the debt ceiling within the next few weeks and new CBO projections showing budget deficits in FY 2002 and FY 2003 underline the challenges we face.

While the weak economy has played a substantial part, overspending is the primary cause of the current problem. When the last budget limitation agreement was reached in 1997, the Congressional Budget Office projected federal revenues of \$1.408 trillion for FY 2002 for a balanced budget. The actual figure was \$1.983 trillion, or 41% more than was projected. Unfortunately, spending grew even more—to \$2.003 trillion—enormously beyond our 1998 projections.

We need to take a more serious look at how we can prioritize spending in the FY 2003 budget, and make hard choices about which programs can be trimmed or eliminated. If we do not make decisions to restrain spending now, I am concerned that projected deficits will continue to grow to the great detriment of future generations of Americans.

I respectfully suggest that your leadership is necessary if we are to prioritize spending and thus limit deficit spending.

NICK SMITH,  
*Member of Congress.*

## SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

## PROTECTING THE HEALTH OF OUR TROOPS IN AFGHANISTAN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas (Mr. MORAN) is recognized for 5 minutes.

Mr. MORAN of Kansas. Mr. Speaker, today I rise to recognize our Nation's heroic men and women who are serving our country, our citizens, in the war on terrorism.

Following the unspeakable acts of terror on September 11 of last year, the President admonished our Nation to prepare for a long struggle, a military

and moral struggle, against terrorism. On Monday, I witnessed the departure of 25 young men and women reservists of the 388th U.S. Army Reserve unit in my hometown of Hays, Kansas. I watched the sacrifices of these families, of the young children who grabbed their dad's and mom's legs and the tears that are shed for moms and dads and friends and family and neighbors. These loved ones of our community have answered the call to duty, and America's war on terrorism has come home.

As we now look at the deployment of thousands of United States military forces in combat and in Afghanistan and elsewhere, we should remember and learn from those who have served us in the past. We have to do the right thing by these soldiers, sailors, airmen and Marines, with proper preparation and readiness before they are deployed. I want to try to assure our families, those in Kansas and elsewhere, that we are doing the right thing to ensure the safe return and a healthy life for our servicemen and women.

Tomorrow morning, the Committee on Veterans' Affairs Subcommittee on Health will conduct a hearing to examine preventive procedures in place to protect health care of servicemen and women who have been deployed to Afghanistan. As chairman of this subcommittee, I will ask whether or not the lessons we learned and should have learned from our troop deployments in the Persian Gulf War have been integrated into current deployment procedures of the Departments of Defense and Veterans' Affairs.

Has sufficient priority been given to matters of health protection, prevention and monitoring of our troops?

Are our troops in Afghanistan deployed with the proper equipment, protective clothing, detection equipment, gas masks to fight a war in which chemical and biological weapons might be used?

Are our troops prepared to detect reliably the presence of chemical and biological weapons?

Are our troops trained to conduct effective military operations in an environment where chemicals or biological weapons may be used?

We will review and hear testimony from the current Department of VA and Defense, and we will hear how we have benefited from the knowledge and gained information from past mistakes.

□ 1430

The hearing will ask current and former officials of DOD and VA to review the roles they played in the Gulf War and how policy was formulated to deal with the known risks, as well as to discuss some of the problems later uncovered that were not anticipated in the immediacy of the deployment itself. We will be privileged to have two former United States Senators who conducted reviews and investigations on the Gulf War veterans. We will also

hear from advocates of veterans from the Gulf War, who will provide recommendations to ensure the health of today's troops.

As a subcommittee with jurisdiction over the VA health care system, and as a Member of Congress with a strong interest in and support of our military, we want this hearing to serve as a public record of our concerns about those being deployed in harm's way on foreign shores today. We must take steps necessary to ensure that these veterans have a healthy life when they return home.

I hope tomorrow's hearing will be informative for everyone and will lead us to better solutions for the concerns that arose after Desert Storm, Somalia, Kosovo, Bosnia, and other recent military operations.

The active duty and reservists, some 70,180 that have been called to serve in this war on terrorism, whether in Central Asia or elsewhere, will be veterans of the future. It is our responsibility as Members of Congress to help ensure that troop health is maintained and that our veterans return with the greatest possibility of leading a normal healthy life.

#### HOMELAND SECURITY

The SPEAKER pro tempore (Mr. ISSA). Under a previous order of the House, the gentleman from Missouri (Mr. SKELTON) is recognized for 5 minutes.

Mr. SKELTON. Mr. Speaker, several years ago, I became aware of the threat that terrorism posed to American security and began to learn more about our Nation's preparedness. In the aftermath of September 11 last year, I gain not even the smallest amount of pleasure by saying "I told you so."

In late 1996, after several attacks on U.S. citizens and military personnel, I called government investigators into my office to request a study on America's ability to defend against terrorists. This was the start of what became a 5-year, 15-report series assessing our Nation's ability to combat terrorism. The first report by the General Accounting Office, or GAO, examined the Defense Department's ability to protect U.S. forces overseas and concluded that uniform security standards were needed to assure the safety of Americans around the world. Imagine my disappointment when a follow-up study dated this past July stated considerable risk remained and significant security and procedural problems persist.

In other reports issued during this period, GAO further cited additional shortcomings in our Nation's ability to combat terrorism. It called for better coordination and management, for better planning and training, for an increase in the number of real-world exercises, and for elimination of duplicative programs. GAO also repeatedly called for the implementation of a comprehensive threat-and-risk-assessment process to better quantify the

danger. Finally, and above all, it called for the President to design and implement a comprehensive national strategy to combat terrorism at home and abroad.

In response to these recommendations, I drafted legislative language to begin the regular disclosure of overall spending levels on combating terrorism programs. In March of last year, I introduced the Homeland Security Strategy Act of 2001 to address many of these concerns and warn of an impending threat. What I said then is still true today: we have no well-publicized, widely understood, comprehensive, government-wide strategy concerning the role of the United States Government in homeland security crisis and consequence management.

On a positive note, the President did take up my recommendation to designate a single person to be responsible for and to report on homeland security. A few other positive developments have occurred in recent months too. For example, Congress passed and the President has signed the USA PATRIOT Act to enhance the government's ability to collect intelligence about potential terrorist activities. Regrettably, these steps were taken only after the loss of life on September 11.

Meanwhile, our sons and daughters in uniform have achieved unprecedented success abroad in this struggle against terrorism. Through their sacrifice and selfless service we have destroyed al Qaeda's grip on Afghanistan, driven the Taliban from power, and disrupted al Qaeda's global operations.

Despite the existence of a most challenging foe, we have achieved success while putting less than 3,000 military personnel on the ground and in harm's way. We have achieved success by utilizing special tactics and sophisticated technology. B-2 bombers, for example, flying from Whiteman Air Force Base, Missouri have placed precision ordnance on target with pinpoint accuracy. Army Special Forces personnel have often guided carrier-launched F-14 and F-18 strike aircraft on bombing runs. And Marines have worked alongside Army personnel in an unparalleled manner, supporting one another while clearing caves and bunkers throughout the mountain areas of the Afghan countryside. We have every reason to be proud of these accomplishments.

Yet, success notwithstanding, much still needs to be done. For starters, Osama bin Laden, Mullah Mohammed Omar, and other Taliban leaders and their associates remain at large and may be on one of any of the continents of the globe.

Nevertheless, to completely realize a successful fight against terrorism at home and abroad, several important and necessary improvements must be pursued. First, we must upgrade our intelligence, law enforcement, first responder, and military capabilities to effectively match the present and future threat.

Second, we must reorganize and coordinate our approach to homeland security at the Federal, State and local levels.

Third, we must improve the coordination of our law enforcement, intelligence, diplomatic, and military efforts.

The attacks of September 11 could have been avoided. Yet as I look toward the days ahead, I gain both strength and a sense of optimism in recalling the words of Thomas Paine, who wrote: "Those who expect to reap the blessings of liberty must undergo the fatigues of supporting it." Over time, we have shouldered the burden and met the challenges of our calling. We have done this because we had to; and with patience, persistence and faith, I am confident we will continue on this path. Our best days still lie ahead.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from the District of Columbia (Ms. NORTON) is recognized for 5 minutes.

(Ms. NORTON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

#### REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 234

Mr. DELAHUNT. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 234.

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

There was no objection.

#### EMPLOYEE AND RETIREE RESTORATION ASSISTANCE ACT OF 2002

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today to call upon my colleagues to use the power vested in them as the highest lawmaking body of this Nation to be problem solvers, resolvers of a crisis, and that is the financial crisis that is taking place in Houston, Texas, with the company called Enron and the enormous impact that it is having on both retirees and employees located around this Nation. I believe we can do it.

I think it is important that where the facts point, we will follow, and that we will not ignore the truth. But we must also be reminded that every time this Nation has faced a tragedy, the Federal Government has been there with strength and creativity and solutions. We can do no less now in responding to a crisis that may have both long-range and far-reaching impact.

Today, I will file the Employee and Retiree Restoration and Assistance Act

of 2002, which will prioritize restoring and assisting both the retirees and the laid-off employees of this company, because people have to be our number-one priority. I think Congress has to put as its number-one priority in this debacle to be able to make whole those innocent families who have been impacted. We have heard the stories, particularly from the retirees losing \$2 million, \$1 million, \$700,000, \$800,000, \$200,000, \$8,000; and we have been able to describe this as nothing smaller than a great tragedy.

I believe this Congress has the ability to do several things, and I would call upon them to do so. Cap the amount of company stock that individual employees can put in their retirement funds. That can be done immediately. Pass the Employee and Retirees Restoration and Assistance Act of 2002 to prioritize those individuals as being the first ones to receive reimbursement if and when individuals were found to have perpetrated inappropriate behavior or illegal behavior. Put the employees first.

Then, we should also find a way that the Federal courts can establish a fund in the New York bankruptcy proceeding so that laid-off Enron employees may be able to travel to New York from Houston to be able to watch the bankruptcy proceedings that they had originally asked to be held in Houston, Texas. This is allowed because we have done so under the Federal Judiciary when indigent petitioners are not able to travel long distances. In the alternative, we should try to provide home-based viewing of this particular proceeding for these employees who have been so hurt.

I just wish to make my colleagues aware of one story in the crisis, that of Janice Farmer, who spent 16 years in the natural gas industry, starting as Florida Gas Transmission, which later became a part of Enron, and who worked in the right-of-way department and also at the training center where people were trained to handle natural gas safety.

Janice retired from the Enron Corporation with nearly \$700,000 in Enron stock. This was her life savings. This was to be set aside for her and her grandchildren. She was proud to invest, and she lost her money.

This is just one of the many victims who have suffered because of the losses they have experienced. What I have been asked by those who live in Houston and elsewhere is that we do something for people first. This is where I believe this Congress can show itself well and proud, if the first act we do, the first legislative initiative that we pass will prioritize the needs of those Americans.

We have come through some very troubling times in the last year. Many of us have faced natural disasters, such as Tropical Storm Allison in Texas. Certainly nothing can compare itself to the September 11 tragedy. But America rose to the occasion, and our young

men and women continue to fight for our freedom and justice and equality in places far away. And as I close, Mr. Speaker, we now have another national tragedy, an American tragedy, one that I do not equate to September 11; but I simply say that this Congress has the ability to solve these problems if we work hard and we prioritize and stay focused on helping the people who have been hurt most.

Mr. Speaker, I ask that we pass immediately the Employees and Retirees Restoration Assistance Act of 2002.

#### ENRON DEBACLE

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. Mr. Speaker, the Congress and the public have been struggling with the issues surrounding the Enron debacle, the meltdown of this company and its impact on employees and on pension plans of people who were locked into their plans and could not escape at the time that insiders within the company were selling stock.

A whole range of reasons have been given as to why this was the rule; but in point of fact, a corporation simply made a decision that workers were going to be treated differently than management; that while the management could sell stock at any time, somehow the employee who chose to sell his or her stock would disrupt the market. The fact is probably that management sold much more stock than the employees hold, and it never disrupted the market. The reason for the disruption of the market around Enron is different than the sale of those stocks.

Today, we learned that Kmart employees suffer from the same handicap. While Kmart has been heading toward Chapter 11 bankruptcy for the last month or so, we find out that Kmart again has a provision very much like Enron, and that is that employees cannot sell their stock. In Enron, you could not sell the stock until you were 50. At Kmart, you could not sell it until you were 55. But if you chose to sell it, you would have to pay a very substantial, a very substantial penalty for the withdrawal of the employee contributions. This is even for vested individuals.

□ 1445

In spite of that, thousands of individuals are cashing in. They are paying a penalty when they sell their stock. Management is not paying a penalty when they sell their stock.

It is clear that we need for vested employees in a pension plan to have complete control over their assets. The idea of management contributing corporate stock is not a bad idea. The idea of corporations matching is not a bad idea. But for the vested employees, the bad idea is that they cannot control their holdings.

Mr. Speaker, I have introduced legislation that will provide employee control over their assets of their pension plans once they are vested. It is important that this happen. As we see again today with the Kmart employees, had they had control over their plans, if they were not required to pay a penalty, they could have exercised the independent judgment that so many people say retirees must be able to exercise. One of the reasons we say we want Americans to have 401(k) plans, the supporters do, as opposed to Social Security, is they can exercise their judgment. But if these plans are prohibited, if pension plans are out of the control of workers, and they have no way of knowing what is happening within the corporation, then they really do not have the exercise of power over the assets that have been put away for them.

In the situation of Enron, not only do we have a corporation engaging in fraud and inside dealing, but the entity that was supposed to certify it to employees and other investors was engaging in the same fraud, the deceptions and the criminal behavior, I believe. So where does the employee go? Yet those employees were trapped in that pension system.

The same is true in Kmart. Kmart looks more like a classic bankruptcy case. They made a series of bad business judgments, lost market share, their competitors outfoxed them, and now they are having trouble and seeking protection of the bankruptcy courts. Yet they locked their employees in, or at least locked them in where the employee would have to consider, because once the employee in Kmart exercised their judgment to sell the stock that was contributed by the employer, they would pay a very hefty penalty, and then they would be prohibited from having any further contributions by the employer. That is not a system which puts value on the ability of the employee in a vested plan to make these decisions.

Mr. Speaker, it is also reported today that Sears requires their employees to hold on to their stock, although apparently not 100 percent of the stock, but to hold on to the stock. We see now that they are impacted in the same way in terms of their ability. What we are talking about here is the ability of individuals to rescue their retirement. As we saw in Enron, we have seen families and individuals and couples who have had their retirement destroyed by the criminal behavior of Enron and Arthur Andersen. They should not have that retirement destroyed by the bad business decisions of Kmart when they are in a vested plan.

Mr. Speaker, I urge support of our legislation to make sure that Americans have control over their pension plans and they cannot be locked down by their employer.

#### RATHER BE CALLED CHICKEN THAN MORON

The SPEAKER pro tempore (Mr. ISSA). Under a previous order of the House, the gentleman from Florida (Mr. FOLEY) is recognized for 5 minutes.

Mr. FOLEY. Mr. Speaker, I want to start off the second session of the 107th Congress on a positive note, and take a moment to remind those listening when anthrax first hit our Capitol, there was a decision made by the gentleman from Illinois (Mr. HASTERT), the Speaker, in conjunction with the gentleman from Missouri (Mr. GEPHARDT), the minority leader, to move our employees out and close the House for a couple of days to see the difficulty that we faced and the problems with anthrax spores in the Capitol. I commend both gentlemen because they were concerned about the safety of the employees and the health and welfare of the people in their charge.

The headlines screamed chicken, and blamed the Speaker of the House for Congress abandoning our responsibilities. I call attention to today's headlines in USA Today, "Anthrax at Senate offices deadlier than first thought." My colleagues may remember that in the other Chamber there was bravado saying we are going to stay and work. We cannot believe the House Members would leave and run for cover. Let me repeat the headline. "Anthrax at Senate offices deadlier than first thought."

Mr. Speaker, let me read from the same paper. Greg Martin, Bethesda Naval Hospital, took samples from Congressional aides and used them to grow cultures in the lab. He is a medical professional working for the U.S. Government.

The words "weaponized" and "highly concentrated spores" were still days away from making their way into the headlines. But Greg Martin, a physician in the hospital's medical corps, became so alarmed that morning that he asked for beds to be reserved at Bethesda. He was expecting staffers to become ill from their exposure to anthrax.

Let me read more on why the gentleman from Illinois (Mr. HASTERT) was so concerned for the employees of the Federal Government, the children of American families who work in our Nation's Capitol.

Nasal swabs from the Daschle aides had been incubating overnight in the laboratory. Not enough hours had passed by usual research standards for cultures to grow. Martin did not expect to see anything out of the ordinary, but he was shocked. "I was horrified to see there was heavy growth on numerous plates. That is when it all hit home that we had an extensive exposure."

Mr. Speaker, the House made the right decision, and I said days later I would rather be called a chicken than a moron for staying and leaving the citizens of this Capitol city exposed to deadly bacteria until we were able to find out whether it was in our offices.

Let me take a moment, though, to commend the senior Senator from Massachusetts for saying to the Press Club, I want to raise taxes. He said what was

on the mind of many Democrats, but they were afraid to utter. They went on national talk shows and said, We think the President needs to figure out a solution for the recession. We think the President brought us to a recession, blaming the chief executive of this country for the recession but not offering their own solutions. But the Senator said it clearly. Let us raise taxes. Let us reverse the tax cuts, the same thing. Everyone now agrees.

Mr. Speaker, I have to commend him for his courage. I have to commend him for saying it like it is on the record, for people to compare and contrast the political parties and what their intents are for the future of this debate. American families are struggling. Businesses are struggling. People are frightened. Consumer confidence is down. The last thing we should do is raise taxes in a recession.

John Fitzgerald Kennedy in 1961 decided when the recession looked bleak and our economy was teetering, he boldly suggested tax cuts, remarkably successful in those years. Today, a relative suggests that is not such a smart economic principle. That is great reflection.

I will stick with our course any day of the week. As a member of the Committee on Ways and Means, I salute the gentleman from California (Mr. THOMAS) for addressing the economic needs of this country. We can throw fear into the hearts of citizens and make them scared with talk of gloom and doom. I hope one party stands on this high hill above the city and suggests a way for Americans to have confidence in their country, which we have displayed in our war against terrorism, and give this President the same kind of confidence and backing that he will need to bring us to an economic certainty, to bring us to a time when people feel good about the direction of this country.

#### ENRON/ANDERSEN SCANDAL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. DOGGETT) is recognized for 5 minutes.

Mr. DOGGETT. Mr. Speaker, I hope that we can begin this session of Congress in a spirit of cooperation by tackling some of the very serious domestic problems that face our country. I believe that we can learn from the repeated failures of last year when this Congress was unable to resolve with so many important issues, and from the several unproductive congressional sessions over the last several years. We can also learn from a rare and significant bipartisan success, namely was the completion of action on the new education law, just before the holidays, where members of both parties working together, developed a bill that offers great promise for improving the quality of American public education.

One of the issues which we should devote our energies now, and we should



work together to resolve, are those concerns, such as the use of tax shelters, brought to greater public attention through the Enron/Andersen scandal. Certainly, we should be concerned when we look at the Enron/Andersen scandal with the lawless conduct that allegedly occurred, and there are prosecutors exploring that as I speak. But we here in the Congress need to be equally concerned about conduct by Andersen, Enron, and others that may be lawful but is simply awful in its impact on America.

The Enron/Andersen scandal certainly demonstrates the error of many who have spoken in this House and who have insisted that a tax cut deregulation elixir is the cure for every ill afflicting America. Certainly Enron got plenty of that elixir. In recent years, they did not bother paying any income taxes whatsoever to support our great country. Rather in reviewing the conduct of Enron and Andersen, we learn much that appears to have been lawful but was awful in its impact on our country.

This scandal is about more than dealing with a lack of oversight, it turns on the deliberate decisions of some policymakers in Washington to overlook loopholes, shortcuts, back doors, exemptions and exceptions that riddle our laws, providing special protection and special opportunities to special interests that lobby here in Washington—to the detriment of blameless employees at Enron, Andersen and other companies, of retirees, of investors, and of those many taxpayers, who work hard to contribute their fair share to our country.

The Enron/Andersen scandal makes the case for long overdue reforms in many areas. One of those is the Abusive Tax Shelter Shutdown Act, which I have been urging Congress over three years to adopt. Too often major corporations use gimmicks similar to these offshore subsidiaries that Enron created as a scheme to avoid paying their fair share of taxes. This tax shelter legislation, which we voted on here on the House floor, suffered the consistent objection of companies like Andersen, who peddle their tax shelters to more than just Enron. There are plenty of other companies engaged in the same general type of abusive tax shelters that aided Enron.

Second, the debate demonstrates the need to reform our campaign finance laws. There is so much focus in the press on what people are doing with their campaign checks from Enron. The attention ought to be on whether anything meaningful will be done to reform the campaign finance system for all contributions. We are now two or three signatures away from a discharge petition forcing the Speaker to bring this issue to the floor for full and fair debate. We ought not to have to force him, this ought to be the first item up for consideration next week in this House.

A third area where prompt reform is definitely required is with reference to

retirement security. These blameless folks who lost their retirement savings in their 401(k) plan as a result of being locked in to relying on company stock by Enron management presents a problem that working together we can act on now before others suffer the same fate.

I hope that the leadership of this House and the Administration, both of whom have blocked reforms on campaign finance and abusive tax shelters, that they have learned from this outrageous, still unfolding scandal with Enron and with Andersen. If we approach these problems together learning from the mistakes of some, we can produce good legislation, do it, quickly but carefully, and thereby ensuring that no more similar scandals afflict American families.

□ 1500

#### QUESTIONING CREDIBILITY OF FEDERAL STUDIES

The SPEAKER pro tempore (Mr. ISSA). Under the Speaker's announced policy of January 3, 2001, the gentleman from Colorado (Mr. MCINNIS) is recognized for 60 minutes as the designee of the majority leader.

Mr. MCINNIS. Mr. Speaker, I am anxious to be back here with my colleagues. There are a number of different issues that we face in this upcoming year.

One of the issues that I want to talk about this afternoon, and I am going to talk about a number of different things, but one of the things that is very important to me is the credibility of Federal studies. I want to give all of my colleagues on both sides of the aisle a very sad example of evidence that has been planted, planted evidence, just like in a criminal case where a police officer goes into the home of a suspect and plants a bag of marijuana. It is an effort to lie. That is what it is. It is lying about the evidence. That is exactly what has happened.

On a Federal study that was recently undertaken on three separate occasions, we had Federal employees who planted evidence in an effort to alter the result of a study involving an endangered species, the lynx. Let me go into a little more detail on the facts and let my colleagues determine for themselves, is this the way that we ought to run a so-called unbiased, fair study? And you ask the question and you answer the question: Should biologists, who have an agenda, go in and be involved and be allowed to make the decisions or be the ones who handle the evidence when they have obviously a biased agenda as to how that study ought to turn out?

The facts are this. In this country we undertook years ago the Endangered Species Act. It is an important act. It does a lot of important things. But as any act that has been enacted into law, there is always somebody who finds abuse, and there are always serious

questions and questions as to whether or not what the intentions of that act really were. Under the Endangered Species Act, we look out there for species, whose species are threatened or they are endangered. As we see those species, we go out and do studies. Or if we think species exist, we go out and we do studies to protect their habitat, to protect the area in which they live; we have actually seen one or two successful programs out of the Endangered Species Act; for example, the bald eagle. The bald eagle, that species and the preservation of that species, was approached with credible science.

Science is an important part of the preservation of these species. The science that is put forward must be credible. It has got to be truthful. You lose credibility regardless on which side of the aisle you are on, regardless of which side of the issue you are on, you lose credibility if you plant evidence. You lose credibility if you lie. You cannot do that. You have got to be truthful. Regardless of what those results of that study come out to be, you must be truthful.

Here is what happened. We had seven people involved. Several of those people were employees of the Federal Government. They were scientists. They were biologists. They were professionals. As chairman of the Subcommittee on Forests and Forest Health, which oversees the responsibility of this and answers to the full Committee on Resources, as chairman of that committee, we depend very heavily upon the assessment and the findings of these biologists. These people are hired as professionals. These people are hired with academic credentials.

Unfortunately, in this case we had some biologists who had a different agenda. We had some scientists who had a different agenda. We had some wildlife State employees who had a different agenda. They were so driven by their agenda that they felt it was necessary to plant evidence. What evidence did they plant? One of the endangered species which we are looking very carefully at, we are determining whether it should be listed as endangered and what areas it should be listed as endangered, is the lynx. It looks very much like your household cat, bigger, more like a bobcat. In fact, the species is related to the bobcat, the lynx and the bobcat.

What happened was these scientists and these biologists, these are your employees, they work for us, for the Federal Government. They work for the people of this Nation. They do our work, to go out and determine what are the facts—just the facts, ma'am—what are the facts. These biologists were assigned to undertake a lynx study in two forests to determine whether or not there was any kind of proof of the habitat of lynx in these particular areas. This is very controversial, because if lynx were found to exist in these areas, very severe conditions are placed upon these forests.

Very severe conditions, restrictions on use. For example, if you had a ski area, my district in Colorado has all the ski areas in Colorado. If you had a lynx found on a ski area, you could shut the ski area down. You could shut down all the timber industry. You could shut down bike riders, mountain bikers. You could shut down people on the river. You could virtually shut the entire thing down for hundreds, maybe thousands, maybe hundreds of thousands of square miles.

So finding the evidence of these things is a very critical element in our assessment to determine whether or not these severe restrictions should be put into place.

What do these biologists do? What do these Federal Government employees who have a fiduciary relationship to the people for whom they work, which are the people of the United States of America, what do they do? They go out, they secure some lynx hair and they plant lynx hair in different spots in the forests. Then they go out and, oh, they discovered the lynx hair that they planted and they submit that to the lab for the lab to determine whether or not it is lynx hair. They planted the evidence. That is exactly what they did. Their full intent was for that study to conclude that lynx existed in these forests, and therefore the natural consequence of that finding was that restrictions would be placed on these forests.

How did we find out about this? How did we find out about the lynx? The way we found out about it, we had a whistleblower. It is not because these biologists came forward and said, look, as they are now saying, all we really wanted to do was test the laboratory. Let me ask you, how credible would you find a police officer who planted evidence in a suspect's house and later on in the courtroom said, "Well, the only reason I planted evidence was to see whether the crime lab could determine that I planted it and that the suspect really didn't have that bag of marijuana. That is why I did that." How credible would you find that?

How credible do we find these biologists' story that the whole reason they planted this lynx hair in the forests was to test the laboratory? In fact, their lies, their planting of evidence, has hurt the credibility and endangers the fundamental honesty of the National Lynx Survey. I have had people that are very active environmentalists that are on fire about this. It hurts their cause. It hurts everybody's cause to have Federal employees go in and plant evidence. It is like a bad cop. Who suffers the most from bad cops? Sure, the suspect, but good cops. Good cops suffer when they have got a bad cop. Good biologists suffer when you have got a bad biologist, biologists who will plant information with the full intent to provide misleading information, to sway the conclusion of a supposedly verifiable study. This is very, very damaging, what has occurred.

I note that my good colleague from the State of Arizona, a very active member on the committee, very involved in this revelation that has come up as a result of a whistleblower, by the way, not the biologists coming and telling us, telling the lab, oh, by the way, we were just testing the lab. As a result of somebody who was leaving the government, retired, on the day of their retirement they could not live with it anymore, they revealed to the Forest Service, hey, you know what, we kind of cheated a little, we planted lynx hair out there in the forest so that the laboratory would say that there was evidence of lynx habitat.

By the way, do you know what the Forest Service did? If you were a cop, you would be in jail, by the way. What the Forest Service did was simply take these biologists off that particular study, will not give the names of these biologists, and gave them counseling, counseling for this kind of an offense that undermines the entire credibility of the National Survey.

Back to my colleague from Arizona, I appreciate the fact that he has joined me today and I intend to yield him time to further discuss what the ramifications of planted evidence on the National Lynx Survey are.

With that, Mr. Speaker, I yield to the gentleman from Arizona such time as he may consume.

Mr. HAYWORTH. Mr. Speaker, I thank my colleague from Colorado who has taken a leading role in this, and this should be of concern to every American, for what has been perpetrated on the American people can accurately be called biofraud.

People of good will can disagree on land use policy. People of good will can have different approaches to conservation and the environment. But always and forever, Mr. Speaker, the standard should be sound science.

I want to thank my colleague from Colorado for leading our subcommittee and as we serve together on the Committee on Resources, I look forward to hearings, but I think it only fair to put on notice those who would coddle a criminal element. This is not misguided behavior simply cured by counseling. This is not something that should remain confidential. Indeed, if there is another lament I have, it is a curious concern that some in government do not believe they are accountable to constitutional officers who are sent here to do the people's business.

Mr. Speaker, I would put those people with those misguided notions on notice today that I will work with my subcommittee chairman and I will work with the chairman of the full committee and I will work with this full House, if need be, if there are those who continue to stonewall the truth, I believe, quite reasonably, quite rationally, that we should bring people in under oath to the committee and if they continue to stonewall, this Congress should hold those people in contempt. I say that not in a reflex of rage

but in a calm, sober-minded fashion, because if we allow this kind of abuse to continue in our system, even as we lament what happens in stories of high finance, to pension funds, even as we attempt with the various committees of jurisdiction in this Congress to get to the bottom of business and accounting corruption, so too does this Congress have a responsibility to the American people, for their quality of life, for the true ascertainment of the biological integrity of the flora and fauna in our various national forests and the people of Colorado and Arizona and all of our States who love the land and make a living off the land as true stewards and true conservationists. This crime of biofraud should not go unnoticed, should not go unpunished.

I salute my colleague from Colorado because he understands with his background in law enforcement and the law and with a good dose of western, and let me enlarge that, American common sense and Yankee ingenuity, that we need to get to the bottom of this on behalf of all the American people, put a stop to biofraud, again amplify and adopt a notion of sound science and its application when it comes to something as crucial and as precious as our environment.

□ 1515

I appreciate the presumption of innocence for those who it is believed have committed a crime, but, again, I would reiterate to this House, to cover this up in some sort of victimology and saying there, there, counseling is fine, is in itself misfeasance and malfeasance of the stewardship of the land and the basic trust this government and its citizens deserve.

Mr. MCINNIS. Mr. Speaker, I thank the gentleman from Arizona. I might add that I, too, agree with the gentleman about presumption of innocence in regards to whether or not a crime has taken place.

But I should note that there is no presumption of innocence because these parties have made an admission of guilt as far as misdoing in the responsibilities and the fiduciary duties of their job, as the gentleman knows.

This is not an allegation we are making from the House floor about some biologists at the Forest Service. I know on the House floor allegations are made or that we want to investigate here or we want to investigate there. The facts are clear: These employees planted evidence. They have admitted to planting evidence.

The whistleblower is how we first found out about it. The Forest Service has disciplined, unfortunately, just by simply counseling. Any other job in America they would have been fired, and, frankly, I think criminal charges would have been filed by the local district attorney. But in this particular case the Forest Service counseled them and then kept it quiet. We only broke this loose about a month ago.

Mr. HAYWORTH. I appreciate the gentleman's knowledge, and we should

note that investigators continue to work on this case.

Let me just ask, are the perpetrators still in the employ of the Forest Service, receiving salaries from tax dollars, to the gentleman's knowledge?

Mr. MCINNIS. Reclaiming my time from the gentleman from Arizona, the answer to that is yes, they remain as employees of the Federal Government, in good standing, by the way, I might add. Number two, the Forest Service, to this point in time we have not been able to secure from them information as to what other studies these particular biologists have been involved in.

Because of the fact of the deeds that these biologists have committed, the admitted deeds of planting evidence in hopes of having a conclusion reached that lynx existed in these particular forests, because of the seriousness of these charges, it is my opinion that we should look at any work that these people have done to see whether or not they have also planted evidence in those cases.

As the gentleman from Arizona will recall, a few months ago in the City of Los Angeles they had a bad cop and he planted or fabricated evidence in many, many cases. They had to reopen every case that cop ever had his fingerprints on to see whether in fact, and, unfortunately, they found out he had, to find out if in fact that officer had altered evidence in those cases.

That is exactly what needs to happen here. But, unfortunately, the Forest Service thought it was appropriate just to counsel these employees, pat them on the back and tell them that they were bad boys and bad girls and they should behave more properly in the future and let it go at that.

Had we not found out about it, frankly, I am afraid we would see that alteration or planting of evidence would then be seen as somewhat of an acceptable practice with very little punishment by the controlling agency.

Mr. HAYWORTH. If the gentleman would yield further for a question, we have had a chance to discuss this off the House floor, but to make it a part of the record here today, in this House Chamber, Mr. Speaker, I would ask my colleague from Colorado, how he would characterize the response of the Forest Service? Has it been forthcoming, has it been begrudging, have we seen the type of attitude of how dare we question their disciplinary procedures?

How would the gentleman characterize the ambience or the governmental philosophy of the response of those at the Forest Service?

Mr. MCINNIS. At this point in time, reclaiming my time from the gentleman from Arizona, I should say the Forest Service, or the Department of Interior, or the Division of Wildlife in the State of Washington, none of these agencies were forthcoming in advising the United States Congress, more specifically the committees that have direct responsibility over these issues,

advising us that in fact false evidence had been planted in a very critical study and it altered or could have altered the results of that study. So that information was not provided. We dug that information out.

However, once the information was located or provided to us, then I can tell you the new head of the Department of Agriculture, Ann Veneman, the head of the National Forest Service and the Secretary of Interior have been very cooperative.

To the extent they have not yet given us those names, I am going to get those names and I am going to release them to the public. I think the public has a right to know the bad cop. In Los Angeles they put that name out real quickly, because they wanted people who dealt with this cop to know they had a bad cop. We need to know this here, too.

But to this point in time, they have been cooperative, the heads of the agencies. We have not, in my opinion, found that same form of cooperation at lower levels. In other words, we are finding a great deal of resistance obviously by the biologists themselves. They know they are in a lot of hot water and so on.

So, yes, we have had cooperation. We have a number of investigators in the field and we hope in our subcommittee hearing which is coming up to pull out further cooperation if it is not forthcoming.

Mr. HAYWORTH. I thank my friend for the time. I would simply say I look forward to joining my colleague from Colorado for those subcommittee hearings.

But I also think it is important for purposes of full disclosure to the American people, it is interesting, political scientists put a word on what my friend describes, where you may have a philosophical and cultural change at the top, but those at the different levels of bureaucracy are somewhat reluctant to help deal with these policy solutions or even feel that they are accountable for helping in that regard. The political scientists call it bureaucratic inertia.

Mr. Speaker, I would say to my colleagues today on the floor, let us take away that value-neutral title. Anyone who withholds information, as far as I am concerned, is complicit in a crime and part of a coverup, and it is the duty of our subcommittee and the full committee and this entire House in legitimate government oversight to work with my colleague from Colorado.

I would simply say, Mr. Speaker, to any employee who believes they have a higher calling than sound science or accountability to the taxpayers of this country and the citizens of this Nation and duly elected constitutional officers, they should go on notice: Their days are numbered and we will get to the bottom of this on behalf of all the American people, because the people have the right to know.

Mr. MCINNIS. I thank the gentleman from Arizona. I might point out to my

colleagues here, what we are talking about has implications for millions of people. When you close down a forest in the West, remember that in the West we have huge quantities of public lands. In the East you have very little public land. In fact, in many of your States your public lands are the lands where the county courthouse sits. Oh, we have the Shenandoah Park and the Florida Everglades, but for the most part in the East you have no public lands.

In the West we are totally and completely dependent upon public lands. All of our power, our highways, our lifestyle, our recreation, our farms, our ranches, our water, everything is fully dependent upon the Federal lands.

There are ways that you can shut us off. There are ways that you can shut down human existence in the West. One of them is through these endangered species. There has been a much higher priority given to endangered species, as you know, than human species on a number of occasions. In some cases I think there is some justification for that.

But under these circumstances, what has happened is if you found evidence of a lynx, and in fact that endangered species never existed in that particular area, or the habitat is not in existence, but because of planted evidence, because Federal employees lied, hundreds of thousands of people who depend on the public lands or thousands and thousands of people who have private lands that are impacted by the endangered species, and remember, endangered species regulations do not just apply to public lands, they apply to private lands, their lives could be affected in a very negative fashion, a loss of huge value of their holdings or their lifestyles or their work.

So the ramifications of planting this evidence are just as serious as if a cop came into the gentleman from Arizona's office and planted a bag of cocaine and then turned you in. You can imagine the public outcry for your resignation because they found cocaine in your office. The ramifications are huge. And it is same thing here. The ramifications of this false and planted information are devastating if deployed in the way that these biologists intended.

Mr. HAYWORTH. If my friend would yield, I want to thank him for putting the proper perspective on this, Mr. Speaker, because from time to time there are those who will portray any instance of wrongdoing as being somehow an issue decided because of the person's naivete or confusion and that there would be no harm.

My colleague from Colorado points out quite correctly that while public land is important in all of our 50 States, public land is such a fact of life west of the Mississippi, and particularly in the Southwest, where in my Congressional district, the Sixth Congressional District of Arizona, we have some counties that the land mass is 95

percent government-controlled. Indeed, one county, Gila County, Arizona, less than 3 percent of the land is private land.

And this is not some esoteric imagining. This is a reality for the people of the West who, time and again, have proven to be good stewards of the land, who, because of a unique circumstance in applying for statehood, had to confer to the Federal Government over half of their lands as a dowry, if you will, or as a condition for statehood.

It sets up a different dynamic than we see here on the eastern seaboard. It sets up a dynamic with which many Americans in major cities in the East or the Midwest may not be familiar, indeed, a dynamic that some in fact in western major cities may not be familiar with.

But this has a direct harm on American citizens, particularly in the rural West, and it is not a noble and misguided action.

Indeed, we see that in the newspapers today with the arrival of the American Taliban, John Walker Lindh, and the spin that somehow a young person meant well, but they were naive, ignoring the fact that young Americans younger than John Walker Lindh put on the uniform of this country to defend this country, and yet in the popular culture with the defeatist notions blaming America first, you get this incredible spin, and, quite frankly, this deviant public psychology that will explain away any and all crimes.

Mr. Speaker, my colleague from Colorado and I and other members of this subcommittee will get to the bottom of these crimes that have been committed against the American people. And, no, this was not a naive misjudgment deserving of counseling, any more than the actions of the so-called American Taliban are things to be excused. They are both crimes against this country. And how horrible it is that the perpetrators of this crime were ostensibly working on behalf of the American people and to this day are paid with the hard-earned tax money of the American citizens.

We will make it clear that sound science must be restored and a new sense of ethics must come to our pursuit of conservation and our preservation of our environment. In that way, people of good will, even though there may be disagreements on public policy, can at least work from sound scientific data, and in the public arena and in this Chamber and in the give and take of community control can come up with sound solutions, rather than having the misguided folks who believe the ends absolutely justify the means, who would even take criminal action to appeal to their misguided notion of what the greater good might be.

It has been said, Mr. Speaker, we are a nation of laws and not of men, but men must faithfully execute the laws of this country. And in their wisdom our founders gave this branch of government, the legislative branch, legiti-

mate oversight of those executive agencies who from time to time might forget their scope and mission, might engage in misfeasance and malfeasance.

With my colleague from Colorado at the helm our subcommittee, I have every confidence that we will get to the bottom of this, and it will make a difference on behalf of the American people. I yield back to my friend.

Mr. MCINNIS. I thank the gentleman from Arizona. The gentleman is correct. These biologists lied. There is no way around it. These were Federal employees who lied. They have admitted to their lie. They planted evidence.

The purpose for which they planted this evidence was to alter the National Lynx Survey. They wanted to alter it in such a way, in my opinion, that they wanted to show the existence of an endangered species in a forest, which in fact no previous evidence has been found that that possibly endangered species had habitat in that area. That is the whole intent.

Now, what they are saying today is they just wanted to test the laboratory. You can imagine, to my colleague from Arizona, if you put a gun in your belt and walked through the metal detector at the airport and then explain to the officers that captured you, I just wanted to test your metal detector, that is why I walked through with a gun. Or a cop who plants evidence who says I just wanted to test the laboratory, the crime lab, to see if they could find that I planted the evidence and not the poor suspect who could face years in prison, point number one.

□ 1530

The second point I would make with the gentleman is, the gentleman speaks of the national media. Can we imagine what the national media would be doing with this story if, in fact, the facts were reserved. If, in fact, somebody had gone in and actually taken a live lynx or taken evidence out of the forest so that it appeared that no endangered species existed in that area, to me, that would be completely intolerable. But it would be on the front page of, certainly, The New York Times and certainly The Washington Post and certainly the Miami Herald and all of the papers in Massachusetts and Connecticut.

This story is being brushed aside in some camps. It is our responsibility. I say to my colleague from the State of Arizona, under the subcommittee of which I am chair and of which the gentleman is an active member, it is our responsibility, regardless of the Robin Hood mystique that may be placed by some media outlets on these individuals, it is our responsibility to make it known that Federal biologists have a fiduciary responsibility, which has been violated through their lies, which they have admitted to, through their planting of evidence, which they have admitted to, and have them answer to the consequences of their actions.

I yield to the gentleman.

Mr. HAYWORTH. Mr. Speaker, I thank the gentleman. As we were hearing a recitation of different analogies and actual events, whether it be the Los Angeles cop gone bad, or a variety of other stories, I thought about the conduct of those who have come in this institution before; and when my colleague and I were still in private life, I can remember reading as an American citizen of the Abscam investigation and, indeed, a Member of this House, who was caught red-handed on videotape pocketing proceeds, ill-gotten gains, held a press conference and said, I was just conducting my own investigation. As absurd as that denial was then, it is equally absurd to have these bio-frauds claiming the same thing and, worse still, the management of the agency saying, well, you need some counseling. You can continue to work here in good standing, but you need some counseling.

No. What needs to happen is that the rule of law must be maintained and the sacred trust of those who would work on behalf of the taxpayers must be restored. I salute my colleague for taking the lead on this. I pledge to him and, Mr. Speaker, to this House, and to those I represent, that we will find out what has transpired and we will make the changes necessary.

Mr. MCINNIS. Mr. Speaker, I would point out to the gentleman, we have heard a lot of discussion about the Enron Corporation and a lot of attention has been paid to the Enron Corporation, and the shredding, not only at Enron, but Arthur Andersen, the shredding of evidence. They are there destroying evidence. In this particular case which, by the way, could impact hundreds of thousands of people, evidence was not shredded, it was created, falsely created and then planted as to affect the result of the study.

So I appreciate the gentleman. What I intend to do here is read for the RECORD, unless the gentleman has any further comments, I would like to read for the RECORD a letter issued by the chairman of the whole committee and myself as chairman of the Subcommittee on Forest and Forest Health, a letter sent to the Secretary of the Department of Agriculture and to the Secretary of the Interior.

"Dear Secretaries:

"We are alarmed and outraged by the findings of a recent Forest Service investigation regarding the lynx recovery survey, which concluded that hair samples from Canadian lynx had been illicitly "planted" on three known occasions by officials in the U.S. Forest Service, the U.S. Fish and Wildlife Service, and the Washington State Department of Fish and Wildlife. While we commend the Forest Service and the Fish and Wildlife Service for investigating the matter and bringing it to Congress's attention, we believe the investigation's findings raise other fundamental issues and questions that have not yet been satisfactorily answered. Notably, it calls into question

the very credibility and the integrity of broader lynx surveys. Given the extraordinary impact that the lynx recovery program will have on the management of national forests throughout the West and around the Nation, the Forest Service and the Fish and Wildlife Service should immediately resolve these outstanding issues.

"First, we believe that simply reassigning culpable individuals is a grossly inadequate punishment, given the magnitude of this offense. While the investigation may, in fact, be correct in concluding that these incidents do not rise to the level of criminality, a finding we reserve judgment on until we have the opportunity to thoroughly review the facts and the relevant laws, these offenses minimally amount to professional malfeasance of the highest order. Whatever the reason, these individuals appear and have admitted to knowingly and willfully planted false evidence that, if unexposed, would have had immense implications on any number of management decisions. Even if not criminal, again, an issue we reserve judgment on, this unethical behavior runs afoul of even the most lackadaisical standard of professional conduct. As such, we believe these individuals should be terminated immediately if their guilt is verifiable. We have every confidence that if a Federal employee buried or otherwise concealed legitimate evidence pointing to the existence of a lynx on a national forest, their termination would be swift and sure. This incident should be treated no differently. Federal land managers simply cannot be allowed to obstruct a process of this size and this consequence with relative impunity.

"Second, we believe the nature of these improprieties dictates an immediate and a thorough review of all of the data acquired during the course of the lynx survey. A December 13 Forest Service memo to Congress detailing this incident asserts that survey coordinators feel the integrity of the overall lynx sampling effort is being maintained. But the memo offers nothing to support those findings. Has the Forest Service attempted to independently verify the scientific authenticity of previously identified lynx samples found in other regions? Can the Forest Service and the Fish and Wildlife Service say with any level of certainty that any other lynx samples were not planted in a similar manner? If the answer to either of these questions is no, how can the Forest Service and Fish and Wildlife Service guarantee Congress and the public that the national lynx recovery effort is grounded in science rather than in the fraudulent behavior of some unscrupulous field officers.

"Ultimately, the credibility of the lynx survey is now hanging by a thread. The Forest Service and the Fish and Wildlife Service have an obligation to demonstrate the propriety of other samples before it uses the lynx survey to make sweeping land management decisions.

"As your internal audit of this situation moves forward, we intend to ask the General Accounting Office to conduct its own parallel probe of these incidents. In addition, at this time we are planning on holding oversight hearings before the Forests and Forest Health Subcommittee early next year," that is this year, "to ensure that this unfortunate occurrence is satisfactorily remedied."

The reason I read this into the RECORD is, one, I wanted the letter submitted for the RECORD, as the gentleman from Arizona mentions, but I also want to point out that this notes several of the points that the gentleman has brought up. The gentleman has stated, I think in explicit terms, exactly what the concern is we have here, and that is, we have to depend on credibility. We cannot risk having scientists who make these kinds of decisions planting the evidence. It is not right. It is a lie. It ought to face the consequences.

Mr. Speaker, I will include for the RECORD at this time the aforementioned letter.

DECEMBER 17, 2001.

ANN M. VENEMAN,  
*Secretary, Department Agriculture, Washington, DC.*

GALE A. NORTON,  
*Secretary, Department of Interior, Washington, DC.*

DEAR SECRETARY VENEMAN AND SECRETARY NORTON: We were alarmed and outraged by the findings of a recent Forest Service investigation regarding the lynx recovery survey, which concluded that hair samples from Canadian lynx had been illicitly "planted" on three known occasions by officials in the Forest Service, the U.S. Fish and Wildlife Service and the Washington State Department of Fish and Wildlife. While we commend the Forest Service and the Fish and Wildlife Service for investigating the matter and bringing it to Congress' attention, we believe the investigation's findings raise other elemental issues and questions that have not yet been satisfactorily answered. Notably, it calls into question the very credibility and integrity of the broader Canada lynx survey. Given the extraordinary impact that the lynx recovery program will have on the management of national forests throughout the West and around the nation, the Forest Service and the Fish and Wildlife Service should immediately resolve these outstanding matters.

First, we believe that simply reassigning culpable individuals is a grossly inadequate punishment given the magnitude of this offense. While the investigation may in fact be correct in concluding that these incidents do not rise to the level of criminality—a finding we reserve judgment on until we have the opportunity to more thoroughly review the facts and relevant laws—these offenses minimally amount to professional malfeasance of the highest order. Whatever the reason, these individuals appear to have knowingly and willfully planted false evidence that, if unexposed, would have had immense implications on any number of management decisions. Even if not criminal—again, an issue we reserve judgment on—this unethical behavior runs afoul of even the most lackadaisical standard of professional conduct. As such, we believe these individuals should be terminated immediately if their guilt is verifiable. We have every confidence that if a federal employee buried or otherwise con-

cealed legitimate evidence pointing to the existence of a lynx on a national forest, their termination would be swift and sure. This incident should be treated no differently. Federal land managers simply cannot be allowed to obstruct a process of this side and consequence with relative impunity.

Second, we believe the nature of these improprieties dictates an immediate and thorough review of all the data acquired during the course of the lynx survey. A December 13 Forest Service memo to Congress detailing this incident asserts that "survey coordinators feel the integrity of the overall lynx sampling effort is being maintained," but the memo offers nothing to support these "feelings." Has the Forest Service attempted to independently verify the scientific authenticity of previously identified lynx samples found in other Regions? Can the Forest Service and the Fish and Wildlife Service say with any level of certainty that other lynx samples were not "planted" in a similarly surreptitious manner? If the answer to either of these questions is no, how can the Forest Service and the Fish and Wildlife Service guarantee Congress and the public that the national lynx recovery effort is grounded in science, rather than in the fraudulent behavior of unscrupulous field officers.

Ultimately, the credibility of the lynx survey is now hanging by a thread. The Forest Service and the Fish and Wildlife Service have an obligation to demonstrate the propriety of other samples before it uses the lynx survey to make sweeping land management decisions.

As your internal audit of this situation moves forward, we intend to ask the General Accounting Office to conduct its own parallel probe of these incidents. In addition, at this time we are planning on holding oversight hearings before the Forests and Forest Health Subcommittee early next year to ensure that this unfortunate occurrence is satisfactorily remedied.

Sincerely,

SCOTT MCINNIS,  
*Chairman, Subcommittee on Forests and Forest Health, Committee on Resources.*

JIM HANSEN,  
*Chairman, Committee on Resources.*

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. ISSA). The Chair would caution all persons in the gallery to refrain from all conversations. The acoustics in the chamber are such that these carry and make it impossible to hear those speaking. Would all persons in the gallery please refrain from further conversation.

Mr. MCINNIS. Mr. Speaker, I am going to move to another subject, but I will be happy to yield to the gentleman if he wants to conclude.

Mr. HAYWORTH. Mr. Speaker, I thank the gentleman from Colorado. I appreciate the encyclopedic nature of the letter to the Forest Service. I would just reiterate, it is a question of sound science; but even more basic than that, it is a question of trust. We will work at the subcommittee level, at the full committee level, and, indeed, in this House of Representatives to ensure that the American people can trust those who are in the service of this government to rely on sound

science and to understand their fiduciary role to the American people and to our public lands.

Mr. MCINNIS. Mr. Speaker, I appreciate the gentleman from Arizona. I would also say to the gentleman that there are a couple of other subjects here I intend to discuss, and I would invite the gentleman to participate as well, because I know the gentleman from Arizona has some very strong feelings.

First of all, let me tell my colleagues that in the last few days, I cannot believe what I have been reading, but I have been reading in world press and national press and even local press about some question of the treatment of our prisoners, the al Qaeda prisoners that we are now holding in Cuba. I cannot believe this. These are people whose entire cause is to destroy our society; and frankly, they did a pretty good job of it. Four or 5,000 people, they murdered them. That is what it was. In cold blood, regardless of their nationalities, regardless of their faith, regardless of whether they were military or nonmilitary; we all know what I am talking about on September 11. These people declared war against the United States of America.

And now, as prisoners in Cuba, I can assure my colleagues that, one, they have better clothing than they have ever had. They have all been provided with their religious book, the Koran, so that they can study that if they wish. They are being fed better than they were being fed in probably years. They are receiving better health care than they have ever received in their home countries that they came from.

This is how we treat our prisoners. We are giving these people treatment that I would say if it were in reverse, first of all, they said very clearly what they were going to do with American prisoners. At the very beginning, the leaders of the Taliban said that they looked forward to a fight with America because they wanted to capture some young American soldiers and they were going to skin them alive. Skin them alive and ship the corpses back to us. That is what they were going to do with their prisoners. Now, the International Red Cross, which plays holier than thou, which, by the way, ought to clean up their own books, in my opinion, thinks that they have some kind of overriding legal jurisdiction to condemn the United States in the treatment of these prisoners in Cuba.

These people are nasty people. Of course we do not allow them to sit down with their fellow prisoners and communicate. Of course we have them in handcuffs and shackles. Of course we put them in orange outfits so that if they were to escape, they are much more easily identified. Of course we do not put them in Nikes so that they cannot. It is like any other prisoners, we put them in sandals or, in some cases barefoot, so that if they were to attempt an escape, they cannot move very far.

I am astounded at the political spin that is being put on by some of these media outlets that somehow the United States has shirked its responsibility to these prisoners and to these detainees. As we know, they are not prisoners of war, because we know what the International Red Cross would like us to do, and that is to declare that these detainees in Cuba are declared prisoners of war. Because once they are declared prisoners of war under the Geneva Convention, all they have to tell us is their name, rank, and serial number or whatever identification. That is it. They do not have to tell us about any upcoming terrorist attacks. And as we can see now, with Johnny Walker, the gentleman who, well, excuse me, I mistakenly referred to Mr. Walker as a gentleman. He is a war criminal, in my opinion.

But the fact is, we now see some of the national media starting to put a spin, and some of the liberal organizations putting a spin on this that this Johnny Walker should have been advised in the battlefield, right after they killed that American CIA agent, that young man with a family, by the way, right after they killed him, that when they captured this Johnny Walker, they should have advised him that he had the right to see an attorney, that he needs to know anything he says could be used against him in a court of law. They wanted Miranda rights on the battlefield. That is where this political spin is going.

We have every right to question those detainees in Cuba to determine where the next terrorist attack is coming from. As the gentleman knows, just this morning it was revealed to the American people that one of the detainees has advised us that the embassy in Yemen has been targeted for an attack on the embassy, and they have now evacuated the embassy. We would not get that information if it were up to the International Red Cross. I am astounded by the behavior of the International Red Cross. I yield to the gentleman from Arizona to add to this.

Mr. HAYWORTH. Mr. Speaker, I appreciate the gentleman yielding, because we need to make comments on this, especially the notion that we would designate these illegal combatants, to whom we refer now as detainees, as prisoners of war. Understand an even more diabolical implication, if they were regarded as prisoners of war. That would mean eventual repatriation to their various nations. Our Commander in Chief stood at this podium in the well of this House, in the wake of the attacks of September 11 and made clear to us, this is a new kind of war.

□ 1545

Yes, there are categories which we can recognize in terms of international law. There are illegal combatants involved in this war, as my colleague, the gentleman from Colorado (Mr. MCINNIS), pointed out, as was brought

home to us with crystal clarity on September 11. Law-abiding citizens going about their daily activities were wantonly and brutally attacked at the cost of at least 3,000 American lives in New York, civilian personnel. With the cost of combined military and civilian personnel in the hundreds here, within 5 miles of this location at the Pentagon.

For the left wing media, I should also note for fairness, I received an e-mail from a British couple. I jokingly call them my British cousins because they take an interest in our constitutional Republic, and they come to visit quite often. They e-mailed my office today saying, Congressman, do not believe the prattle of the leftist press and the British tabloids. John Bull, the British citizenry, is with you. And how sad it is that the whole notion of the media culture has turned from keeping a journal, a chronicle of events to a realm of advocacy where opinions, no matter how aberrant, no matter how ultimately harmful are entertained and given quarter as if they have intellectual integrity.

Let me say this, Mr. Speaker, to those who would champion the rights of the butchers who oppose this country, the detainees who have told their guards when they have a chance they will kill more Americans, the detainees who have attempted to bite and with whatever weapons they have, their own hands, their own guile, try to harm American citizens, let me ask those who would champion in misguided notion their rights as if they were American citizens, how do you explain it to the orphans of September 11?

I mentioned earlier an attack occurred in close proximity to this citadel of freedom, this Capitol dome, at the Pentagon on that same horrible date.

I have heard stories of elementary children who lost their fathers, who today are affected with conditions that will follow them the rest of their lives. And as our Secretary of Defense has pointed out, as my colleague from Colorado has pointed out, we are treating these detainees who have vowed death to America, we have treated them more humanely than they would ever consider treating us. They have given them balanced meals. We have taken care of hygienic needs, and yes we have even entitled them to worship and assembly, which in some free nations where Americans now find themselves, in terms of military personnel, their right to freely worship according to the dictates of their own conscience is prohibited. And let me make it very clear, Mr. Speaker, to that group of misguided miscreants so enveloped in a doctrine of defeatism that they once again would blame America first, do you not remember what transpired on September 11?

Let me put it in some perspective for you. For the first time in modern history, for the first time in 200 years, our Nation was attacked by a foreign power within the continental United



States resulting in the death of innocents in an act of war. And this new type of war does not need the culture of victimology or the plaintive plea, why do they hate us, or all the other pop psychology and social, pathological causation reasons that those in the parlors or in the opinion journals should state.

We have a right to civil defense. We have a right to national survival, and those who are enemies of this Nation will pay a price. And, if necessary, if public opinion in Europe goes so awry, if the culture has changed so greatly on behalf of some of our so-called allies, then, Mr. Speaker, I am absolutely certain the American Nation is willing to go it alone.

And to those who think that we are somehow to blame, perhaps they should pay a visit to some of the terrorist states, see what freedom of worship, what freedom of assembly, what freedom of speech they would enjoy in those environments and then report back to the United States if they survive.

Mr. MCINNIS. Mr. Speaker, I thank the gentleman.

Mr. Speaker, I want to wrap this up very quickly by saying to the gentleman from Arizona (Mr. HAYWORTH), your points are very valid.

The United States will do it alone if it is necessary. But the reason the United States will not have to do it alone is because our friends and our neighbors and our acquaintances in Europe know that these acts of terrorism could be committed against them as well.

The International Red Cross is completely naive about the realities of what they are trying to do and the spin they are trying to put this thing on. I say I am gravely disappointed in the International Red Cross which, frankly, at times in the past has enjoyed a good reputation. The National Red Cross has had their reputation tarnished with their Victims Fund, as the gentleman from Arizona (Mr. HAYWORTH) knows. Now we have the International Red Cross trying to put on a spin.

I want to move quickly and I would be happy to yield the gentleman a few minutes. We have about 9 minutes remaining. I would like to talk about this upcoming session. I noted that the previous speaker spoke about bipartisanship on the education bill. I was proud of that.

We got a good bill out of here. We used bipartisanship. But there are some issues of which there are fundamental differences; and the fact that we cannot reach bipartisan support on some of these issues reflects the fundamental belief that some of us have. The fundamental belief of which I am speaking, which we are going to address here in the next few weeks, is the Democratic Party desire to raise taxes in this recession and the Republican desire to cut the taxes. Not raise taxes in this situation.

One of the leading speakers for the Democratic Party said just last week that the death tax, a tax which has no rational basis in our taxing system, the death tax was only put into our system to punish people who had been successful in our society, to punish the families, the Rockefellers and the Fords back around the turn of the last century; that is why this thing was placed into effect. Now, as you know, if you own a truck, a dump truck, a pickup and a bulldozer you are now in the death tax range. The leading Democratic spokesman said we should continue the death tax and we should immediately increase taxes by not allowing the people the tax cuts they have been promised in a recessionary period.

As the gentleman from Florida (Mr. FOLEY) said earlier on on this very House floor, he made the statement that President Kennedy, in the recession that President Kennedy faced, said this is not the time to raise taxes. This is time to put money in the pockets of consumers, the people that earn it. It is not our money. We take it from our citizens. We bring it here, and the citizens much more effectively spend that money.

This is a policy disagreement. Do not let people sugar coat it by telling you we ought to be bipartisan; we ought to agree to raise your taxes, America. Or maybe sugar coat it and not call it a tax raise. But really, we will not give you the tax reductions you deserved.

In other words, it is going to Safeway with a coupon that says you get 25 cents off Cheerios, and when you get there, Safeway says, well, we will not honor the coupon anymore. So we did not really raise the price of Cheerios by 25 cents, but we will not honor the coupon we just gave you. That is not what Safeway does. Safeway is a good store, but you get the point.

I will yield the balance of my time, which is probably about 4½ minutes or so, for the gentleman to make comments about this tax issue.

Mr. HAYWORTH. Mr. Speaker, I thank my colleague from Colorado.

I know, Mr. Speaker, that I am honored to join my colleague not only in membership on the Committee on Resources but also on the Committee on Ways and Means, the committee with jurisdiction over the tax code, the committee that shepherded through the tax relief plan that our President asked for and the American people received earlier this year, and then worked hard, not once, but twice, to deliver an economic security package that, sadly, in the other Chamber has yet to see the light of day. And I appreciate my colleague commenting on it.

I think this is important, too, because it seems that some leaders on the other side, regardless of Chamber, have a problem not so much with the Republican Party but with members of their own party. We have heard of many Democrats joining with us in a bipartisan fashion regardless of their economic philosophy, whether they adhere

to the notion of John Maynard Keynes or whether they join us in the supply-side notion that at a time of economic downturn taxes must be reduced. Why? Because the economy needs to grow and people need more of their own money to save, spend, and invest. And the American people, Mr. Speaker, have gotten wise to the tired old argument that tax relief only benefits the rich.

Indeed, if you look more closely, the top 1 percent of income earners in the United States shoulder 36 percent of the tax burden. The top 5 percent take over 70 percent of the collective tax burden. The fact is, as our friend from Florida pointed out earlier today, as a Democratic chief executive, the late President Kennedy said, a rising tide lifts all boats.

Economic opportunity is important for all the American people. And so I am encouraged, Mr. Speaker, in the fact that the President of the United States has come and insisted on trying to change the tone in Washington. It resulted in a bipartisan education bill. Some people remain tone deaf when it comes to the question of taxation. But I take heart from the fact that those who have seen to oppose us and whose inaction lead unnecessarily, I believe, to holiday season of suffering, and how is this for irony? The very people who some on this Hill claim to champion suffered at their hands because of inaction on an economic security package brought to this floor not once, but twice, a compromise worked out with interests of the other party. And yet, hope springs eternal, and we will come back again.

But the American people understand, as my colleague, the gentleman from Colorado (Mr. MCINNIS), understands, as Members of both Houses, from both parties understand, the key to economic vitality is growth, and that growth is expressed by people having their own money to save, spend and invest, making their own decisions to fuel the economic engine so vital to not only our economic security but also to our national security.

Mr. Speaker, with that I yield back to my friend, the gentleman from Colorado.

Mr. MCINNIS. Mr. Speaker, I think it is important to note and repeat again, this is not the time to raise taxes. And I urge those members of the Democratic Party who are active in the party leadership structure to counsel those members of the party not to raise taxes. This hurts all American people in a recessionary period. This is not the time for the Democrats to raise taxes on the American people. We are in a recession. Those dollars need to stay in the pockets of our citizens.

#### REMEMBERING PAUL FANNIN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arizona (Mr. HAYWORTH) is recognized for 5 minutes.

Mr. HAYWORTH. Mr. Speaker, I rise this afternoon to pay tribute to a great American and great Arizonan. It is my sad duty, Mr. Speaker, to report to the House of Representatives that former United States Senator and former Arizona Governor Paul Fannin passed away during our district work period and holiday recess. We laid him to rest in Arizona last week.

Mr. Speaker, Paul Fannin, a native of Arizona, a success in business, chose to move from the arena of business to elected office in the year of my birth, 1958. Sworn in as Governor in 1959, he served 3 terms; and then upon ascension of our favorite son, Barry M. Goldwater, to the nomination of his party for President of the United States, Paul Fannin ran and was elected to the United States Senate.

In our history of Arizona only two have served our State both as Governor and United States Senator. Paul Fannin's place in history is assured. And yet when people think of Arizona and think of Goldwater and Udall and John Rhodes, they would be wise to add the name of Paul Fannin to the pantheon of political giants from our State.

□ 1600

It was Paul Fannin in the late 1950s, before it was politically correct to understand the role of international cooperation and cross border cooperation and to reach out to the Mexican State of Sonora for the Sonora Arizona conference, which is now more than 40 years old, not in a diminution of sovereignty for either State or their respective Nations, but for the Nation, that people can understand and coexist and prosper through trade and cooperation. And, indeed, during his time as governor, that may remain as Paul Fannin's greatest contribution to the State of Arizona.

As United States Senator, coming here to Washington, it was the tenacity of Paul Fannin, working with, at that time, the Senate President pro tempore Carl Hayden and Barry Goldwater and John Rhodes and Mo Udall to bring the Central Arizona Project from the drawing board to life, the reality that water is necessary to make the desert bloom would be there, for jobs and for quality of life. Paul Fannin worked tirelessly to see that that was done.

Senator Fannin also worked tirelessly on behalf of the first Americans. So often the first Americans, our American Indians, become the forgotten Americans. Paul Fannin worked to maintain their sovereignty, to maintain their treaty rights. In fact, Paul Fannin worked in a bipartisan way for the late Senator Robert F. Kennedy of New York. Indeed, stories recount how Senator Kennedy would come in unannounced into the back of Paul Fannin's suite of offices and work on Native American issues.

His is a living legacy for the State of Arizona and for this Nation; and

though we say good-bye to him at age 94, we will not forget his contributions to our way of life, and encompassing all of that was Paul Fannin the person.

As a private citizen, I had the privilege of being involved in Rotary International and being in the same club, Phoenix 100, as Paul Fannin. And upon our first meeting I said, sir, please help me with the protocol. I am confused. How should I properly address you? Should I call you Senator? Should I call you Governor? He answered, oh, JD, just call me Paul. In an endeavor where many of us have an excessive dose of self-esteem, where the people's business can often take a back seat to headlines and photo opportunities and press conferences, the living legacy of Paul Fannin is that of a humble public servant; and though we bid him farewell at age 94, his contributions to this country and to the State of Arizona will last forever.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BECERRA (at the request of Mr. GEPHARDT) for today and the balance of the week on account of official business.

Mr. DICKS (at the request of Mr. GEPHARDT) for today on account of official business in the district.

Mr. DOYLE (at the request of Mr. GEPHARDT) for today and January 24 on account of a death in the family.

Ms. HOOLEY of Oregon (at the request of Mr. GEPHARDT) for today and January 24 on account of personal reasons.

Mr. KIND (at the request of Mr. GEPHARDT) for today and January 24 on account of family matters.

Mrs. NAPOLITANO (at the request of Mr. GEPHARDT) for today and January 24 on account of illness.

Mr. ORTIZ (at the request of Mr. GEPHARDT) for today and the balance of the week on account of important business for the district.

Ms. SOLIS (at the request of Mr. GEPHARDT) for today and January 24 on account of official business in the district.

Ms. WATERS (at the request of Mr. GEPHARDT) for today on account of official business.

Mrs. MINK of Hawaii (at the request of Mr. GEPHARDT) for today on account of en route from the district.

Mr. LUTHER (at the request of Mr. GEPHARDT) for today after 12:30 p.m. and the balance of the week on account of family matters.

Mr. BALLENGER (at the request of Mr. ARMEY) for today on account of meeting with constituents on economic development matters in the 10th district of North Carolina.

Mr. BURTON of Indiana (at the request of Mr. ARMEY) for today and the balance of the week on account of illness in the family.

Mr. ENGLISH (at the request of Mr. ARMEY) for today on account of attending a funeral.

Mr. EVERETT (at the request of Mr. ARMEY) for today and the balance of the week on account of official business in the district.

#### 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 Ms. JACKSON-LEE of Texas) to revise and extend their remarks and include extraneous material:)

Mr. SKELTON, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Mr. DOGGETT, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

Mr. GEORGE MILLER of California, for 5 minutes, today.

(The following Members (at the request of Mr. AKIN) to revise and extend their remarks and include extraneous material:)

Mr. MORAN of Kansas, for 5 minutes, today and January 29.

Mr. SHIMKUS, for 5 minutes, January 24.

Mr. WOLF, for 5 minutes, January 24.

(The following Members (at their own request) to revise and extend their remarks and include extraneous material:)

Mr. FOLEY, for 5 minutes, today.

Mr. HAYWORTH, for 5 minutes, today.

#### SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 392. An act to grant a Federal charter to Korean War Veterans Association, Incorporated, and for other purposes; to the Committee on the Judiciary.

S. 990. An act to amend the Pittman-Robertson Wildlife Restoration Act to improve the provisions relating to wildlife conservation and restoration programs, and for other purposes; to the Committee on Resources.

S. 1099. An act to increase the criminal penalties for assaulting or threatening Federal judges, their family members, and other public servants, and for other purposes; to the Committee on the Judiciary.

S. 1400. An act to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to extend the deadline for aliens to present a border crossing card that contains a biometric identifier matching the appropriate biometric characteristic of the alien; to the Committee on the Judiciary.

S. 1622. An act to extend the period of availability of unemployment assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act in the case of victims of the terrorist attacks of September 11, 2001; to the Committee on Transportation and Infrastructure.

S. 1637. An act to waive certain limitations in the case of use of the emergency fund authorized by section 125 of title 23, United States Code, to pay the costs of projects in response to the attack on the World Trade Center in New York City that occurred on September 11, 2001; to the Committee on Transportation and Infrastructure.

S. 1803. An act to authorize appropriations under the Arms Export Control Act and the

Foreign Assistance Act of 1961 for security assistance for fiscal years 2002 and 2003, and for other purposes; to the Committee on Internal Relations.

S. 1834. An act for the relief of retired Sergeant First Class James D. Benoit and Wan Sook Benoit; to the Committee on the Judiciary.

S. 1858. An act to permit the closed circuit televising of the criminal trial of Zacarias Moussaoui for the victims of September 11th; to the Committee on the Judiciary.

S. 1864. An act to amend the Public Health Service Act to establish a Nurse Corps and recruitment and retention strategies to address the nursing shortage, and for other purposes; to the Committee on Energy and Commerce.

S. 1888. An act to amend title 18 of the United States Code to correct a technical error in the codification of title 36 of the United States Code; to the Committee on the Judiciary.

#### ENROLLED BILLS SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly enrolled bills and joint resolutions of the House of the following titles. Pursuant to clause 4 of rule 1, the Speaker signed the following on Friday, December 21, 2001:

H.R. 1. To close the achievement gap with accountability, flexibility, and choice, so that no child is left behind.

H.R. 2873. To extend and amend the program entitled promoting safe and stable families under title IV-B, subpart 2 of the Social Security Act, and to provide new authority to support programs for mentoring children of incarcerated parents; to amend the Foster Care Independent Living Program under title IV-E of that act to provide for educational and training vouchers for youths aging out of foster care, and for other purposes.

H.J. Res. 79. Making further continuation appropriations for the fiscal year 2002, and for other purposes.

H.J. Res. 80. Appointing the day for the convening of the Second Session of the One Hundred Seventh Congress.

And Speaker Pro Tempore GILCHREST signed the following enrolled bills on Thursday, January 3, 2002:

H.R. 1088. To amend the Securities Exchange Act of 1934 to reduce fees collected by the Securities and Exchange Commission, and for other purposes.

H.R. 2277. To provide for work authorization for nonimmigrant spouses of treaty traders and treaty investors.

H.R. 2278. To provide for work authorization for nonimmigrant spouses of intracompany transferees, and to reduce the period of time during which certain intracompany transferees have to be continuously employed before applying for admission to the United States.

H.R. 2336. To extend for 4 years, through December 31, 2005, the authority to redact financial disclosure statements of judicial employees and judicial officers.

H.R. 2506. Making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and for other purposes.

H.R. 2751. To authorize the President to award a gold medal on behalf of the Congress to General Henry H. Shelton and to provide for the production of Bronze duplicates of such medal for sale to the public.

H.R. 2869. To provide certain relief for small businesses from liability under the Comprehensive Environmental Response,

Compensation, and Liability Act of 1980, and to amend such act to promote the cleanup and reuse of brownfields, to provide financial assistance for brownfields revitalization, to enhance State Response programs, and for other purposes.

H.R. 2884. To amend the Internal Revenue Code of 1986 to provide tax relief for victims of the terrorist attacks against the United States, and for other purposes.

H.R. 3030. To extend the basic pilot program for employment eligibility verification, and for other purposes.

H.R. 3061. Making appropriations for the Department of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes.

H.R. 3248. To designate the facility of the United States Postal Service located at 65 North Main Street in Cranbury, New Jersey, as the "Todd Beamer Post Office Building".

H.R. 3334. To designate the Richard J. Guadagno Headquarters and Visitors Center at Humboldt Bay National Wildlife Refuge, California.

H.R. 3338. Making appropriations for the Department of Defense for the fiscal year ending September 30, 2002, and for other purposes.

H.R. 3346. To amend the Internal Revenue Code of 1986 to simplify the reporting requirements relating to higher education tuition and related expenses.

H.R. 3348. To designate the National Foreign Affairs Training Center as the George P. Shultz National Foreign Affairs Training Center.

H.R. 3392. To name the National Cemetery in Saratoga, New York, as the Gerald B.H. Solomon Saratoga National Cemetery, and for other purposes.

H.R. 3447. To amend title 38, United States Code, to enhance the authority of the Secretary of Veterans Affairs to recruit and retain qualified nurses for the Veterans Health Administration, to provide an additional basis for establishing the inability of veterans to defray expenses of necessary medical care, to enhance certain health care programs of the Department of Veterans Affairs, and for other purposes.

#### BILLS PRESENTED TO THE PRESIDENT

Jeff Trandahl, Clerk of the House, reports that on December 21, 2001 he presented to the President of the United States, for his approval, the following bills.

H.J. Res. 79. Making further continuing appropriations for the fiscal year 2002, and for other purposes.

H.J. Res. 80. Appointing the day for the reconvening of the second session of the One Hundred Seventh Congress.

Jeff Trandahl, Clerk of the House, reports that on December 27, 2001 he presented to the President of the United States, for his approval, the following bills.

H.R. 643. To reauthorize the African Elephant Conservation Act.

H.R. 645. To reauthorize the Rhinoceros and Tiger Conservation Act of 1994.

H.R. 2199. To amend the National Capital Revitalization and Self-Government Improvement Act of 1997 to permit any Federal law enforcement agency to enter into a cooperative agreement with the Metropolitan Police Department of the District of Columbia to assist the Department in carrying out crime prevention and law enforcement activities in the District of Columbia if deemed

appropriate by the Chief of the Department and the United States Attorney for the District of Columbia, and for other purposes.

H.R. 2657. To amend title 11, District of Columbia Code, to redesignate the Family Division of the Superior Court of the District of Columbia as the Family Court of the Superior Court, to recruit and retain trained and experienced judges to serve in the Family Court, to promote consistency and efficiency in the assignment of judges to the Family Court and in the consideration of actions and proceedings in the Family Court, and for other purposes.

Jeff Trandahl, Clerk of the House, reports that on January 4, 2002 he presented to the President of the United States, for his approval, the following bills.

H.R. 1. To close the achievement gap with accountability, flexibility, and choice, so that no child is left behind.

H.R. 1088. To amend the Securities Exchange Act of 1934 to reduce fees collected by the Securities and Exchange Commission, and for other purposes.

H.R. 2277. To provide for work authorization for nonimmigrant spouses of treaty traders and treaty investors.

H.R. 2278. To provide for work authorization for nonimmigrant spouses of intracompany transferees, and to reduce the period of time during which certain intracompany transferees have to be continuously employed before applying for admission to the United States.

H.R. 2336. To extend for 4 years, through December 31, 2005, the authority to redact financial disclosure statements of judicial employees and judicial officers.

H.R. 2506. Making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and for other purposes.

H.R. 2751. To authorize the President to award a gold medal on behalf of the Congress to General Henry H. Shelton and to provide for the production of bronze duplicates of such medal for sale to the public.

H.R. 3030. To extend the basic pilot program for employment eligibility verification, and for other purposes.

H.R. 3061. Making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes.

H.R. 3248. To designate the facility of the United States Postal Service located at 65 North Main Street in Cranbury, New Jersey, as the "Todd Beamer Post Office Building".

H.R. 3334. To designate the Richard J. Guadagno Headquarters and Visitors Center at Humboldt Bay National Wildlife Refuge, California.

H.R. 3346. To amend the Internal Revenue Code of 1986 to simplify the reporting requirements relating to higher education tuition and related expenses.

H.R. 3348. To designate the National Foreign Affairs Training Center as the George P. Shultz National Foreign Affairs Training Center.

Jeff Trandahl, Clerk of the House, reports that on January 7, 2002 he presented to the President of the United States, for his approval, the following bills.

H.R. 2869. To provide certain relief for small businesses from liability under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, and to amend such Act to promote the cleanup and reuse of brownfields, to provide financial assistance for brownfields revitalization, to

enhance State response programs, and for other purposes.

H.R. 3338. Making appropriations for the Department of Defense for the fiscal year ending September 30, 2002, and for other purposes.

Jeff Trandahl, Clerk of the House reports that on January 11, 2002 he presented to the President of the United States, for his approval, the following bills.

H.R. 2873. To extend and amend the program entitled Promoting Safe and Stable Families under title IV-B, subpart 2 of the Social Security Act, and to provide new authority to support programs for mentoring children of incarcerated parents; to amend the Foster Care Independent Living program under title IV-E of that Act to provide for educational and training vouchers for youths aging out of foster care, and for other purposes.

H.R. 2884. To amend the Internal Revenue Code of 1986 to provide tax relief for victims of the terrorist attacks against the United States, and for other purposes.

H.R. 3447. To amend title 38, United States Code, to enhance the authority of the Secretary of Veterans Affairs to recruit and retain qualified nurses for the Veterans Health Administration, to provide an additional basis for establishing the inability of veterans to defray expenses of necessary medical care, to enhance certain health care programs of the Department of Veterans Affairs, and for other purposes.

Jeff Trandahl, Clerk of the House reports that on January 18, 2002 he presented to the President of the United States, for his approval, the following bills.

H.R. 3392. To name the national cemetery in Saratoga, New York, as the Gerald B.H. Solomon Saratoga National Cemetery, and for other purposes.

#### ADJOURNMENT

Mr. HAYWORTH. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 4 minutes p.m.), the House adjourned until tomorrow, Thursday, January 24, 2002, at 10 a.m.

#### NOTICE OF PROPOSED RULEMAKING

U.S. CONGRESS,  
OFFICE OF COMPLIANCE,  
Washington, DC, January 3, 2002.

Hon. DENNIS HASTERT,  
*Speaker, House of Representatives, Capitol Building, Washington, DC.*

Hon. ROBERT C. BYRD,  
*President Pro Tempore, U.S. Senate, Capitol Building, Washington, DC.*

GENTLEMEN: Pursuant to Section 304(b)(1) of the Congressional Accountability Act of 1995 ("CAA") (2 U.S.C. 1384(b)(1)), on November 14, 2001 I forwarded to your offices a Notice of Proposed Rulemaking ("NPR") for substantive regulations to implement section 4(c)(4) of the Veterans Employment Opportunities Act of 1998 ("VEOA"), Pub. L. 105-339, 112 Stat. 3186, codified at 2 U.S.C. 1316(a), as applied to covered employees of the House of Representatives, the Senate, and certain Congressional instrumentalities. This NPR was published in the Congressional Record on December 6, 2001 at pages S12539-S12551.

The NPR also provided, in accordance with section 304(b)(2) of the CAA (2 U.S.C.

1384(b)(2)), a 30 day period in which interested parties may submit to this Office written comments on the proposed substantive regulations. Thus, the comment period is currently scheduled to end on January 5, 2002.

The Office of Compliance has received requests to extend the comment period, and has determined that there is good cause for granting an extension. Therefore, the time for submitting written comments to the NPR will be extended to the close of business on February 6, 2002. Such written comments (an original and 10 copies) are to be submitted to the Chair of the Board of Directors, Office of Compliance, Room LA-200, John Adams Building, 100 Second Street, S.E., Washington, D.C. 20540-1999.

In order to provide adequate notice to the public, the Board respectfully requests that this Notice of Extension of Time be published in the Congressional Record immediately upon the reconvening of the Second Session of the 107th Congress on January 23, 2002.

Sincerely,

SUSAN S. ROBFOGEL,  
*Chair, Board of Directors.*

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

5038. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Clethodim; Pesticide Tolerances for Emergency Exemptions [OPP-301202; FRL-6817-1] (RIN: 2070-AB78) received December 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5039. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Indian Meal Moth Granulosis Virus; Exemption from the Requirement of a Tolerance [OPP-301193; FRL-6812-5] (RIN: 2070-AB78) received January 2, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5040. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Ethalfluralin; Pesticide Tolerance [OPP-301208; FRL-6818-6] (RIN: 2070-AB78) received January 8, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5041. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Imazamox; Pesticide Tolerance [OPP-301205; FRL-6817-9] (RIN: 2070-AB78) received December 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5042. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Pymetrozine; Pesticide Tolerance [OPP-301180; FRL-6804-1] (RIN: 2070-AB78) received December 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5043. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Halosulfuron-methyl; Pesticide Tolerances for Emergency Exemptions [OPP-301197; FRL-6818-1] (RIN: 2070-AB78) received December 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5044. A letter from the Principal Deputy Associate Administrator, Environmental

Protection Agency, transmitting the Agency's final rule—Pesticide Chemicals Not Requiring a Tolerance or an Exemption from a Tolerance; Rhodamine B; Revocation of Unlimited Tolerance; Rhodamine B; Revocation of Unlimited Tolerance Exemption [OPP-301026A; FRL-6813-6] (RIN: 2070-AB78) received December 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5045. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Halosulfuron-methyl; Pesticide Tolerance [OPP-301200; FRL-6816-8] (RIN: 2070-AB78) received December 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5046. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Fenbuconazole; Pesticide Tolerance [OPP-3011 99; FRL-6816-4] (RIN: 2070-AB78) received January 16, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5047. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting Agency's final rule—Imidacloprid; Reestablishment of Tolerance for Emergency Exemptions [OPP-301204; FRL-6817-6] (RIN: 2070-AB78) received January 16, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5048. A letter from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting the Administration's final rule—Loan Policies and Operations; Definitions; Loan Purchases and Sales (RIN: 3052-AB93) received January 8, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5049. A letter from the Architect of the Capitol, transmitting the report of expenditures of appropriations during the period April 1, 2001 through September 30, 2001, pursuant to 40 U.S.C. 162b; to the Committee on Appropriations.

5050. A letter from the Chief, Programs and Legislation Division, Department of Defense, transmitting notification that the Superintendent of the Air Force Academy, Colorado, has conducted a cost comparison to reduce the cost of the Communication function, pursuant to 10 U.S.C. 2461; to the Committee on Armed Services.

5051. A letter from the Chief, Programs and Legislation Division, Department of Defense, transmitting notification that the Commander of Air Reserve Personnel Center, Denver, Colorado, has conducted a cost comparison to reduce the cost of their Personnel Services function, pursuant to 10 U.S.C. 2461; to the Committee on Armed Services.

5052. A letter from the Deputy Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Ronald C. Marcotte, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

5053. A letter from the Deputy Secretary, Department of Defense, transmitting the semiannual report of the Inspector General and classified annex for the period ending September 30, 2001, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Armed Services.

5054. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the Department's final rule—Home Mortgage Disclosure [Regulation C; Docket No. R-1119] received January 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5055. A letter from the Director, Financial Crimes Enforcement Network, Department

of Treasury, transmitting the Department's final rule—Amendment to the Bank Secrecy Act Regulations—Requirement that Non-financial Trades or Businesses Report Certain Currency Transactions (RIN: 1506-AA25) received January 2, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5056. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report involving U.S. exports to Australia, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Financial Services.

5057. A letter from the Vice Chairman, Export-Import Bank of the United States, transmitting a report involving U.S. exports to Thailand, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Financial Services.

5058. A letter from the Deputy Secretary, Securities and Exchange Commission, transmitting the Commission's final rule—Options Disclosure Document (RIN: 3235-AH31) received January 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5059. A letter from the Deputy Secretary, Securities and Exchange Commission, transmitting the Commission's final rule—Disclosure of Equity Compensation Plan Information [Release Nos. 33-8048, 34-45189; File No. S7-04-01] (RIN: 3235-A101) received January 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5060. A letter from the Deputy Secretary, Securities and Exchange Commission, transmitting the Commission's final rule—Commission Guidance on the Scope of Section 28(e) of the Exchange Act [Release No. 34-45194] received January 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5061. A letter from the Director, Office of Management and Budget, transmitting appropriations reports, as required by the Balanced Budget and Emergency Deficit Control Act of 1985, as amended; to the Committee on the Budget.

5062. A letter from the Director, Office of Management and Budget, transmitting a report on the Cost Estimate For Pay-As-You-Go Calculations; to the Committee on the Budget.

5063. A letter from the Secretary, Department of Health and Human Services, transmitting a report regarding Infertility and Sexually Transmitted Diseases; to the Committee on Energy and Commerce.

5064. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of State Implementation Plans; Inspection and Maintenance Program and Fuel Requirements: Alaska [AK-21-1709-a; FRL-7123-2] received January 2, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5065. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Interim Final Determination that State has Corrected the Deficiency [CA 252-0312c; FRL-7118-3] received January 2, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5066. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Revisions to the California State Implementation Plan, Mojave Desert Air Quality Management District [CA 252-312a; FRL-7118-1] received December 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5067. A letter from the Principal Deputy Associate Administrator, Environmental

Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of State Plans for Designated Facilities and Pollutants; States of Alabama, Georgia, Kentucky, and South Carolina [R4-200212(a), FRL-7124-7] received December 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5068. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval of Section 112(I) Authority for Hazardous Air Pollutants; State of Virginia; Department of Environmental Quality [VA001-1000; FRL-7126-8] received January 8, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5069. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Amendments to the Corrective Action Management Unit Rule [FRL-7124-3] (RIN: 2050-AE77) received December 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5070. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—National Primary Drinking Water Regulations: Long Term 1 Enhanced Surface Water Treatment Rule [WH-FRL-7124-2] (RIN: 2040-AD18) received January 8, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5071. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Regulation of Fuels and Fuel Additives: Modifications to Standards and Requirements for Reformulated and Conventional Gasoline [FRL-7122-5] (RIN: 2060-A676) received December 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5072. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Corrections to the California State Implementation Plan [CA 053-REC; FRL-7122-8] received December 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5073. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of State Plans for Designated Facilities and Pollutants: Negative Declarations; Municipal Waste Combustion; Arizona; California; Hawaii; Nevada [AZ, CA, HI, NV-066-MSWa; FRL-7122-9] received December 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5074. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; New Jersey; Motor Vehicle Inspection and Maintenance Program [Region 2 Docket No. NJ49-235 FRL-7127-8] received January 16, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5075. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval of the Clean Air Act, Section 112(I), Delegation of Authority to the Idaho Department of Environmental Quality [FRL-7126-3] received January 16, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5076. A communication from the President of the United States, transmitting a six month periodic report on the national emergency with respect to the Western Balkans that was declared in Executive Order 13219 of

June 26, 2001, pursuant to 50 U.S.C. 1641(c) and 50 U.S.C. 1703(c); (H. Doc. No. 107-160); to the Committee on International Relations and ordered to be printed.

5077. A communication from the President of the United States, transmitting a six month periodic report on the national emergency with respect to Libya that was declared in Executive Order 12543 of January 7, 1986, pursuant to 50 U.S.C. 1641(c) and 50 U.S.C. 1703(c); (H. Doc. No. 107-161); to the Committee on International Relations and ordered to be printed.

5078. A communication from the President of the United States, transmitting notification that the Libya emergency is to continue in effect beyond January 7, 2002, pursuant to 50 U.S.C. 1622(d); (H. Doc. No. 107-162); to the Committee on International Relations and ordered to be printed.

5079. A communication from the President of the United States, transmitting a six month periodic report on the national emergency with respect to the Taliban that was declared in Executive Order 13129 of July 4, 1999, pursuant to 50 U.S.C. 1641(c) and 50 U.S.C. 1703(c); (H. Doc. No. 107-163); to the Committee on International Relations and ordered to be printed.

5080. A communication from the President of the United States, transmitting notification that the Sierra Leone and Liberia emergency is to continue in effect beyond January 18, 2002, pursuant to 50 U.S.C. 1622(d); (H. Doc. No. 107-165); to the Committee on International Relations and ordered to be printed.

5081. A communication from the President of the United States, transmitting six month periodic report on the national emergency with respect to Sierra Leone and Liberia that was declared in Executive Order 13194, of January 18, 2001 and expanded in scope in Executive Order 13213, of May 22, 2001, pursuant to 50 U.S.C. 1641(c) and 50 U.S.C. 1703(c); (H. Doc. No. 107-166); to the Committee on International Relations and ordered to be printed.

5082. A communication from the President of the United States, transmitting notification stating that the emergency declared with respect to foreign terrorists who threaten to disrupt the Middle East peace process is to continue in effect beyond January 23, 2002, pursuant to 50 U.S.C. 1622(d); (H. Doc. No. 107-167); to the Committee on International Relations and ordered to be printed.

5083. A communication from the President of the United States, transmitting a six month periodic report on the national emergency, declared in Executive Order 12947 of January 23, 1995, with respect to terrorists who threaten to disrupt the Middle East peace process, pursuant to 50 U.S.C. 1641(c) and 50 U.S.C. 1703(c); (H. Doc. No. 107-168); to the Committee on International Relations and ordered to be printed.

5084. A letter from the Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Navy's Proposed Letter(s) of Offer and Acceptance (LOA) to the United Arab Emirates for defense articles and services (Transmittal No. 02-07), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

5085. A letter from the Director, International Cooperation, Department of Defense, transmitting notification of intent to sign Amendment Three to the Joint Fighter (JSF) Engineering and Manufacturing Development (EMD) (now known as System Development and Demonstration (SDD)) Framework Memorandum of Understanding between the United States and the United Kingdom, pursuant to 22 U.S.C. 2767(f); to the Committee on International Relations.

5086. A letter from the Director, International Cooperation, Department of Defense, transmitting certification for a technology demonstration and system prototype

projects (TDSP) project arrangement (PA) with Norway for SKJOLD experimentation, pursuant to 22 U.S.C. 2767(f); to the Committee on International Relations.

5087. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Manufacturing License Agreement with Turkey (Transmittal No. DTC 141-01), pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

5088. 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 under a contract to the United Kingdom (Transmittal No. DTC 156-01), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

5089. 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 under a contract to Taiwan (Transmittal No. DTC 127-01), pursuant to 22 U.S.C. 2776(c) and 22 U.S.C. 2776(d); to the Committee on International Relations.

5090. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on International Relations.

5091. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification that effective December 2, 2001 a 25% danger pay allowance has been designated for Afghanistan, pursuant to 5 U.S.C. 5928; to the Committee on International Relations.

5092. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting text of agreements in which the American Institute in Taiwan is a party between January 1, 2000 and December 31, 2000, pursuant to 22 U.S.C. 3311(a); to the Committee on International Relations.

5093. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on International Relations.

5094. A communication from the President of the United States, transmitting a supplemental report, consistent with the War Powers Resolution, to help ensure that the Congress is kept fully informed on continued U.S. contributions in support of peace-keeping efforts in the former Yugoslavia; (H. Doc. No. 107-172); to the Committee on International Relations and ordered to be printed.

5095. A letter from the Commission on International Religious Freedom, transmitting the Commission's Fiscal Year 2001 Financial Report; to the Committee on International Relations.

5096. A letter from the Assistant Secretary For Export Administration, Department of Commerce, transmitting the Department's final rule—Implementation of the Wassenaar Arrangement List of Dual-Use Items: Revisions to Categories 1, 2, 3, 4, 5, 6, 7 and 9 of the Commerce Control List and Revisions to Reporting Requirements [Docket No. 011026261-1261-01] (RIN: 0694-AC44) received January 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

5097. A letter from the Director, OPM, President's Pay Agent, transmitting a report justifying the reasons for the extension of locality-based comparability payments to categories of positions that are in more than one executive agency, pursuant to 5 U.S.C. 5304(h)(2)(C); to the Committee on Government Reform.

5098. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a report entitled, "Year 2001 Commercial Activities Inventory"; to the Committee on Government Reform.

5099. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14-224, "Special Signs Amendment Act of 2001" received January 23, 2002, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

5100. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14-202, "Greater Southeast Community Hospital Corporation and Hadley Memorial Hospital Tax Abatement Act of 2001" received January 23, 2002, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

5101. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14-203, "Procurement Practices Negotiated Pricing Amendment Act of 2001" received January 23, 2002, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

5102. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14-204, "Mechanic's Lien Amendment Act of 2001" received January 23, 2002, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

5103. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14-205, "Health Care and Community Residence Facility, Hospice and Home Care Licensure Penalties Temporary Amendment Act of 2001" received January 23, 2002, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

5104. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14-206, "Protections from Predatory Lending and Mortgage Foreclosure Improvements Temporary Amendment Act of 2001" received January 23, 2002, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

5105. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14-207, "Procurement Practices Small Purchase Temporary Amendment Act of 2001" received January 23, 2002, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

5106. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14-208, "Noise Control Temporary Amendment Act of 2001" received January 23, 2002, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

5107. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14-209, "Taxicab Driver Security Revolving Fund Temporary Act of 2001" received January 23, 2002, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

5108. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14-210, "Washington Convention Center Authority Oversight and Management Continuity Temporary Amendment Act of 2001" received January 23, 2002, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

5109. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14-212, "Homestead and Senior Citizen Real Property Tax Temporary Act of 2001" received January 23, 2002, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

5110. A letter from the Chairman, Council of the District of Columbia, transmitting a

copy of D.C. ACT 14-211, "Residential Permit Parking Area Temporary Amendment Act of 2001" received January 23, 2002, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

5111. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14-222, "Innocence Protection Act of 2001" received January 23, 2002, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

5112. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14-223, "Child and Family Services Agency Licensure Exemption of Certain Court Personnel Amendment Act of 2001" received January 23, 2002, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

5113. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14-213, "Make a Difference Temporary Amendment Act of 2001" received January 23, 2002, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

5114. A letter from the Comptroller General, General Accounting Office, transmitting a list of all reports issued or released in November 2001, pursuant to 31 U.S.C. 719(h); to the Committee on Government Reform.

5115. A letter from the Executive Secretary and Chief of Staff, Agency for International Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

5116. A letter from the Federal Co-Chairman, Appalachian Regional Commission, transmitting the semiannual report on the activities of the Office of Inspector General for the period April 1 through September 30, 2001, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

5117. A letter from the Chair, Architectural and Transportation Barriers Compliance Board, transmitting the report in compliance with the Inspector General Act and the Federal Managers' Financial Integrity Act, pursuant to 5 app. and 31 U.S.C. 3512(c)(3); to the Committee on Government Reform.

5118. A letter from the Executive Director, Committee For Purchase From People Who Are Blind Or Severely Disabled, transmitting the Committee's final rule—Addition to the Procurement List—received January 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

5119. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

5120. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

5121. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

5122. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

5123. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.



5124. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

5125. 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.

5126. A letter from the Attorney/Advisor, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

5127. A letter from the Assistant Secretary for Administration, Department of Transportation, transmitting copies of the inventories of commercial positions in the Department of Transportation; to the Committee on Government Reform.

5128. A letter from the Chairman and CEO, Farm Credit Administration, transmitting the semiannual report prepared by the Office of Inspector General for the period of April 1, 2001, through September 30, 2001, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 8G(h)(2); to the Committee on Government Reform.

5129. A letter from the Executive Director, Federal Retirement Thrift Investment Board, transmitting the Board's report under the Inspector General Act of 1978, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

5130. A letter from the Deputy Associate Administrator, Office of Acquisition Policy, General Services Administration, transmitting the Administration's final rule—Federal Acquisition Regulation; Discussion Requirements [FAC 2001-02; FAR Case 1999-022; Item V] (RIN: 9000-A168) received December 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

5131. A letter from the Deputy Archivist, National Archives and Records Administration, transmitting the Administration's final rule—Privacy Act; Implementation (RIN: 3095-AA99) received January 2, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

5132. A letter from the General Counsel, Office of Management and Budget, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

5133. A letter from the Director, Office of Personnel Management, transmitting the FY 2001 report pursuant to the Federal Managers' Financial Integrity Act, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform.

5134. A letter from the Chairman, Securities and Exchange Commission, transmitting a report on the management controls of the Commission for the fiscal year ending September 30, 2001, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform.

5135. A letter from the Administrator, Small Business Administration, transmitting the semiannual report of the Office of Inspector General for the period April 1 to September 30, 2001, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

5136. A letter from the Commissioner, Social Security Administration, transmitting the Fiscal Year 2001 Performance and Accountability Report; to the Committee on Government Reform.

5137. A letter from the Clerk, U.S. House of Representatives, transmitting a list of reports pursuant to clause 2, Rule II of the Rules of the House of Representatives, pursuant to Rule II, clause 2(b), of the Rules of the House; (H. Doc. No. 107-173); to the Com-

mittee on House Administration and ordered to be printed.

5138. A letter from the Public Printer, Government Printing Office, transmitting a copy of the third Biennial Report to Congress on the Status of GPO Access, an online information service of the Government Printing Office, pursuant to Public Law 103-40, section 3 (107 Stat. 113); to the Committee on House Administration.

5139. A communication from the President of the United States, transmitting an Agreement between the Government of the United States of America and the Government of the Republic of Lithuania extending the Agreement of November 12, 1992, Concerning Fisheries Off the Coasts of the United States, with annex, as extended (the 1992 Agreement). The present Agreement, which was effected by an exchange of notes at Vilnius on May 18, 2001, and Washington on December 26, 2001, extends the 1992 Agreement to December 31, 2004, pursuant to 16 U.S.C. 1823(a); (H. Doc. No. 107-170); to the Committee on Resources and ordered to be printed.

5140. A letter from the Acting Director, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule—Endangered and Threatened Wildlife and Plants: Reclassification of *Scutellaria montana* (Large-Flowered Skullcap) from Endangered to Threatened (RIN: 1018-AG07) received January 8, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5141. A letter from the Director, Fish and Wildlife Services, Department of the Interior, transmitting the Department's final rule—Endangered and Threatened Wildlife and Plants; Manatee Protection Areas in Florida (RIN: 1018-AH80) received January 8, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5142. A letter from the Acting Assistant Secretary, Land and Minerals Management, Department of the Interior, transmitting a report entitled, "Outer Continental Shelf, Eastern Gulf of Mexico, Oil and Gas Lease Sale 181" required by section 8(a)(8)(43 U.S.C. 1337 (a)(8)) of the Outer Continental Shelf Lands Act; to the Committee on Resources.

5143. A letter from the Assistant Secretary, Land and Minerals Management, Department of the Interior, transmitting the Department's final rule—Relief or Reduction in Royalty Rates—Deep Water Royalty Relief for OCS Oil and Gas Leases Issued after 2000 (RIN: 1010-AC71) received January 14, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5144. A letter from the Assistant Attorney General, Department of Justice, transmitting the Department's final rule—September 11th Victim Compensation Fund of 2001 [CIV 104P; AG Order No. 2541-2001] (RIN: 1105-AA79) received January 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

5145. A letter from the Chairperson, United States Commission on Civil Rights, transmitting the Commission's two reports entitled, "Voting Irregularities in Florida During the 2000 Presidential Election and Election Reform: An Analysis of Proposals and the Commission's Recommendations for Improving America's Election System," pursuant to 42 U.S.C. 1975a(c); to the Committee on the Judiciary.

5146. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule Amendment to Class E Airspace; Ankeny, IA [Airspace Docket No. 01-ACE-71] received January 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5147. A letter from the Program Analyst, FAA, Department of Transportation, trans-

mitting the Department's final rule—Revision of Class E Airspace, Springhill, LA. [Airspace Docket No. 2001-ASW-14] received January 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5148. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—IFR Altitudes; Miscellaneous Amendments [Docket No. 30278; Amdt. No. 432] received January 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5149. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Modification of Restricted Area R-6312 Cotulla; TX [Docket No. FAA-2001-8683; Airspace Docket No. 01-ASW-2] (RIN: 2120-AA66) received January 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5150. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737-600, -700, and -800 Series Airplanes [Docket No. 99-NM-62-AD; Amendment 39-12490; AD 2001-22-11] (RIN: 2120-AA64) received January 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5151. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747 Series Airplanes [Docket No. 2001-NM-02-AD; Amendment 39-12514; AD 2001-23-15] (RIN: 2120-AA64) received January 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5152. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Saab Model SAAB SF340A and SAAB 340B Series Airplanes [Docket No. 2001-NM-91-AD; Amendment 39-12511; AD 2001-23-12] (RIN: 2120-AA64) received January 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5153. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747 Series Airplanes [Docket No. 2000-NM-350-AD; Amendment 39-12512; AD 2001-23-13] (RIN: 2120-AA64) received January 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5154. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; SOCATA-Groupe Aerospatiale Models TB 9, TB 10, TB 20, TB 21, and TB 200 Airplanes [Docket No. 2001-CE-01-AD; Amendment 39-12501; AD 2001-23-04] (RIN: 2120-AA64) received January 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5155. A letter from the Trial Attorney, FRA, Department of Transportation, transmitting the Department's final rule—Annual Adjustment of Monetary Threshold for Reporting Rail Equipment Accidents/Incidents—Calendar Year 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5156. A letter from the Attorney, RSPA, Department of Transportation, transmitting the Department's final rule—Controlling Corrosion on Hazardous Liquid and Carbon Dioxide Pipelines [Docket No. RSPA-97-2762; Amdt. 195-73] (RIN: 2137-AD24) received January 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5157. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Rolls-Royce Corporation (Formerly Allison Engine Company) 250-C20 Series Turboshaft and 250-B17 Series Turboshaft and 250-B17 Series Turboprop Engines [Docket No. 2001-NE-38-AD; Amendment 39-12529; AD 2001-24-12] (RIN: 2120-AA64) received January 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5158. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bombardier Model CL-600-2B19 Series Airplanes [Docket No. 2000-NM-68-AD; Amendment 39-12488; AD 2001-22-09] (RIN: 2120-AA64) received January 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5159. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bell Helicopter Textron, Inc. Model 206A, 206B, 206A-1, 206B-1, 206L, and 206L-1 Helicopters [Docket No. 81-ASW-27; Amendment 39-12555; AD 81-18-01 R1] (RIN: 2120-AA64) received January 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5160. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Cirrus Design Corporation Models SR20 and SR22 Airplanes [Docket No. 2001-CE-46-AD; Amendment 39-12556; AD 2001-25-03] (RIN: 2120-AA64) received January 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5161. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Agusta S.p.A. Model A119 Helicopters [Docket No. 2001-SW-55-AD; Amendment 39-12552; AD 2001-22-51] (RIN: 2120-AA64) received January 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5162. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Rolls-Royce Corporation (Formerly Allison Engine Company) 250-C20 Series Turboshaft and 250-B17 Series Turboprop Engines [Docket No. 2001-NE-38-AD; Amendment 39-12529; AD 2001-24-12] (RIN: 2120-AA64) received January 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5163. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Fokker Model F.28 Mark 0100 Series Airplanes [Docket No. 2001-NM-327-AD; Amendment 39-12527; AD 2001-24-10] (RIN: 2120-AA64) received January 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5164. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; GARMIN International GNS 430 Units [Docket No. 99-CE-87-AD; Amendment 39-12516; AD 2001-23-17] (RIN: 2120-AA64) received January 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5165. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Honeywell Inter-

national Inc. TFE731-2, -3, and -4 Series Turboprop Engines [Docket No. 2000-NE-53-AD; Amendment 39-12506; AD 2001-23-09] (RIN: 2120-AA64) received January 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5166. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Raytheon Aircraft Company Beech Models 1900, 1900C (C-12J), and 1900D Airplanes [Docket No. 2001-CE-04-AD; Amendment 39-12495; AD 2001-22-16] (RIN: 2120-AA64) received January 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5167. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model MD-90-30 Series Airplanes [Docket No. 2001-NM-171-AD; Amendment 39-12469; AD 2001-20-20] (RIN: 2120-AA64) received January 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5168. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC-8-33, -43, -51, -52, -53, and -55 Series Airplanes; Model DC-8F-54, and -55 Series Airplanes; and Model DC-8-61, -61F, -62, -62F, -63, -63F, -71, -71F, 72, -72F, -73, and -73F Series Airplanes [Docket No. 2001-NM-345-AD; Amendment 39-12553; AD 2001-25-01] (RIN: 2120-AA64) received January 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5169. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC-9-81, -9-82, -9-83, and -9-87 Series Airplanes; Model MD-88 Airplanes; and Model MD-90-30 Series Airplanes [Docket No. 2000-NM-260-AD; Amendment 39-12496; AD 2001-22-17] (RIN: 2120-AA64) received January 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5170. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737-600, -700, and -800 Series Airplanes [Docket No. 2001-NM-20-AD; Amendment 39-12498; AD 2001-23-01] (RIN: 2120-AA64) received January 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5171. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737 Series Airplanes [Docket No. 2000-NM-146-AD; Amendment 39-12458; AD 2001-20-10] (RIN: 2120-AA64) received January 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5172. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Rolls-Royce, plc Models Tay 650-15 and 651-54 Turboprop Engines [Docket No. 98-ANE-68-AD; Amendment 39-12497; AD 2001-22-18] (RIN: 2120-AA64) received January 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5173. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Hartzell Propeller Inc. (OHC)-(2Y)-(C) Propellers [Docket No. 89-ANE-44-AD; Amendment 39-12505; AD 2001-

23-08] (RIN: 2120-AA64) received January 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5174. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Rolls-Royce plc RB211 Turboprop Engines [Docket No. 2000-NE-62-AD; Amendment 39-12499; AD 2001-23-02] (RIN: 2120-AA64) received January 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5175. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; SOCATA-Groupe AEROSPATIALE Model TBM 700 Airplanes [Docket No. 2001-CE-11-AD; Amendment 39-12503; AD 2001-23-06] (RIN: 2120-AA64) received January 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5176. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Pilatus Aircraft Ltd. Models PC-12 and PC-12/45 Airplanes [Docket No. 2001-CE-24-AD; Amendment 39-12494; AD 2001-22-15] (RIN: 2120-AA64) received January 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5177. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Cessna Aircraft Company Models 172N, 172P, R172K, 172RG, F172N, F172P, FR172J, and FR172K Airplanes [Docket No. 2000-CE-26-AD; Amendment 39-12500; AD 2001-23-03] (RIN: 2120-AA64) January 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5178. A letter from the Chief Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—SAFETY AND SECURITY ZONES: High Interest Vessel Transits, Narragansett Bay, Providence River, and Taunton River, Rhode Island [CGD01-01-188] (RIN: 2115-AA97) received January 11, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5179. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule—Security Considerations in the Design of the Flightdeck on Transport Category Airplanes [Docket No. FAA-2001-11032; Amendment No. 25-106 and 121-288] (RIN: 2120-AH56) received January 14, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5180. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Safe Disposition of Life-Limited Aircraft Parts [Docket No. FAA-2000-8017; Amendment No. 43-38 and 45-23] (RIN: 2120-AH11) received January 14, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5181. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Flightcrew Compartment Access and Door Designs [Docket No. FAA-2001-10770; SFAR 92-3] (RIN: 2120-AH55) received January 14, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5182. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Regulated Navigation

Area; Chesapeake Bay Entrance and Hampton Roads, VA and Adjacent Waters [CGD05-01-080] (RIN: 2115-AE84) received January 11, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5183. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operating Regulation; Lake Pontchartrain, LA [CGD08-01-044] received January 11, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5184. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Back River, ME. [CGD01-01-144] (RIN: 2115-AE47) received January 11, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5185. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Hackensack River, NJ [CGD01-01-212] received January 11, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5186. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulation; Mississippi River, Iowa and Illinois [CGD08-01-041] (RIN: 2115-AE47) received January 11, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5187. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Special Local Regulations; Circular Wireless Winterfest Boat Parade, Broward County, Fort Lauderdale, Florida [CGD07-01-120] (RIN: 2115-AE46) received January 11, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5188. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Mianus River, CT [CGD01-01-213] received January 11, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5189. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Security Zone; Maine Yankee Nuclear Power Plant, Wiscasset, Maine [CGD01-01-206] (RIN: 2115-AA97) received January 11, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5190. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Security Zones; Tampa Bay, Florida [COTP TAMPA-01-139] (RIN: 2115-AA97) received January 11, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5191. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Gulf Intracoastal Waterway Port Isabel, Texas [COTP Corpus Christi 01-002] (RIN: 2115 AA97) received January 11, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5192. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Depart-

ment's final rule—Safety and Security Zones; Liquid Natural Gas Carrier Transits and Anchorage Operations, Boston, Marine Inspection Zone and Captain of the Port Zone [CGD01-01-214] (RIN: 2115-AA97) received January 11, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5193. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Coal Mining Point Source Category; Amendments to Effluent Limitations Guidelines and New Source Performance Standards [FRL-7125-4] (RIN: 2040-AD24) received December 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5194. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Request for Proposals for an Improved Atmospheric Nitrogen Deposition Data Set for the Chesapeake Bay Program [FRL-7129-4] received January 16, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5195. A communication from the President of the United States, transmitting a report on U.S. aeronautics and space activities during 2000, pursuant to 42 U.S.C. 2476; to the Committee on Science.

5196. A letter from the Director, Office of Regulations Management, Department of Veterans' Affairs, transmitting the Department's final rule—Per Diem for Adult Day Health Care of Veterans in State Homes (RIN: 2900-AJ74) received January 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

5197. A letter from the Director, Office of Regulations Management, Department of Veterans' Affairs, transmitting the Department's final rule—Filipino Veterans' Benefits Improvements (RIN: 2900-AK65) received January 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

5198. A letter from the Secretary, Department of Veterans' Affairs, transmitting a draft bill to enhance veterans' programs and the ability of the Department of Veterans' Affairs to administer them; to the Committee on Veterans' Affairs.

5199. A letter from the Director, National Legislative Commission, American Legion, transmitting the proceedings of the 83rd annual National Convention of the American Legion, held in San Antonio, Texas from August 28, 29, and 30, 2001 as well as a report on the Organization's activities for the year preceding the Convention, pursuant to 36 U.S.C. 49; (H. Doc. No. 107-164); to the Committee on Veterans' Affairs and ordered to be printed.

5200. A communication from the President of the United States, transmitting an updated report concerning the emigration laws and policies of Armenia, Azerbaijan, Kazakhstan, Moldova, the Russian Federation, Tajikistan, Turkmenistan, Ukraine and Uzbekistan, pursuant to 19 U.S.C. 2432(b); (H. Doc. No. 107-169); to the Committee on Ways and Means and ordered to be printed.

5201. A letter from the Deputy Director, Congressional Budget Office, transmitting CBO's final sequestration report for Fiscal Year 2002, pursuant to 2 U.S.C. section 904(b); (H. Doc. No. 107-171); to the Committee on the Whole House on the State of the Union and ordered to be printed.

5202. A letter from the Director, Congressional Budget Office, transmitting a report on "Unauthorized Appropriations and Expiring Authorizations" by the Congressional Budget Office, pursuant to 2 U.S.C. 602(f)(3); jointly to the Committees on the Budget and Appropriations.

5203. A letter from the Chair of the Board, Office of Compliance, transmitting notice of proposed rulemaking for substantive regulations to implement section 4(c)(4) of the Veterans Employment Opportunities Act of 1998, Pub. L. 105-339, 112 Stat. 3186, codified at 2 U.S.C. 1316(a), as applied to covered employees of the House of Representatives, the Senate and certain Congressional instrumentalities, pursuant to Section 304(b)(1) of the Congressional Accountability Act of 1995; jointly to the Committees on Education and the Workforce and House Administration.

5204. A letter from the Chairman, National Transportation Safety Board, transmitting a copy of the Board's letter regarding the initial determination of our fiscal year 2003 budget request, pursuant to 49 U.S.C. 1113; jointly to the Committees on Transportation and Infrastructure and Appropriations.

## 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:

Ms. PRYCE (of Ohio): Committee on Rules. House Resolution 334. Resolution providing for consideration of the bill (S. 1762) to amend the Higher Education Act of 1965 to establish fixed interest rates for student and parent borrowers, to extend current law with respect to special allowances for lenders, and for other purposes. (Rept. 107-34). Referred to the House Calendar.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. TOM DAVIS of Virginia (for himself, Mr. MORAN of Virginia, Mrs. JO ANN DAVIS of Virginia, and Mr. WOLF):

H.R. 3611. A bill to permit the closed circuit televising of the criminal trial of Zacarias Moussaoui for the victims of September 11th; to the Committee on the Judiciary.

By Mr. DAVIS of Illinois (for himself and Mr. SHIMKUS):

H.R. 3612. A bill to amend title XIX of the Social Security Act to provide individuals with disabilities and older Americans with equal access to community-based attendant services and supports, and for other purposes; to the Committee on Energy and Commerce.

By Mr. GUTIERREZ:

H.R. 3613. A bill to redesignate the facility of the United States Postal Service located at 1859 South Ashland Avenue in Chicago, Illinois, as the "Cesar Chavez Post Office"; to the Committee on Government Reform.

By Mr. HOLT (for himself, Mr. ROTHMAN, and Mr. PASCRELL):

H.R. 3614. A bill to repeal the provision of the September 11th Victim Compensation Fund of 2001 that requires the reduction of a claimant's compensation by the amount of any collateral source compensation payments the claimant is entitled to receive, and for other purposes; to the Committee on the Judiciary.

By Mr. ISRAEL:

H.R. 3615. A bill to amend the Public Health Service Act to direct the Secretary of Health and Human Services to make grants to designated eligible entities to train school nurses as "first responders" in the event of a biological or chemical attack on the Nation; to the Committee on Energy and Commerce.

By Mr. KUCINICH:

H.R. 3616. A bill to preserve the cooperative, peaceful uses of space for the benefit of all humankind by prohibiting the basing of weapons in space and the use of weapons to destroy or damage objects in space that are in orbit, and for other purposes; to the Committee on Science, and in addition to the Committees on Armed Services, and International Relations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MARKEY:

H.R. 3617. A bill to withdraw certain benefits of the Private Securities Litigation Reform Act from auditors that perform non-audit functions, and for other purposes; to the Committee on Financial Services.

By Mr. MCINTYRE (for himself, Mr. SHOWS, Mr. BURR of North Carolina, Mr. HILLIARD, Mr. JEFFERSON, Mr. GOODE, Ms. MCKINNEY, and Mr. TOWNS):

H.R. 3618. A bill to provide a framework for coordinating Federal, State, and local efforts to meet the special needs of the SouthEast Crescent Region; to the Committee on Transportation and Infrastructure, 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. McNULTY:

H.R. 3619. A bill to convert certain temporary judgeships to permanent judgeships, extend a judgeship, and for other purposes; to the Committee on the Judiciary.

By Mr. JEFF MILLER of Florida:

H.R. 3620. A bill to amend title 10, United States Code, to repeal the four-year requirement for the time following retirement from active duty during which a retired member of the Armed Forces must have received a disability rating in order to be eligible for the special disability compensation provided under section 1413 of that title; to the Committee on Armed Services.

By Mr. VITTER:

H.R. 3621. A bill to improve the security of seaports and the marine environment to promote public safety and commerce; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Ways and Means, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ARMEY:

H. Con. Res. 299. Concurrent resolution providing for a joint session of Congress to receive a message from the President on the state of the Union; considered and agreed to.

By Ms. JACKSON-LEE of Texas:

H. Con. Res. 300. Concurrent resolution expressing the sense of Congress regarding the economic collapse of Enron Corporation; to the Committee on Education and the Workforce.

By Mr. WATTS of Oklahoma:

H. Con. Res. 301. Concurrent resolution expressing the sense of Congress regarding American Gold Star Mothers, Incorporated, Blue Star Mothers of America, Incorporated, the service flag, and the service lapel button; to the Committee on Armed Services.

By Mr. OSBORNE (for himself, Mr. BOEHNER, Mr. GEORGE MILLER of California, Ms. MCCOLLUM, Mrs. ROUKEMA, Mr. MCKEON, Mr. KELLER, Mr. FORD, Mrs. DAVIS of California, Mr. BERENTER, Mrs. MORELLA, Mrs. MEEK of Florida, Mr. FATTAH, Mrs. WILSON of New Mexico, Mr. ROGERS of Michi-

gan, Mr. SCHIFF, Mr. WILSON of South Carolina, Mr. CASTLE, Mr. FLETCHER, Ms. CARSON of Indiana, and Mr. FORBES):

H. Res. 330. A resolution expressing the sense of the House of Representatives regarding the benefits of mentoring; to the Committee on Education and the Workforce, considered and agreed to.

By Mr. ARMEY:

H. Res. 331. A resolution authorizing the Speaker to appoint a committee to notify the President of the assembly of the Congress; considered and agreed to.

By Mr. ARMEY:

H. Res. 332. A resolution to inform the Senate that a quorum of the House has assembled; considered and agreed to.

By Mr. ARMEY:

H. Res. 333. A resolution providing for the hour of meeting of the House; considered and agreed to.

### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 17: Mr. ETHERIDGE.  
H.R. 31: Mr. CALVERT.  
H.R. 65: Mr. WILSON of South Carolina.  
H.R. 69: Mr. BARR of Georgia.  
H.R. 77: Mr. BARR of Georgia.  
H.R. 79: Mr. BARR of Georgia.  
H.R. 103: Mr. FLAKE.  
H.R. 159: Mr. WILSON of South Carolina.  
H.R. 179: Mr. WILSON of South Carolina.  
H.R. 190: Mr. COX and Mr. KERNS.  
H.R. 236: Mr. KNOLLENBERG.  
H.R. 265: Ms. WATERS.  
H.R. 285: Mr. OWENS.  
H.R. 303: Mr. WILSON of South Carolina.  
H.R. 612: Mr. BOSWELL and Mr. FORBES.  
H.R. 638: Mrs. DAVIS of California and Mr. HONDA.  
H.R. 746: Mr. KIRK.  
H.R. 758: Mr. OWENS.  
H.R. 782: Ms. CARSON of Indiana.  
H.R. 817: Mr. LAHOOD.  
H.R. 914: Mr. FLAKE.  
H.R. 951: Mr. HONDA, Mr. BLAGOJEVICH, and Ms. WATSON.  
H.R. 952: Mr. INSLEE.  
H.R. 959: Mr. BECERRA.  
H.R. 997: Mr. BONIOR.  
H.R. 1073: Mr. EHRLICH.  
H.R. 1089: Mr. FORBES and Mrs. MINK of Hawaii.  
H.R. 1090: Mr. SAWYER, Mr. FATTAH, and Mr. BLUNT.  
H.R. 1136: Mr. GORDON.  
H.R. 1177: Mr. LIPINSKI.  
H.R. 1202: Mr. CAPUANO, Mrs. LOWEY, Mr. VITTER, and Mr. WILSON of South Carolina.  
H.R. 1213: Mr. GILLMOR.  
H.R. 1214: Mr. WU and Ms. HOOLEY of Oregon.  
H.R. 1247: Mr. FRANK.  
H.R. 1293: Mr. DEAL of Georgia.  
H.R. 1296: Mr. DEFazio and Mr. TIAHRT.  
H.R. 1307: Ms. CARSON of Indiana and Mr. LIPINSKI.  
H.R. 1360: Mr. ROTHMAN and Mr. STRICKLAND.  
H.R. 1368: Mr. PICKERING.  
H.R. 1462: Ms. DEGETTE.  
H.R. 1475: Mr. DEFazio and Mr. PHELPS.  
H.R. 1487: Mr. GOODLATTE and Mr. HALL of Ohio.  
H.R. 1556: Mr. AKIN.  
H.R. 1582: Mr. LANTOS.  
H.R. 1596: Mr. GONZALEZ, Mr. FORBES, and Mrs. MORELLA.  
H.R. 1601: Mr. ROGERS of Michigan.  
H.R. 1605: Mr. DAVIS of Florida.  
H.R. 1609: Mr. BLAGOJEVICH.

H.R. 1645: Mr. FRANK.  
H.R. 1683: Ms. RIVERS.  
H.R. 1754: Mr. KERNS.  
H.R. 1796: Mr. SNYDER.  
H.R. 1798: Mr. MOORE.  
H.R. 1803: Mrs. CAPITO.  
H.R. 1809: Mr. OWENS.  
H.R. 1819: Mr. LANTOS.  
H.R. 1904: Mr. BROWN of Ohio and Mr. KILDEE.  
H.R. 1961: Ms. RIVERS.  
H.R. 2036: Mr. THOMPSON of California, Mr. COYNE, and Ms. HOOLEY of Oregon.  
H.R. 2073: Mr. TANNER and Mr. FORBES.  
H.R. 2088: Mr. NUSSLE.  
H.R. 2117: Mr. LANGEVIN and Mr. WEXLER.  
H.R. 2125: Mr. QUINN, Mr. BENTSEN, Mr. ETHERIDGE, Mrs. CAPPS, Mr. CLAY, Mr. WAMP, and Mr. JOHNSON of Illinois.  
H.R. 2230: Mr. HILLIARD, Mr. LEACH, and Mr. SENSENBRENNER.  
H.R. 2235: Mr. CRAMER, Mr. KIRK, and Mr. SIMPSON.  
H.R. 2322: Mr. BOUCHER.  
H.R. 2349: Mr. ABERCROMBIE, Mrs. THURMAN, Mr. ORTIZ, Mr. TOM DAVIS of Virginia, Mr. LYNCH, Mr. BOUCHER, Mr. MENENDEZ, Mr. UDALL of New Mexico, Mr. CLEMENT, Mr. BOSWELL, Mr. WEXLER, Mr. FALCOMA, and Ms. WATSON.  
H.R. 2355: Mr. LATOURETTE.  
H.R. 2377: Ms. WATERS.  
H.R. 2412: Mr. ISRAEL.  
H.R. 2558: Mr. SCHAFFER.  
H.R. 2623: Mr. CRENSHAW, Mr. NEAL of Massachusetts, and Mr. WEXLER.  
H.R. 2629: Mr. COSTELLO, Mr. KILDEE, Mr. FILNER, Mr. FLETCHER, Mrs. CAPPS, Mr. POMEROY, Mr. PETERSON of Minnesota, Mr. MORAN of Virginia, Mr. KING, and Mr. LUCAS of Kentucky.  
H.R. 2702: Mr. LUTHER.  
H.R. 2723: Mr. STUPAK, Mr. DOYLE, Ms. SOLIS, Mr. MARKEY, Mr. ANDREWS, Ms. ESHOO, and Mr. TIERNEY.  
H.R. 2753: Mrs. EMERSON and Mr. TOOMEY.  
H.R. 2800: Mr. CANTOR.  
H.R. 2808: Mr. PETRI.  
H.R. 2908: Ms. SOLIS and Mr. ANDREWS.  
H.R. 2957: Mr. WILSON of South Carolina.  
H.R. 2968: Mr. TOM DAVIS of Virginia, Mr. WELDON of Florida, and Mr. LATOURETTE.  
H.R. 2988: Mr. CASTLE.  
H.R. 3014: Mr. QUINN, Mr. HILL, and Mr. WELDON of Pennsylvania.  
H.R. 3041: Mr. GILMAN.  
H.R. 3058: Mr. CROWLEY.  
H.R. 3068: Mr. FALCOMA and Mr. LUCAS of Kentucky.  
H.R. 3070: Ms. CARSON of Indiana.  
H.R. 3131: Mr. BALDACCIO, Mr. CALLAHAN, and Mr. MCGOVERN.  
H.R. 3175: Mr. FATTAH and Mr. ROTHMAN.  
H.R. 3186: Mr. QUINN and Mr. HALL of Ohio.  
H.R. 3332: Mr. GILMAN, Mr. ROSS, Mr. SAWYER, Mr. RANGEL, Mr. LEVIN, Mr. LANGEVIN, Mr. WAMP, Mr. KENNEDY of Rhode Island, Ms. HOOLEY of Oregon, Mr. ISRAEL, Mr. VITTER, Mr. WILSON of South Carolina, and Mr. FROST.  
H.R. 3333: Mr. GIBBONS.  
H.R. 3337: Mrs. MALONEY of New York, Ms. ROS-LEHTINEN, Mr. SANDERS, Mr. DAVIS of Illinois, Mr. FALCOMA, Mr. MORAN of Virginia, Mr. ENGLISH, and Mr. COSTELLO.  
H.R. 3341: Mr. OLVER.  
H.R. 3342: Mr. GEORGE MILLER of California, Mr. NADLER, Ms. WATERS, Mr. CASTLE, and Mrs. MINK of Hawaii.  
H.R. 3360: Mr. PETERSON of Minnesota, Mr. GOSS, Mr. HASTINGS of Florida, Mr. ROSS, Ms. CARSON of Indiana, Mr. LUCAS of Kentucky, Mr. THOMPSON of Mississippi, Mr. PASCRELL, and Mr. TIAHRT.  
H.R. 3377: Mr. STUMP.  
H.R. 3388: Mr. NORWOOD.  
H.R. 3389: Mr. SERRANO and Mr. FARR of California.

H.R. 3390: Mr. WAMP.  
 H.R. 3408: Mr. FALCOMA. VEGA.  
 H.R. 3414: Mr. SMITH of New Jersey and Mr. LEVIN.  
 H.R. 3415: Ms. KAPTUR.  
 H.R. 3424: Mrs. CAPPS, Mrs. NAPOLITANO, Mr. SCHIFF, Mr. SANDERS, Mr. KNOLLENBERG, Mr. BARR of Georgia, Ms. JACKSON-LEE of Texas, Mr. HERGER, Ms. BERKLEY, Mr. BRADY of Texas, Mr. ISRAEL, Mr. KILDEE, Mr. WILSON of South Carolina, and Mr. PALLONE.  
 H.R. 3430: Mr. PLATTS.  
 H.R. 3432: Mr. VITTER, Mr. BAKER, and Mr. ISAKSON.  
 H.R. 3443: Mr. ENGLISH, Mr. MCINNIS, and Ms. HARMAN.  
 H.R. 3460: Mr. PASCRELL.  
 H.R. 3461: Ms. NORTON and Mr. RODRIGUEZ.  
 H.R. 3464: Mr. WELDON of Pennsylvania and Ms. SCHAKOWSKY.  
 H.R. 3468: Mrs. TAUSCHER and Mr. FROST.  
 H.R. 3494: Ms. WATERS, Mr. GEORGE MILLER of California, Ms. HARMAN, and Ms. DELAURO.  
 H.R. 3498: Mr. PICKERING.  
 H.R. 3522: Mr. THORNBERRY.

H.R. 3524: Ms. ESHOO, Mr. PAYNE, Mrs. MINK of Hawaii, Mr. SANDERS, and Mr. FALCOMA. VEGA.  
 H.R. 3544: Mr. KILDEE.  
 H.R. 3550: Mr. WILSON of South Carolina.  
 H. Con. Res. 104: Mr. WILSON of South Carolina.  
 H. Con. Res. 116: Mr. WILSON of South Carolina.  
 H. Con. Res. 164: Mr. FRELINGHUYSEN.  
 H. Con. Res. 181: Mr. SAXTON.  
 H. Con. Res. 199: Mr. BARRETT.  
 H. Con. Res. 249: Mr. CANTOR.  
 H. Con. Res. 269: Mr. LOBIONDO.  
 H. Con. Res. 284: Mr. KERNS.  
 H. Con. Res. 290: Mrs. MINK of Hawaii and Mrs. JONES of Ohio.  
 H. Con. Res. 298: Mr. FROST and Ms. ROSELEHTINEN.  
 H. Res. 259: Mr. TURNER.  
 H. Res. 295: Mr. CUMMINGS and Mr. OWENS.

## DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 2345: Mr. DELAHUNT.

## PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

47. The SPEAKER presented a petition of the City Council, Coconut Creek, Florida, relative to Resolution No. 2001-165 petitioning the United States Congress to express the City's condolences to the families of the victims of the September 11th tragedy, support of the City of New York in its rebuilding efforts, and confidence in the Administration and the Government of the United States in its war on terrorism; which was referred jointly to the Committees on the Judiciary and Government Reform.



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 107<sup>th</sup> CONGRESS, SECOND SESSION

Vol. 148

WASHINGTON, WEDNESDAY, JANUARY 23, 2002

No. 1

## Senate

The 23d day of January being the day prescribed by H. Con. Res. 295 for the meeting of the second session of the 107th Congress, the Senate assembled in its Chamber at the Capitol at 12 noon and was called to order by the President pro tempore (Mr. BYRD).

### PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Eternal God, You have divided our lives into years so that with each new year, we can relinquish our past fears. You open Your forgiving heart and give us a fresh start. Our times are in Your hands; shape our destiny as You have planned.

Today, as we begin a new session of this 107th Congress, we commit our lives to You anew. Grant us expectation for what You will enable us to do for Your glory, enthusiasm for the privilege of serving here in the Senate, and excitement over the progress we can make if we trust You. Forgive any ho-hum, somnolent sameness. Awaken us to a fresh realization of Your presence and power. Grant the Senators and all of us who work with them, the conviction that no problem is too big for You to solve, no disagreement too great for You to dissolve, and no crisis too complicated for You to resolve. Lead on, Sovereign Lord, we are one Nation, under You! And You are the God of Abraham, Isaac, and Jacob, and of the Lord Jesus Christ. 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.

### RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

### STARTING THE SECOND SESSION OF THE 107TH CONGRESS

Mr. DASCHLE. Mr. President, the start of a new session of Congress is always a hopeful time, and this session is no exception. These are days of great and important challenges for our Nation and for our world, which means we have the opportunity to do great and important work. It is an honor to be part of this Congress and to be able to work with so many fine men and women, Republicans and Democrats. I am going to have more to say this afternoon about the legislative agenda for the year. For now, let me welcome back my colleagues to this second session of Congress. Let me welcome our staffs and all of those who are associated with making this Senate work as it does each and every day.

This is only the second time I have had the privilege of opening a session of Congress. The first time was a year ago during my first 17-day term as majority leader. In my remarks that day, I mentioned the Brumidi corridor, the incredible frescoes that line the walls on the first floor of this building. They were painted more than 125 years ago by an Italian immigrant named Constantino Brumidi. Some people refer to him as "America's Michelangelo"—with good reason. He spent 25 years of his life painting the walls and the great dome of this Capitol. It was a labor of love for his adopted country. Over the years, Brumidi's magnificent paintings were covered over by layers of paint and varnish. For the last several years, art conservators have been painstakingly scraping away those layers to reveal the original works of art underneath.

I have often thought of that process as a good metaphor for the Senate.

Over the years, a layer of partisanship has sometimes settled over the Senate. Even with that disadvantage, it has remained the greatest legislative body in the history of the world and one in which I am very proud to serve. But it is when we are able to transcend the layers of partisanship, as we did last year in response to the attacks on our Nation, that the real beauty and genius of this institution are revealed.

Very often, as I leave work at the end of the day, I walk down the Brumidi corridors on my way out the door. I take a quick look to see the progress the conservators have made. I remember one evening particularly well. It was late October. For much of the time since September 11, and since the anthrax letter was opened in my office, work on the corridors had stopped. But that evening, the conservators were back at work making progress. Their work, it seemed to me, was an act of faith that 125 years from now, and long after that, this building will still be standing; people will still come from all over America and all over the world to see the miracle of democracy in action.

Mo Udall wrote a book called "Too Funny to be President" about his years in the Congress. He dedicated it to the 3,000 Members of Congress, living and dead, with whom he served for nearly three decades. As we begin this new session of Congress, let us remember that we are part of a continuum of all who have come before us and all who will come after us, and let us pledge to work in a way that will honor them all.

With that, I wish my colleagues well. I welcome them back. I yield the floor.

Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll to ascertain the presence of a quorum.

The assistant legislative clerk proceeded to call the roll, and the following Senators entered the Chamber and answered to their names:

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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[Quorum No. 1]

Byrd	Feinstein	Reid
Campbell	Inouye	Thomas
Daschle	McCain	Thurmond

The PRESIDENT pro tempore. A quorum is not present. The clerk will repeat the names of the absentee Senators.

The majority leader.

Mr. DASCHLE. Mr. President, I move to instruct the Sergeant at Arms to request the presence of absent Senators. I ask for the yeas and nays.

The PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second. The yeas and nays are ordered.

The question is on agreeing to the motion. The clerk will call the roll.

The legislative clerk called the roll.

Mr. REID. I announce that the Senator from Hawaii (Mr. AKAKA), the Senator from Connecticut (Mr. LIEBERMAN), and the Senator from Georgia (Mr. MILLER) are necessarily absent.

Mr. NICKLES. I announce that the Senator from Alaska (Mr. MURKOWSKI), the Senator from Alabama (Mr. SESSIONS), and the Senator from Alabama (Mr. SHELBY) are necessarily absent.

The result was announced—yeas 88, nays 6, as follows:

[Rollcall Vote No. 1 Leg.]

## YEAS—88

Allard	Durbin	Lugar
Baucus	Edwards	McConnell
Bayh	Ensign	Mikulski
Bennett	Enzi	Murray
Biden	Feingold	Nelson (FL)
Bingaman	Feinstein	Nelson (NE)
Boxer	Fitzgerald	Nickles
Brownback	Frist	Reed
Bunning	Graham	Reid
Burns	Gramm	Roberts
Byrd	Grassley	Rockefeller
Campbell	Hagel	Santorum
Cantwell	Harkin	Sarbanes
Carnahan	Hatch	Schumer
Carper	Helms	Smith (NH)
Chafee	Hollings	Smith (OR)
Cleland	Hutchinson	Snowe
Clinton	Hutchison	Specter
Cochran	Inouye	Stabenow
Collins	Jeffords	Stevens
Conrad	Johnson	Thomas
Corzine	Kennedy	Thompson
Craig	Kerry	Thurmond
Crapo	Kohl	Torricelli
Daschle	Kyl	Voinovich
Dayton	Landrieu	Warner
DeWine	Leahy	Wellstone
Dodd	Levin	Wyden
Domenici	Lincoln	
Dorgan	Lott	

## NAYS—6

Allen	Breaux	Inhofe
Bond	Gregg	McCain

## NOT VOTING—6

Akaka	Miller	Sessions
Lieberman	Murkowski	Shelby

The motion was agreed to.

The PRESIDENT pro tempore. A quorum is present.

## RECESS

The PRESIDENT pro tempore. Under the previous order, the hour of 12:30 p.m. having arrived, the Senate will now stand in recess until the hour of 2:15 p.m. today.

Thereupon, the Senate, at 12:49 p.m., recessed until 2:15 p.m.; whereupon, the

Senate reassembled when called to order by the President pro tempore.

The PRESIDENT pro tempore. The Senator from Delaware.

## MORNING BUSINESS

Mr. CARPER. Mr. President, I ask unanimous consent that there be a period of morning business with Senators permitted to speak for up to 10 minutes each.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. CARPER. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The absence of a quorum has been suggested. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CARPER). Without objection, it is so ordered.

The majority leader.

## TAKING OF OFFICIAL SENATE PHOTOGRAPH

Mr. DASCHLE. Mr. President, if everybody will take their seats, we can quickly take the picture.

(The VICE PRESIDENT assumed the chair.)

(Thereupon, the official Senate photograph was taken.)

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CARPER). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Iowa is recognized in morning business for 10 minutes.

## TRADE PROMOTION AUTHORITY

Mr. GRASSLEY. Mr. President, after the holiday season it is good to be back to do the people's business in the Senate. We have a lot of unfinished business, and we need to do some of this unfinished business right now.

I think the American people are looking for the bipartisanship of the post-September 11 environment to continue. I think they are hopeful that a lot of very important legislation will pass, and I hope they are in a position of helping all of us reject political posturing and dueling with press statements. The American people really want results. I guess one would say they want action, not words.

Yet we adjourned before the holidays before we could take steps necessary to aid our economy. We did not pass an economic stimulus bill, and we did not pass Trade Promotion Authority. We

must do better. We need to pass both of these because they are very central to stimulating the economy, which we always think of being short term, but with the President's authority to negotiate trade agreements, we can have a long-term revival of the economy.

I emphasize trade by often quoting President Clinton, who said one-third of the jobs created during his administration were created by trade, which means trade is very important to the betterment of our economy. Generally, trade-related jobs are very good, higher paying jobs.

So we did not pass a stimulus package and we did not pass trade promotion authority, although there was bipartisan support for both. There was overwhelming bipartisan support for trade promotion authority, as that bill was reported out of our Finance Committee 18 to 3. So since we did not pass these, I believe we need to do better.

Last week, President Bush was in Louisiana where he called upon the Senate to pass Trade Promotion Authority as a necessary part of our economic recovery. He also spoke on this issue near my State of Iowa, across the river in Illinois, in what we call the Quad Cities of our State. He was in Moline, IL, to promote trade promotion authority legislation and economic development legislation.

President Bush said, as President Clinton has said, that trade is very much a jobs issue. He said if we trade more, there are more jobs available for hard-working Americans. He is as right as President Clinton was right on this very issue.

Trade is essential to our economy. The United States exported over \$780 billion in goods and services to more than 200 foreign markets last year. Exports provide more than one-fourth of all economic growth in America. Trade is a very important part of our economy generally over a long period of time, at least for the last 50 years. In the case of the post-September 11 recession, it is very important to our long-term economic recovery.

Of course, President Bush knows that trade is an important part of our economic recovery, and that is why he called upon the Senate of the United States to put our political parties aside and focus on what is best for the United States of America and the American people.

As I said, we did act on this issue in the Finance Committee before the holidays. We came together in a bipartisan way and, in a vote of 18 to 3, voted out trade promotion authority. The key to the strong bipartisan vote can be found in one word, and that one word is "compromise."

Let me be clear. The trade promotion authority bill that passed the Senate Finance Committee is a good bill. It deserves our support. In negotiating that bill with the chairman of the committee, my friend Senator BAUCUS, we included some items I may not like, but that is the essence of compromise.

Neither one of us got everything we wanted, but we put aside our differences to do what is right for the American people. We came together, Democrat and Republican, and passed a good bill out of the Finance Committee that will help create jobs in America. Trade-related jobs, as everybody knows, pay 15 percent above our national average.

For that compromise, I commend Senator BAUCUS. Now we need to do the same thing in the full Senate. We need to do it, and hopefully do it very quickly. The reason for doing it very quickly is that starting, I believe the date is February 7, there are negotiations following on the new round that was agreed to by the 142 nations of the World Trade Organization last November in Doha, Qatar, a new round, and the negotiations would start next month.

We can start those negotiations without passing this bill, but the President will never be credible in these negotiations with the other 142 nations unless the President has this trade promotion authority. So we need to do this, and hopefully not have the partisan bickering we have had on some legislation, so we can get it done very soon.

Trade promotion authority to the President is not only key to our economic recovery but is also a very important tool which helps us help other nations in the world, especially poorer countries, and maybe was best said by President Kennedy 40 years ago when he said trade, not aid, is the leadership the United States ought to take in the way of helping other nations.

We have been giving aid since then, but the long-term benefit is helping another country to help itself, and the ability for them to sell their goods to us and for us in turn to sell our goods to them is very good. It not only is good economically, but I think it brings about a closeness of people around the world, of different societies, of different nations, so we have a greater prospect for peace. That should not be forgotten as well. Although we always talk about this in economic terms, we ought to think in terms of other things it does as well.

So it helps us help poorer countries in a way that helps them to help themselves. It creates jobs. It helps lift people out of poverty. Poverty is our enemy. Poverty leads people in the wrong path, towards war, political instability, religious fanaticism.

Following World War II, we stabilized Europe through the Marshall Plan and economic development. We won the cold war through our economic strength. Now we are fighting the war on terrorism. We need to keep up strong international economic leadership and bring more nations of the world into democracy and prosperity.

The President's political leadership, as our chief diplomat, does that. He does that through his leadership as our Commander in Chief. Also, the President can do this as our chief trade ne-

gotiator and know that he not only wants political leadership in the United States, he wants the United States to give economic leadership and do it in a way to help other countries help themselves and have long-term economic recovery. Trade helps America do all these things, and trade promotion authority for President Bush is the key. There is really no reason to wait.

The bill has strong bipartisan support. It will pass the Senate by a strong margin. That is why I urge today, as I have in several speeches over the last month, that our distinguished majority leader put trade promotion authority on the floor for a vote in February. There is no reason to wait on trade promotion authority. There is no need to waste time in giving the President the authority he needs to open new markets and create new jobs for the American people.

By passing trade promotion authority early this year, the Senate will help the President spur economic growth and continue our world economic leadership, as well as military and political leadership. We will create new jobs.

In this time of war on terrorism, it seems when a lot of people are pleading, and probably rightly so, that a lot of fanaticism comes when poverty is present, we will help fight terrorism by bringing more nations into democracy and prosperity.

It is time to get the job done. The American people expect no less.

I yield the floor.

The PRESIDING OFFICER (Mr. MILLER). The Senator from Oregon, Mr. SMITH.

Mr. SMITH of Oregon. I ask unanimous consent to speak for 5 minutes in morning business.

The PRESIDING OFFICER. The Senator has up to 10 minutes under the order.

#### THE UNINSURED

Mr. SMITH of Oregon. Mr. President, we all come back having experienced different things and having heard different messages in our States. But as the Budget Committee took up its duties this morning and began hearing economic reports, it was clear to me on the committee that there is overwhelming bipartisan support for winning the war abroad and for better homeland defense here. Then differences begin to emerge as to how best to strengthen America's economic security. Clearly, the economic stimulus package is a priority for many, and certainly for the State of Oregon which I am privileged to represent. When we list all of those priorities, we wonder what is left to help with the other priorities this Nation has.

I rise to speak of a priority I have, that I began working on in the last session of this Congress, with my colleague, RON WYDEN, the issue of the burgeoning ranks of the uninsured. I rise to talk about that subject.

I stand to say that health insurance is something about which we should all be concerned. Living without health insurance can result in bankruptcy, unnecessary delays in treatment, and, in some tragic circumstances, even death itself. We need to be concerned about it, not just because we all may at some point in our lives become uninsured. We need to be concerned about the uninsured because it is a moral outrage that so many Americans have no health coverage even as they live and work in the wealthiest nation on Earth.

We have heard the statistics: Over 40 million Americans do not have health insurance. We have heard the number so many times that it seems to have lost its impact, in this place at least. Let's look at the number more closely: 40 million Americans is one in six people in our country who do not qualify for Medicare. That number includes citizens from every conceivable walk of life: children, pregnant women, parents, single adults, full-time workers, self-employed individuals, and students. The 40 million people include those who have lost their jobs as the economy has worsened. It includes people who have worked hard for small companies that cannot afford to offer health benefits to employees. It includes people who work for companies that offer health benefits, but who cannot afford their share of the premium. Most Americans would be surprised to know more than 80 percent of all uninsured children and adults live in families who have at least one adult working.

This week the country celebrated the life and work of Dr. Martin Luther King, Jr. More than 30 years after his death, it seems incredible that the racial disparity in health care is still so evident. More than any other group, the people who are living without health insurance in the United States are Hispanic and African American. Thirty-two percent of all Hispanics in this country had no health insurance coverage last year; the number is even worse for low-income Hispanics, 43 percent of whom live without insurance. This situation should no longer be tolerated.

As the Senate convenes for the second session of the 107th Congress, there has never been a better time to address the issues of the uninsured. Americans are losing their jobs as the recession continues, without the benefit of any economic stimulus legislation from this Congress.

In addition, the brief era of stability in health insurance premiums seem to have ended. In 2001, the average cost of employer-sponsored health insurance coverage rose 11 percent. Those who work in small firms saw increases substantially higher than that.

There can be no doubt what will happen this year. It has already begun. Through no fault of their own, many employers will have to raise copayments and premiums, while reducing

benefits, if they are able to continue to offer insurance to their employees at all. The bottom line is that more people than ever will lose their health insurance.

These numbers are truly startling. But behind every one of those, every single case of those 40 million people, there is an American face and a human story.

As I travel around Oregon visiting community health centers, I meet more and more people who live without health insurance. I hear their stories. There are many ways we can help shrink that gap between the insured and the uninsured. We should pursue that goal with the policy we begin formulating in the Budget Committee.

While the stories of all of the people I meet are different, they are, in most cases, quite tragic, and the circumstances that have brought them to these places are often similar. The loss of a job. An increase in insurance premiums. A serious illness. These are unavoidable circumstances that could happen to any American.

While I understand the looming budget deficit this year will make new initiatives difficult, the current economic climate is all the more reason to focus attention and resources on covering the uninsured this year. In the immortal word of Dr. Martin Luther King, Jr.: "The time is always right to do what is right."

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DASCHLE. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### AGENDA FOR THE SECOND SESSION OF THE 107TH CONGRESS

Mr. DASCHLE. Mr. President, I came to this Chamber just as we opened the session to welcome back our colleagues and staff and all of those who are so much a part of this great institution. I reiterate that welcome again this afternoon. I am sure we all hope this new year and this new session will be constructive and productive.

Much has happened in the weeks since we adjourned. In the war on terrorism, President Bush and his national security team continue to do a superb job. And our men and women in uniform continue to inspire us with their heroism and their success.

Closer to home, workers in New York continue to clear away the wreckage at ground zero. At the Pentagon, rebuilding is already underway.

In Princeton, NJ, a tiny 15-day-old baby girl—the daughter of Scott and Lisa Beamer—is living proof that the spirit of the heroes of United flight 93 will never die.

And just yesterday—more than 3 months after the largest bioterrorism

attack in our Nation's history forced it shut—the Hart Senate Office Building finally reopened.

Those are all reasons to be hopeful about this new year. But there are also reasons to be concerned. In all, there are now more than 8.3 million Americans who want to work but do not have jobs. The collapse of Enron has cost thousands of Enron employees their jobs—and their retirement savings. Tens of thousands of other Americans who have invested part of their retirement savings in pension funds have also been hurt by Enron's implosion.

In South Dakota and all across America, people are working hard to raise their children, pay their bills, and maybe, if they are lucky, to put something away for the future. Our job this year is to help them, by strengthening our national security, our economic security, and the security of our democratic institutions.

As we begin this new session, we face two significant challenges. The first is fiscal. Last year, the Congressional Budget Office estimated the Federal Government would run a \$5.6 trillion surplus over the next decade. This morning the CBO released new reports showing that \$4 trillion of the projected surplus has disappeared in the space of just 7 months.

Instead of surpluses every year from now until 2011, current projections indicate that even if you include the Social Security and Medicare surpluses, the Government will run deficits at least in the years 2002 and 2003. And it will be forced to use \$1.2 trillion in Social Security and Medicare trust funds over the next decade to pay for other essential Government programs. That is before we add one penny for the Medicare prescription drug benefit or strengthen our military or increase our investments in homeland security, education, or other critical priorities. It is also before we add one penny for an economic recovery package.

The second challenge we face is ideological. There are some who predict we will accomplish little this year because of our genuine differences in philosophy on many issues and because this session is so short and the stakes in the November elections are so high. But we do not have to accept that prediction. Important issues do not have to be insoluble. The new education bill we passed last year is proof of that.

Six days from today President Bush will deliver his first State of the Union Address. Six days after that, he will send the Congress his budget proposal. Democrats will give the President's proposals very careful and respectful consideration. He deserves every aspect of respect and care that we can give his budget.

Today I would like to say a few words about what we see as our priorities for the coming year. And I might say that we look forward to working with the President and with our Republican colleagues to find principled compromises on each of them.

The first thing we need to do is finish our work from last year. We should start by passing an economic recovery plan that will create jobs and get America's economy moving in the right direction again.

Both the Democratic and Republican economic recovery plans are more than 75 percent tax cuts.

Over the holidays, the Congressional Budget Office analyzed all of the major economic recovery proposals and indicated that the least helpful would be repealing the corporate alternative minimum tax and speeding up the income tax rate reductions passed last summer.

Earlier this month, in an effort to get the negotiations moving again, I proposed two new business tax cuts for every company in America that creates new jobs or invests in new equipment and technology. But today, I offer another proposal for breaking the impasse.

There are four ideas that appear in every major economic plan—Democratic and Republican. The first is to extend unemployment benefits by 13 weeks. Republicans and Democrats have suggested that.

The second is to provide tax rebates for workers who did not get a rebate the first time. Again, both Republicans and Democrats have offered that.

The third is to provide bonus depreciation to encourage business investment. Again, both groups have proposed that.

And finally, the fourth is to provide fiscal relief for States to help them avoid cutting critical services—especially health care—or raising taxes during the recession.

I hope we can at least take up these four measures immediately. If there are others for which there can be agreement—perhaps New York assistance, perhaps the extenders, perhaps other issues—where we can find common ground, I would like to be able to do that. I hope we can do it this week.

I have begun talking with Senator LOTT, and he has been extremely responsive in his desire to try to find a way to move this legislation along. I commend him and thank him for that.

Later on this afternoon we will offer a unanimous consent request that will accommodate Senators' wishes to offer amendments but also, I hope, Senators' desires to get something done. So I am hopeful we can accomplish that this week.

I might add, we have a very limited period of time. We have a couple of days this week. And because of agreed-to schedules, we only have a couple of days next week. And then we have just 2 weeks after that before the Founders' Day recess. In that period of time it would be my hope we could do the economic recovery, the election reform, the farm bill, and an energy bill as well.

That is a lot to do, but if we can make every day count—beginning with this one—I think we can do it. I am

hopeful Republicans and Democrats can work together to ensure that happens.

As I said, we also need to finish the farm bill. We do not need another year or another month to know we have to build on what has been done already.

Since the Freedom to Farm bill was passed in 1996, farm income has dropped 25 percent. USDA now warns that unless we pass a new farm bill or more emergency assistance quickly, farm income could drop another 20 percent this year alone.

The farm bill is economic recovery for rural America. So we ask that we can work together again on this legislation. Let's work to pass it immediately. Let's go to conference. Let's resolve our differences. And let's get this legislation on the President's desk.

As I noted, the President shares the view that Republicans and Democrats have advocated with regard to energy. We need a national energy plan. The administration has proposed a plan which relies a good deal on adding to production. Their view is that we drill on certain sensitive lands on which I personally have some objection. The House-passed version of that plan would add \$34 billion in tax relief for energy companies.

What Democrats would do is have a balance between the need for new production and what we ought to do with conservation and with alternative energy development. Let's reduce America's dependence on not just foreign oil but on oil, period. That ought to be part of the debate we have on energy.

There is a lot of work to be done in a very short period of time. I hope we can do all of that in the time we have allotted for these very important bills.

We also need to pass terrorism reinsurance. Efforts to solve this complex problem last year were impeded by some who sought to use this issue to push other extraneous issues. This year we will need to work together to assess the real needs of the marketplace and provide real solutions—the sooner, the better.

Our second responsibility is to continue to lay the foundation for long-term economic growth. An essential part of that foundation is expanded trade. Last month, the Finance Committee passed a bill that gives the President expanded trade promotion authority and addresses important labor and environmental issues related to trade. The committee also passed a bill to expand trade adjustment assistance, including assistance for farmers who are displaced by global trade.

Early this year we will bring to the Senate floor a fast-track bill that includes both of these essential components, and I hope we will pass it with broad bipartisan support.

Expanded trade was a key factor in the economic boom of the 1990s. Other key factors were fiscal discipline and increased productivity made possible by advances in technology. To keep

America's technological edge, we should take final action on the Export Administration Act this year. We should expand broadband Internet access and work to make it universal, the same as telephone service, this year. We should find a way to make R&D tax credits permanent this year, and we should build on the bipartisan success of our new education bill passed last year by expanding opportunities to go to college or attend a training program and by working toward full funding of the Individuals with Disabilities Act so that children with disabilities can develop their skills to the fullest potential. After all, the minds of our young people are our best hope for long-term economic growth.

Our third responsibility is to increase families' economic security. We should raise the minimum wage \$1.50 an hour over 2 years so people who work full time don't have to live in poverty. In 1996, we changed welfare programs to say if you are able-bodied, you should work. Since then we have seen dramatic decreases in the State caseloads and increases in the number of people moving from welfare to work. For too many families, however, moving off welfare has not meant moving out of poverty. We need to strengthen welfare reform this year and make sure people who move from welfare to work have access to affordable child care, transportation, and health care so they can actually make a better life for themselves and their children.

We need to expand affordable health coverage to uninsured Americans. We need to pass a real, enforceable Patients' Bill of Rights. Insurers should not be able to deny medical care once you get sick, and certainly they should not be able to deny care or coverage based on the results of genetic tests that indicate you might get sick someday.

President Bush says he opposes genetic discrimination. We hope to work with him this year to prohibit both employers and insurers from using genetic test results as a basis for discrimination and to prevent disclosure of genetic information to banks, employers, and anyone else who has no legitimate need for information.

The collapse of Enron has left thousands of former Enron employees suddenly fearful of growing old in poverty. For every Enron worker, there are tens of thousands of workers in other companies who worry that they could share the same fate. We have a responsibility to look at everything from Federal rules governing 401(k) pension plans to corporate disclosure requirements under securities laws, to accounting reforms and whether the accounting industry's self-regulatory system is sufficient.

We need to learn what happened and then work together to prevent it from ever happening again. We must also work together this year to protect, not privatize, America's public retirement system, Social Security, and Medicare,

and to add real prescription drug coverage to Medicare. Half measures such as voluntary discount cards that just push the costs off on pharmacists and provide little savings to seniors are simply not adequate.

Our fourth responsibility is to strengthen homeland security. On September 11 and when the anthrax letter was opened in my office, we saw how devastating it can be when terrorists are able to slip through the holes in our homeland security. We need to work in a bipartisan manner to close those holes as quickly as possible.

We were puzzled during the debate on economic recovery when some insisted that strengthening our homeland defense was not an emergency. We are pleased by new reports that indicate the administration has now decided to devote real attention and resources to homeland security, and we will certainly work with them to do so.

Our fifth responsibility is to strengthen the security of our basic democratic rights and institutions. That includes the right of every American to vote and have that vote count. A year ago, we had just come through the most difficult Presidential election in our lifetimes. Since then, Senators DODD, MCCONNELL, BOND, SCHUMER, and TORRICELLI have come up with a bipartisan plan to strengthen our election system. I intend to bring their bill up as soon as possible. The American people are asking—fairly, I believe—whether our campaign system is part of the reason Enron was able to do what it did. Whether that is true or not, the mere suspicion that it might be true is damaging to our democracy.

House supporters need only three more signatures on a discharge petition to bring the Shays-Meehan bill to the floor. I expect they will get those votes and pass a good, comprehensive campaign finance reform bill this year. We must change the system now.

One of the heroes who defied the hijackers on flight 93 was Mark Bingman, a gay man. His courage may have helped save this very building. This year we should have the courage to pass ENDA, the Employment Non-Discrimination Act, and prohibit employers from discriminating on the basis of sexual orientation. We must also pass the bipartisan bill expanding the Federal hate crimes law to include gender, sexual orientation, and disability, and to provide greater protections against crimes motivated by racial and religious bias.

Scott Beamer will always be remembered for those final brave words: "Let's roll." His new daughter Morgan, born just 15 days ago, is probably the best known of the babies born to fathers who died in the September 11 terrorist attacks. But she is not the only one. So far there are 17 such babies, including a pair of twins. By summer there will be 40 more babies born to fathers who died in the September 11 attacks. Every day in America, 11,000 babies are born.

Last year was one of the saddest in our Nation's life. As we begin this new session, with its new challenges and new opportunities, let us remember those who died on September 11. But let us also remember the children they left behind, some of whom they never even had the chance to see or hold. Let us also remember the other children who are depending on us to pass on to them an America that is filled with as much hope, freedom, and possibility as the Nation we inherited from our own parents.

Let us resolve together to find a way to meet the most important of all of our responsibilities. I am confident that we can.

I look forward to working with our Republican leader, as I have always done at the outset of a new session of Congress. This year is certainly one of those years again.

I thank my colleagues and yield the floor.

The PRESIDING OFFICER. The Republican leader.

#### WORKING TOGETHER FOR AMERICAN SECURITY

Mr. LOTT. Mr. President, I want to thank Senator DASCHLE for his opening statement. I see a lot in his remarks that should give us encouragement and hope that we can come together and achieve things that need to be done this year in the Congress for the American people. Regardless of party, regardless of past difficulties, we should try to find a way to work together.

There's a common word between what Senator DASCHLE said and what I will be saying, if you look at what we have in our remarks and the thrust of those remarks. That word is "security." We need to pay close attention this year more than ever to that issue, that word. We need strong national security. We need to make sure that our men and women have the tools, the weapons, whatever they need to deal with the threat of terrorism and with threatened democracy wherever we may find it in the world. We also need to have personal security for our people here at home.

Last year brought so many startling things to our attention. Never before had we been attacked here at home like we were last year. And so, this year working on homeland security, working on personal security, we have to find a way to protect American people. Surely that's one of the obligations that we have as a Congress, to at least be safe and secure here at home.

The only way we can look after our national security and personal security is to have economic security. We've got to make sure that America is strong, that our economy is growing, that jobs are being created, that Americans have the opportunity to get a job, a good paying job, and to keep that job. And when they have a problem, on a temporary basis, that there's something there for them, that there will be un-

employment compensation. But we don't want them just to have a check for tomorrow.

We want a job for the future. Both of them are important. But we've got to look at economic security this year. We've got to take some actions in the Congress, by restraint, perhaps, by encouragement in other ways, so that we can have a stimulus to the economy, so there is some commonality in the themes of what's been said here today.

I think we've gotten off to a good start this morning. The President called the bipartisan, bicameral congressional leadership to the White house, and we met for 35 minutes, started right on time, ended right on time. He talked to us about what's happening around the world, our threats abroad and at home and what we needed to do with the economy. He listened to us. He extended a hand of cooperation. I believe that this President has changed the tone in Washington. He has tried to work with the Congress. We have produced a bipartisan vote, House and Senate, for major tax reform and tax relief for the American people last year. We did come together on the most fundamental education reform in 35 years. A lot of people thought the Thursday before we got the conference agreement it couldn't happen, but it did happen. And we came together—Republicans, Democrats, Liberals, Conservatives, President Bush. We got an agreement the American people liked.

I think that President Bush is going to be persistent in calling on us to do our work, to work through the procedure, the process. But to do our work, to produce the things we need for our country.

Last year we had a tremendous period of cooperation and bipartisanship. And then we kind of lost it there at the end. Maybe—maybe we were tired. The issues were different. Maybe we got to thinking about politics again. We kind of lost our ability to come together on an economic stimulus package. We didn't produce an energy bill. We didn't do trade. We didn't do agriculture. And we left a lot of nominations on the calendar. That was last year.

Now let's do it. Let's get this job done. And each one of those—those issues—were mentioned by Senator DASCHLE in his remarks, today.

Right now we're working to see if we can come up with some substance and a process and a procedure so that we can, in fact, consider and hopefully get a result on the economic security package, and we're working on what the substance might be and what the procedures may be. Right now we're working in a bipartisan way with three Senators, MCCONNELL, DODD, BOND, and others—Senator DODD as chairman of the Rules Committee. They've come together on election reform.

Now, is it perfect? Would we all like it just like it is? Not necessarily. Will some amendments be offered? Surely. But there's a case where when it looked like it was going to be a par-

tisan shootout, they've come together. And so this afternoon we're working to see if we can identify amendments and come up with a procedure to do this bill, perhaps in short order. Boy, wouldn't that stun people? The House has acted. Let's act in the Senate. Let's do it in a bipartisan way.

So, I'm encouraged. It is a new year. We have a window of opportunity. The President is doing his part. We're working to see if we can move some of these things that have stalled out. We should do that, and I will do all I can to try to encourage that and foster that. It'll take, again, working together and a little trust here and there, but there is a period here when we can accomplish, I think, a good deal for the country.

As we look back on last year and the horrors of September, we've been doing a lot. We've come together. I think we've changed. We changed for a while last year. Could we build on that attitude this year?

You know, the American people's attitude toward the Congress in terms of a favorable rating went up to the highest its ever been. Why was that?

It's because the American people saw us working together and doing what ought to be done. Rising above party. Now, over the last couple of months, those numbers have started coming back down. I would like to drive them back up. When you talk pure politics I've been on both sides. I've been in the majority and the minority. I've been in situations where we gained seats, held our own, lost seats. But I've figured out something. When we do our work, when we produce results, if you're in a leadership position, it pays positive dividends. People like it when they see us doing what we ought to be doing.

So we should look at the courage and the sacrifice of those who gave their lives last year, the families that have endured a terrible time here over the past four months—the courage of the firefighters, the policemen, the calm of Mayor Giuliani. Now there's a guy who rose above politics. I saw people cheering for him, chanting his name when they could have been chanting Senator DASCHLE's and mine. No, they were chanting Giuliani when we went to see Ground Zero. He rose to the occasion. When we look at the loyal support from overseas, the leadership of the President, when we look at how we did come together, then I think we can and should be able to learn from that and rise above just the normal things we get into here.

Our soldiers are fighting overseas right now. They're fighting for freedom. They're counting on us to give them the help they need. It would help if we could show this is a different time and a different place and we all learn something from September.

Next Tuesday, President Bush is going to deliver his State of the Union Address. I think the Congress will be wanting to hear what his agenda is, will listen very carefully to it. I believe

he'll call for the country and the American people to come together and support him and follow him. Yes, there's a legislative process and this very morning he said, I think we need a stimulus package. I understand the Senate has got a unique set of rules. You've got to deal with the process. You deal with the process but let's get this job done. He'll give us an agenda, and I believe the American people and the majority of the Senate of both parties, a large number in the Senate, will support what he wants to do in economic security, energy security, national security. I do think that we need to pay attention to the economy. There are signs that, well, yes, maybe it's improving but we're not quite sure exactly if it's improving enough. We see States struggling with their budgets.

We had a recession coming on going back to last March. It was clearly exacerbated by September 11. Are there some things we could do to at least sort of fill the interim here to help those who are unemployed but also to give incentive to small businessmen and women to create some more jobs, to have the economy grow?

We may not need it, but what if we do? What if we say let's wait and see and we wake up 6 months, 9 months, a year from now and say oh, my goodness this recession is not ending like it should? We can give some incentives that would be positive. I think we ought to try and find a way to do it. There are going to be people who try and find a way to do nothing. We can have gridlock. I don't want that. I think we ought to find a way to get a result to produce an economic stimulus package that is stimulative, not one that raises taxes, not one that's just more spending but one that actually will contribute to the creation of jobs.

So I think that's something we should focus on here in the next few days. And I'm willing to work with Senator DASCHLE and see if we can do that.

As a part of our economic security, we need a trade bill. I can understand that there will be features of the trade debate that need to be discussed. There will be amendments. But we passed a bill out of the Finance Committee 6 weeks ago or so on a large bipartisan vote. I voted for it. Senator DASCHLE voted for it. Let's get it up. Let's get it passed. Let's get to the President the authority he needs to expand the opportunity for trade. I think it will help our farmers. I think it will help out small businessmen and women. I think it will help our neighbors.

When I look to Central and South America, I see millions upon millions of people that could benefit from the trade, the products, the commodities that we could provide them. Let's pursue that. That would help our farmers. We need a farm bill, no question about it.

I was very unhappy with the way we ended on the farm bill. Maybe we had to do that. Maybe we had to wring out

the politics a little bit so we can then really produce a farm bill. I would call upon Senator HARKIN and the leaders on both sides of the aisle to see if we can find a way to improve the bill that's pending, get a bipartisan bill, but get it into conference and get something that hopefully won't take too long, that hopefully will not hurt agriculture in the future, that the President can sign so that our men and women in the businesses and all the people who depend on agriculture—including the consumer—some certainty as what they could expect. Again it won't be perfect but just the knowledge that it's coming and what they'll be able to do would be very positive.

I've been complaining about the energy situation for years. I really don't understand why in America we can't have a national energy policy. I don't understand why we are dependent for 59.6 percent of our energy needs on foreign oil.

Some people say, oh, you guys, all you want is just more opportunity to drill. That's not so. I do think we could get more oil of our own. I'm from an area where there's a lot of natural gas—clean—and I think it can be made accessible to the American people if we can get it out of the ground or from under the gulf or wherever it may be and develop a transmission or grid system to get it where it needs to be. I think we need to use coal.

I think we ought to pursue clean coal technology. I think we ought to promote conservation, encourage alternative fuels. I don't think we ought to believe that we're really going to conserve ourselves out of the need for energy. We're going to need it. And even though there may be tremendous opportunities technologically for the future and we should pursue those, I don't think that we're going to be able to produce 20 percent or 25 percent of our energy needs from alternative fuels or things that we don't now have for years. Let's be realistic but let's do it.

We went through the fiasco in the late 1970s of gas lines. We passed legislation. We tried to use alternative and find alternative fuels. A lot of them didn't work out. I was willing to try some of them. As I recall, coal gasification was one. I don't know if that ever quite worked. Maybe we've learned more since then and we can go into that area. But let's just do it. The day is coming when our energy needs are going to be a huge problem. It's going to be a national security problem, an economic problem. If just one oil producing country had a problem and cut us off, 25 percent of the world's oil needs would disappear. I don't like that. I'm looking for alternatives.

We've got a lot of products in Mississippi we could use, maybe in a different way like wood chips. We've got derivatives from cotton products. If there's some way we can burn that or convert it as a form of power, we ought to try it. I think we should go forwards.

Senator DASCHLE has committed to me and to the American people that we're going to go to this bill in early February, and we should not let it be taken down by a filibuster one side or the other. Let's get it done. We'll find a way to do it, I believe.

Nothing will be more important this year than what we do in national security defense. The President is going to ask for increased funds. I think he's going to be in a mood to introduce reform of our defense capabilities. I think that's needed. We need to continue to have multinational support.

When I look at the support we have gotten from countries all around the world—Britain, Australia, Italy, Germany, New Zealand, Russia, Canada, Turkey, Jordan, Poland, Japan, and countries we never before could have counted as allies. Look at what has happened with Russia. Who would have believed a year ago we would be doing the things we're doing with Russia today. Very few people.

But we still have a lot of challenges there. And we see opportunities with other countries. Is there some hope in some of those countries that have harbored terrorists but now are saying maybe we don't want to do that anymore. The President has been willing to step up and say mutual assured destruction is a relic of the past. Europeans say, oh, my goodness, he can't say that. What will the Russians say. They say we don't agree but we understand. We will work with America. America is not our enemy anymore. That's an incredible development.

So I think this is going to be an area that's going to take a lot of time and thought from all of us. And there will be nothing more important.

I think we should build on what we did in education. We haven't yet succeeded in reaching a situation where we'll leave no child behind. We need to go back and look at other education reform.

I think the Disabilities and Education Act will require reforming. I think the system is being abused by many people who should not be on the program and therefore is taking away from others who do need additional help. We can work through that.

I call on Senator DASCHLE and the Democrats to work with us on these nominations. This President is entitled to his nominees unless there's a huge problem. We've got nominees on the calendar here that got held up for a variety of reasons. We had Senators who were concerned about certain bills, so they objected to moving nominations. But we don't have an Ambassador to the Philippines. We have a nominee on the calendar. It's been reported out of the committee. We've got troops going into the Philippines. We don't have an Ambassador.

The position of the person who is in charge of nuclear safety is empty, yet the nominee is on the calendar. There's 50 such nominations on the Senate calendar. Let's try again. Let's move



those nominees, particularly for the President's administration. It is his administration. Surely Assistant Secretary, Solicitor's General, Inspector's General, Ambassadors should be confirmed. And the judges, I'm not going to go through the litany here.

The fact is we've got a lot of people who are not being treated fairly. I don't understand why Miguel Estrada has not been moved. He's an immigrant from Honduras. He's well educated and is an outstanding attorney but hasn't even had a hearing. We ought to move not only the district judges but the circuit judges. Let's move judicial nominees if there are not problems. Let's pick up the speed. I know the President would appreciate that. The President deserves that. We can do better.

There will be those we want to fight over. We'll have a vote on them. We'll have a debate on them, but let's at least do it. My impression is we have about 50 on the calendar and about a hundred in committees—150 judges and administration officials. I think we need to go back and take a deep breath and get that job done.

From my discussions with this President, I can tell you: He is as determined to pull this country out of this economic recession as he has been to put an end to the terrorist threat.

It was 100 years ago that President Teddy Roosevelt uttered that quip we all remember: "Speak softly and carry a big stick."

One thing I have found out about President Bush is that he does speak softly, but he carries a heavy agenda because the needs of our country are great and the expectations of the American people are great. But our opportunities for accomplishment are great, too. And frankly, our chances as a government institution are great at showing the American people how men and women of good will can meet halfway and then when they disagree, take a fair vote to see whose argument will prevail, complete their work on that matter, and move on to the next priority. That's all we on the Republican side of the aisle can ask.

Let's begin today. Let's get some agreements on how we'll proceed on these to important bills. Let's continue next week when we hear the President's State of the Union Address. Let's see how much we can do in the next 3 months. I believe that American people want that. And I know they would appreciate it. Thank you, Mr. President. I yield the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from Connecticut.

#### ELECTION REFORM

Mr. DODD. Mr. President, I commend both leaders for their comments about the proposed agenda. While I certainly am not in a position to comment on the merits or demerits of the various proposals that have been suggested, there is one item in which the distin-

guished Senator from Kentucky and I are particularly interested. We are grateful to the majority leader and the Republican leader for making specific reference to the election reform proposal the Senator from Kentucky, Mr. McCONNELL, Senator BOND, Senator SCHUMER, Senator TORRICELLI, Senator DURBIN, and others have worked on to bring legislation to the point where we think we have a good product to present to our colleagues, to the Congress as a whole, ultimately to the President for his signature, and, more importantly, to the American people in response to a situation that did not merely occur in one State, in one election, but as we all know now for a number of years a slow deteriorating process of our election system to such a degree that it was crying out reform.

While we have not solved every single problem, we think we have set up a mechanism for the first time to deal with election issues for the foreseeable future, under a proposal offered by my colleague from Kentucky, a permanent commission, which I think is an excellent suggestion. We deal with some fraud issues that Senator BOND thinks are very important if we are going to have an election reform issue. While we may not have dealt with every issue, we think we have taken a major step in addressing some of the concerns he has raised.

For those of us who are interested in the disabled in this country, those who were denied an opportunity to vote who had a right to vote—many studies indicate that happened in far more cases than any of us would like to admit—we think we have put together a pretty good package for which we are very proud. That is not to suggest we have dotted every "i" and crossed every "t" and thought about every possible reform or improvement, but we think we have about as good a product as could be presented to a body such as this for their consideration.

I do not know what the agenda will be of the leadership, but I think, for myself and Senator McCONNELL, we are prepared to go forward when they would like us to go. Whenever that is appropriate, we are ready to present a proposal we think will enjoy very broad-based support, not only in this Chamber but throughout the country, including the National Association of Secretaries of State and others who have worked with us, and various other organizations around the country that are deeply interested in the election process.

I see my friend from Kentucky, to whom I would be happy to yield, but I say first when the bell rings and the leadership decides it is appropriate, these two Members and others who joined us and are prepared to present a proposal that we hope will enjoy the kind of support for which we think it is deserving.

I yield to my friend from Kentucky.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. McCONNELL. Mr. President, I echo the remarks of my good friend from Connecticut. Election reform had the potential of being an intensely partisan issue. While we know that may still develop, let me say we have had all of those discussions over the last 6 months in our negotiating process, and we have now come together with the hope we will be able to go forward in a totally bipartisan way to improve the election system in this country.

As the Senator from Connecticut, who has provided outstanding leadership on this issue, has indicated, we have dealt with the fraud issue, which is important to a lot of people on this side of the aisle. No one has been a more forceful advocate for removing barriers for the disabled to exercise the franchise. Senator DODD carried that ball very effectively in our negotiations.

I thought we needed a permanent repository for this kind of expertise, so we set up a commission with Presidential appointees equally divided between Republicans and Democrats. It would be the one place in America that States and localities could go for objective advice, not somebody knocking on the door trying to sell them a particular system but objective advice about the best way to meet their particular election needs.

We did not wipe out any particular election system in America. We did not mandate the use of any particular election system. We did provide some real money that would be dispensed on a matching fund basis by this Presidential commission to those who were interested in upgrading their system.

I think we have come forward with a good bill, and I thank my friend from Connecticut for his leadership on this subject. I have been happy to join with him on it. If and when we do go to this—and we think it will be early in the session—we would encourage people to offer amendments that are related to the subject. We think this is a bill that needs to move along, not be bogged down in extraneous matters unrelated to the subject.

Again, I thank the Senator from Connecticut. I look forward to working with him. We are ready to go whenever the leaders decide this is the subject matter before us.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

#### THE INVESTOR CONFIDENCE PROTECTION ACT OF 2002

Mr. DODD. Mr. President, I anticipate the arrival of my colleague from New Jersey, Senator CORZINE, at any moment because we would like to at least put our colleagues on notice today of our intention to introduce legislation to strengthen the independence and objectivity of corporate audits in this country.

I have the fortunate job of being the chairman of the Securities Subcommittee of the Banking Committee

of the Senate. I have held that position for a number of years, both as chairman and as the ranking Democrat during Republican majorities in this Chamber, and have worked very closely with a number of my colleagues on a variety of issues affecting the securities industry, the confidence in our markets.

Obviously, the events we have heard about over the last number of days involving the Enron Corporation and Arthur Andersen's accounting firm and other questions have raised some issues that Senator CORZINE and I think need addressing. They have been discussed in the past. We have never codified some of these issues, but they have been the subject of extensive debate and discussion as how best to proceed.

We do not have the specific bill yet to put before the Senate today. We will in the coming few days, possibly as early as next week or the week after. We will lay out what we think is a framework for how, at least from the perspective of investor confidence, the accounting industry particularly needs to deal with the issue of consultive services and auditing services that they provide.

Our financial markets are the most vibrant in the world. That is stated over and over again. It cannot be stated often enough because it is true. There is a very simple reason for that continued success and that is because investors have confidence when they take their hard-earned money and in America they invest it in the public companies of this Nation. The world comes to the United States to invest because they know they will receive, very simply, a fair and honest deal. It is that simple.

There may be other factors and certainly we know that around the world there may be potentially a better return on one's investment in Asian markets and European markets or elsewhere, but the world comes to the United States because they know, while there may not be the opportunity to maybe make as much on their investment as may be offered elsewhere, that in this country if one comes here, our system is fair. Our system is fair and just, and that is one of the great attractions to domestic investors as well as foreign investors.

We can point to the depth of liquidity in this country, the degree of efficiencies in our markets, but ultimately the investing public, both internationally and domestically, invests in our markets and our companies because they believe the public information about these companies is true and it is accurate.

The accounting profession has played an incredibly important role in attaining and ensuring this investor confidence, and they deserve great credit, in my view, for the tremendous job they have done historically. The seal of approval that our accounting firms provide is a franchise of which we should be immensely proud in this country, and I think most of us are.

However, that franchise is in danger of losing the investing public's trust. Once lost, that trust would be difficult, if not impossible, to recover, at least in the short term.

In recent years, there have been a series of very high-profile accounting failures. The Enron failure may be the most prominent case, but it is certainly not an isolated incident. Indeed, it is only the latest, perhaps the most publicized, incident in a troubling series of incidents calling into question the integrity of corporate audits. More financial restatements on corporate earnings have been filed in the past 3 years than in the previous 10 years combined. These restatements have in most instances dramatically downgraded the financial health of the companies in question.

The collapse of Enron, specifically the seemingly massive failure of auditors to recognize and act on the myriad of financial reporting irregularities, focuses our attention on a central question: Are reforms needed to preserve and strengthen the integrity of the audit process? I have come to the conclusion that they are.

The accounting profession is undergoing tremendous change. Accounting firms no longer simply provide audit services. In response to our dynamic economy, they have adapted to become full-service financial consulting companies. I strongly support the diversification that is occurring in the accounting industry. In many cases, this development of expanding their services has allowed them to provide far better audits than they did in the past. However, these changes must not come, in my view, at the expense of these accounting firms' Federal mandate to provide objective and independent financial reporting. Conflict of interest, even the perception of conflict, undermines the confidence of the investing public.

I do not believe the Enron collapse was caused solely by the lack of auditor independence. That would be a terribly naive conclusion to draw. Many facts are yet to be uncovered. However, it is well known that the company's auditor received greater compensation for the nonaudit services it provided to Enron than for the audit services it provided. No one could fail to be troubled by the simple fact that there was compensation of \$27 million for consulting services and \$25 million for auditing services. No one can say it does not raise questions about the objectivity of the audit process.

No one, I believe, can seriously argue that when all the questions have been raised, we should not do everything possible to strengthen the independence and objectivity of financial audits. That is what we rely on.

There is an inherent conflict. The auditor's compensation is paid for by the very company being audited. We cannot change that. The only way I suppose would be to establish some Government agency or huge division

within the Securities and Exchange Commission that would conduct the Government audits of public companies. I don't know that anyone suggests that. I am not suggesting we ought to change the present system of having these accounting firms conduct these audits.

The problem is, if that same company is not only providing the audit but also providing a variety of other services, there is the perception, at the least, of a problem. I use the analogy of hiring a construction firm to build your house while the contractor is also the building inspector. One may end up with a great house, but there are some inherent concerns for the homeowner about whether or not the construction would be done as well, as soundly, and met all the requirements.

I do not believe the fact that the Enron Corporation hired Arthur Andersen to be its consultant and auditor necessarily caused this entire problem, but the fact is when a firm is doing both those functions for the same company, the investor confidence so critical to the success of our markets comes in question.

For those reasons, Senator CORZINE of New Jersey and I plan to introduce legislation in the coming days to implement four critical reforms to the auditing process.

First, it restricts auditors from offering nonaudit service to audit clients. Accounting firms could continue to provide audit and nonaudit services to clients, but they could not offer both services to the same client. I don't think that is an outrageous suggestion. I am not suggesting they ought not provide consulting services. It strengthens the audit process. If one client is providing those two services to the same client, there is at least a perception of a serious problem. I suggest that Enron's problem is not an isolated case; it is more widespread.

Again, accounting firms continue to provide audit and nonaudit services. They cannot offer both. This restriction builds upon the important work in this area performed by former SEC Chairman Arthur Levitt and former SEC chief accountant Lynn Turner, who should be commended for their tireless efforts. The SEC's current auditor independence rule has helped but, in my view, is inadequate to ensure full auditor independence.

Second, we propose a prohibition on any accounting firm providing an audit for a company whose comptroller or chief financial officer has worked for such accounting firm in the previous 2 years. This will help reduce the potential for conflict of interest that may arise when accountants become senior executives at companies they audited.

Third, we strengthen the independence of the standard-setting body for the accounting profession, the Financial Accounting Standards Board. The FASB is acknowledged around the world as the best accounting standard setter. But the FASB often comes

under tremendous pressure from a variety of sources to adopt standards that could cloud rather than clarify a company's health from the point of view of investors.

A few years ago a suggestion was made that Congress would legislate certain accounting practices that the FASB would have to sanction. I did not necessarily disagree with some who were raising the issue about various accounting procedures or practices. The idea that Congress would get in the business of legislating, by margins of 51-to-49 votes in this body, is a frightening prospect—that we would so politicize the Financial Accounting Standards Board. I can only thank those who may have agreed as I did, or at least partially agreed with some who made the suggestion, that we did not allow that to happen. Certainly FASB needs to remain independent and not subjected to the kind of political pressures suggested some time ago.

Our legislation also improves the independence and effectiveness of FASB by securing a steady funding source and encouraging greater timeliness of actions. One problem is they are very slow. They cannot keep up with what is going on in the real economy. FASB needs to act expeditiously in response to issues.

Lastly, our legislation improves the ability of the SEC to improve audit quality by doubling the size of the SEC accounting staff. Presently, the accounting staff is 20 to 25 people, the size of a congressional office, for oversight over all of the accounting firms and the audits that occur in the country. I am not suggesting just more personnel will necessarily solve the problem, but by increasing the size of that staff, and then having more random audits of the audits done, the prospect has its own obvious benefit to this potential problem. SEC accountants would help the agency do a better job of ensuring that audits meet the high standards of independence and objectivity that have been a hallmark of the American accounting profession.

In closing, I have spoken about the reforms with a number of knowledgeable people over the last several days, including those in the accounting profession. They have said privately these reforms go a long way to strengthening audits and the confidence of the American public. I look forward to working with Chairman SARBANES, who has already announced good hearings on the broader issue we are dealing with, and with the former SEC Commissioners, and has invited the chief accountants of the SEC to talk to our committee in a formal hearing setting. That will be tremendously helpful in examining what may be the best way to proceed. What we want to do after we lay down a bill is invite these people to respond before the committees conducting hearings on the subject matter.

I see my friend and colleague from New Jersey who brings a wealth of experience to this subject matter. In his

previous life he worked for many years in the financial services sector. He is recognized in this Chamber and elsewhere for the tremendous amount of knowledge he acquired over the years in this area. I am pleased to be joining with him in this piece of legislation.

Before I turn to my friend from New Jersey, my friend from Missouri is here. He is a knowledge builder as to this subject matter as well. As on most subjects, he has very strong feelings. I will not lure him into that at this particular moment because I want to hear his comments, if I may indulge my friend from New Jersey for a moment. Senator BOND and Senator MCCONNELL and I have worked, for almost a year, putting together an election reform bill. Senator MCCONNELL was here a few minutes ago talking about where things are and our willingness to come to the floor for our leadership, who asked us to do so. I again say publicly how much I appreciate the tremendous effort of my friend from Missouri. He is a great debater and tough negotiator, but when he gives his hand and shakes, it is a done deal.

I ask unanimous consent to yield to my friend from Missouri.

The PRESIDING OFFICER (Mr. NELSON of Florida). The time of the Senator from Connecticut has expired; he cannot yield. However, the Chair recognizes the Senator from Missouri.

#### ELECTION REFORM

Mr. BOND. Mr. President, I thank my colleague from Connecticut for attempting to be a floor manager, and I apologize to my colleague from New Jersey.

I make a brief statement joining with my good friend from Connecticut and my friend from Kentucky in commending to this body the election reform bill. It was not just hours but weeks, and perhaps months, we worked on this. His dedication to getting a good election reform bill through means we will have something good with which to work. There should be a lot of interest in this body because every single Member got here through the process of politics. This measure, that will be brought up, we hope very shortly, should ensure that everybody in America is treated fairly in the election process. And that has no greater champion than my friend from Connecticut.

As he indicated, I was interested in assuring that we prevent fraud. For those who may not have read it, I commend to them an article by George Will in the Washington Post today headlined, "A Long Election Day in Missouri." He outlines the case far better than I would on the floor. I just ask my colleagues to read it and see why part of the election reform proposal goes to combating fraud.

As Mr. Will points out, our Secretary of State, Matt Blunt, reviewed a small sample of ballots.

... among 1,384 ballots illegally cast [in St. Louis] were 62 by felons, 79 by people reg-

istered at vacant lots, 68 by people who voted twice and 14 [votes] cast in the name of dead people.

The only thing we missed out on in that go-around was in the past we have had dogs registered in St. Louis. As far as we could tell, no dogs voted in the last election.

I had an opportunity to address a leadership group in St. Louis—a very large group of people—during the recess. I told them the purpose of the Dodd-McConnell bill was to make sure that every American citizen, and, frankly, for Missourians, every Missouri citizen, who was a human adult American citizen entitled to vote had an opportunity to vote—once. I think everybody in St. Louis understands that. I think everybody around the country will.

We are going to have a very interesting discussion when we get onto this bill. We have spent a lot of time crafting it. I do not doubt that people will have new ideas they will bring to the floor. It should be a very interesting debate, but it is something that goes to the heart, the very heart of our form of government.

Everybody who is a U.S. citizen who is duly registered and entitled to vote in his or her State ought to have the opportunity to vote, but only to vote once. If we can pass this bill and combine it with the bill the House has passed, I hope we will see a much improved voting system in the United States for the 2002 election.

I thank my colleague from Connecticut. I look forward to working with him and I, again with my apologies to my friend from New Jersey, yield the floor. We look forward to getting on with it, to pursue the vitally needed election reform.

The PRESIDING OFFICER. The Senator from New Jersey.

#### ACCOUNTING REFORM

Mr. CORZINE. Mr. President, I very much appreciate the opportunity to work with Senator DODD on something that I think is vital to the American public, vital to the functioning of our financial markets and the health of the economy generally. Just as electoral reform is important, and I congratulate yourself and the Senator from Missouri and others who are leading us in that fight, I hope we can get the same kind of bipartisan focus on something that I think will make a difference to the functioning of our economy and our financial markets and the protection of investors that we are suggesting in the bill we are introducing today.

It is also unique on this side of the table to work with Senator DODD. I remember, as a former businessperson, testifying in Congress. Senator DODD always asked the toughest, meanest questions of folks with ideas they wanted to suggest. He was always spot-on with regard to their strengths and weaknesses. It is a great honor to work

with him in the effort to protect American investors by strengthening the regulation of our accounting profession.

The dramatic and sudden collapse of the Enron Corporation has shined a spotlight on the critical importance of auditors, the accounting function, in the operation of our economy. Enron's collapse has left thousands without a job and, maybe more important for many, without a chance for a meaningful retirement program that we worked so hard and long to provide.

It has been an economic disaster for pensioners, individual investors, and even institutional investors who relied upon the accounting statements, earnings statements, balance sheets, and analyses that flowed from that. Frankly, a lot of people think this came right out of the blue. A year ago this was the company with the seventh largest revenue in the country. Today it is bankrupt. It did catch people by surprise.

Now it appears that for years Enron engaged in a variety of questionable and certainly gray accounting practices—not the most transparent to the world—to hide debt and inflate its earnings so they would have the ability to position their stock at a higher value over time. We all took the hook. Yet Enron's auditors blessed these arrangements and raised no serious red flags for investors, even though they had some questions in their own minds. It is now obvious those individual auditors failed, and I think failed miserably, in making some judgments about what should have been published at the time.

Unfortunately, the failure of the auditors in the Enron case is not unique. We have seen several examples, highly public examples, of questionable accounting practices leading to serious problems in the statements of financial condition of companies across the country over the last few years. There has been a failure to blow the whistle when that should have occurred. In fact, we have seen a regular pattern that has developed of earnings restatements by some of the finest companies and corporations in America.

That in and of itself gives cause for concern, since people make judgments about what it is they are going to do in the investment world based on their interpretation of balance sheets and income statements that are presented at a given point in time. That is how they make future judgments. Clearly, some of those judgments in history were wrong because the restatement of earnings indicates there were differences in fact.

I think we need to be much more careful in this whole process. There is a whole series of detailed issues that I think need to be addressed—maybe not by Congress but in a much more fast-footed FASB, or Financial Accounting Standard Board, than we have had.

Based on my experience in the real world—or the financial world; I don't know whether that's the real world—I

can point to several possible explanations for these accounting failures. One is the serious increase in the complexity of these financial arrangements generally. The issue of derivatives and off-balance-sheet financing and the matter of notional amounts versus revenue standards—all of those things are very complicated in and of themselves. But there is an inadequacy, I believe, in our existing accounting structure to really scrutinize these and get to the nub of how they are reported on a timely basis.

Another problem is accounting firms increasingly are facing extreme pressures to find other sources of revenue, which often means generating new forms of revenue from the same businesses they audit. This, obviously, can create conflicts in reality and certainly in appearance. And I think they undermine the independence required of auditors as we go forward.

Another problem is that our regulatory structure, in my view, has been inadequate. It has relied far too heavily on self-regulation by the industry. That is a little bit like, what? Having the fox watch the hen house. Certainly I think it deals with an appearance issue that the public has a right to have us ventilate as we go through this debate. I think we need to do something about it.

Another problem is the integrity of the process for setting accounting standards. I talked about this before and whether that process has been compromised or certainly complicated by the nature of how that process takes place. In some cases, as I heard Senator DODD talk about, the fault may lie right here in this body, in the Congress. Certainly there is the appearance of political pressure getting wrapped up in how FASB, the Financial Accounting Standards Board, sets its rules.

These are true professionals who work very hard to try to get to setting down rules that will work in the accounting world. But these are complicated issues. And then sometimes people enter in from the political process and stop it, halt it, and we have not seen the kind of progress for the kind and nature of complexity that has developed in the financial world.

The bill Senator DODD and I are proposing is a significant first step towards addressing the problems I have outlined in the accounting profession. It includes tough new provisions to ensure the independence of auditors and restrict their ability to provide nonaudit services that inevitably create conflicts of interest. Whether that comes when you are working with the company or you separate it, I think we have some real reasons for debate on that. But I think we will work very hard to make sure people have confidence that we are auditors and we are working on functioning with a given company to present the data in a way that works a lot more like what the former SEC Chairman, Arthur Levitt, would suggest.

Also, our bill strengthens the Securities and Exchange Commission to put them in a better position to deal with the accounting industry on a real-time basis. I heard Senator DODD talk about 20 or 25 accountants for the largest economy in the history of the world. A 10-trillion-dollar account economy, and we have 25 accountants sitting over in a building across the street trying to figure out whether we are reporting accurately for all these companies. Just on the surface of it, it does not meet the standard of common sense.

We propose to double the size of the SEC's accounting staff. I think we need to seriously review what resources are necessary to deal with these problems so the public can have confidence with regard to what is going on in our accounting statements across the country.

In addition, the bill would help close the revolving door between auditors and their clients which also creates real conflicts of interest. We have set up rules in other parts of our economy for people who work in a particular area. An example is, if a person works in the Energy Department, they cannot go to work for an energy company an hour and a half after they leave their job.

I think it raises serious issues involving conflicts of interest when people go through a revolving door format going from being auditors to auditees. I think we need to look at those issues to make sure we have confidence that the chief financial officers, and others who have worked with the accounting firms, are truly being challenged independently by the accounting function. It is important.

As a former CEO, it was good to know that people could come in and say: You have these kinds of problems you need to check out. That is where the independent auditor performs an enormous service, aside from the financial statements. When that gets compromised because people are so close to one another, I think you run risks of setting up dangerous precedents on how decisions are taken within the audit function.

Finally, our bill would strengthen the independence of the Financial Accounting Standards Board—I have talked about this; so has Senator DODD—which sets the accounting standards. We would do this by establishing a steady funding source and demanding greater timeliness of action by the FASB. This is truly one of the issues that needs to be addressed.

We need to get on with a lot of the specific issues that have been addressed and have been tied up in knots for literally years and decades inside the Financial Accounting Standards Board. I think we can make a big difference in the functioning of our accounting system if we make sure we provide the resources to allow them to do their job appropriately.

I believe these proposals will go a long way toward strengthening the accounting profession and protecting the

integrity of the markets and protecting, ultimately, the investors and the retirees who are dependent on the information they derive from these accounting statements.

It is absolutely essential we have this debate, this discussion, and that we are intent on making sure we get to a secure system and that this not be a political issue. This is about making sure our financial markets work effectively.

I look forward to working with my senior colleague from Connecticut who has done such an outstanding job on a whole host of these issues. We are working to gain the public's trust. One way to do that is to make sure independent auditors are exactly that— independent.

I think we need to respond. I hope we can do that quickly. We need to do it thoughtfully because we do not want to cause more problems than we fix. It is one of those things where making sure it is done right is very important because we are tinkering with the fundamentals of our economy. But we need to have good accounting statements to make sure people can make decisions on their investments in a way that is sensible and true to the facts as they stand.

I appreciate very much this opportunity to work with Senator DODD.

Mr. DODD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. REID). Without objection, it is so ordered.

Mr. NELSON of Florida. Mr. President, I ask unanimous consent to speak for up to 5 minutes.

The PRESIDING OFFICER. The Senator from Florida may proceed.

#### CONGRESSIONAL DELEGATION TO CENTRAL ASIA

Mr. NELSON of Florida. Mr. President, over the recess I had the privilege of going to the other side of planet Earth in the area of central Asia with 8 other of our colleagues. The delegation was led by the Senator from Connecticut, Mr. LIEBERMAN, and the Senator from Arizona, Mr. MCCAIN. In 7 days, we visited the heads of government of 6 nations. And what was a delightful surprise to our delegation was the fact that each one of the leaders of those countries wanted to express appreciation to the United States for us being involved in their countries to help rid them of terrorists.

They implored us, after this initial thrust of military success, not to turn on our heels and walk away. Indeed, if you look back in history, the United States made a mistake a little over a decade ago. We were involved, in the 1980s, in Afghanistan—albeit clandestine—as we were helping the Afghans

try to repel and expel the Soviet Union, which was trying to take over Afghanistan. And when the Soviet Union was whipped and tucked its tail between its legs and left, then the United States left also. That created a political vacuum—a vacuum that begs to be filled by political leaders, and that is the vacuum that was filled by the terrorists—ultimately, the very repressive Taliban regime.

So let's take a lesson from history and let's not repeat it. Let's listen to those leaders who said they don't necessarily want us to be there in the long run in a military situation, but they want our help in advising them technically, agriculturally, about communication, and indeed in Afghanistan about stabilizing the country, about setting up a national government, about setting up a national army so they can protect themselves from these outside forces and from these insidious forces that well up within, which was the terrorist organizations.

It was quite illuminating. We met with the Prime Minister of Turkey, the President of Uzbekistan, and the President of Turkmenistan.

We then flew into Bagram airfield with lights out in the middle of the night for security reasons. Those young pilots were using night vision equipment, and I am telling you, Mr. President, they greased that plane on to that runway with no runway lights, no airplane lights, and lights out on everything because of snipers, mortar, and rocket fire.

The descent was rapid, and the pilot did evasive maneuvers with the plane. The first instruction given to us before we stepped off the plane was: Do not dare step off the concrete tarmac because of the known and the unknown landmines.

The sergeant who escorted me through the darkness told me about his buddy who had his foot blown off just 2 days before traversing a footpath that the sergeant who escorted me had traversed many times before and had escaped the lethal explosion of a landmine that ultimately caught his buddy and caused the amputation of his foot.

We had the opportunity to meet with the interim Government of Afghanistan, with Chairman Hamid Karzai and his cabinet. What was very distinct—not only their enthusiasm, their absolute intent on making a success of a new kind of government that was not a repressive one—was the fact that, for the first time, the cabinet had a new minister: A minister of women's affairs, a prominent Afghan woman. As we met with that cabinet, they shared that message about being involved.

Chairman Karzai gave us an example of how for the long run he needed our help. He explained to us he was so appreciative of the humanitarian assistance and that it looked as if, for this winter, most of the starvation had been avoided but for the long run they needed agricultural assistance. They needed

the rains to come because without that, the farmers were not going to be able to grow crops in the spring, and they were going to return to growing poppies and, thus, in the drug trade and, thus, all the more ripe for exploitation by the terrorists we are trying to get rid of in that part of the world.

All of our Senators would be so proud of what we saw on the faces of those young men and women in the uniform of our country at Bagram airfield in the dead of night. They were absolutely resolute in being able to successfully fulfill their mission. They had tasted success. They knew their cause was just, and they were absolutely intent on seeing it through to a successful conclusion.

Whether we met young Americans in uniform in the neighboring countries, such as Uzbekistan to the north or Pakistan to the south, whether we met Americans in the diplomatic service or in the humanitarian component of our assistance, whether we met those young men and women in full-combat, cold-weather gear at the Bagram airfield right outside of Kabul, Afghanistan, or whether we met our marines at the airfield on the coast of Pakistan on the Arabian Sea, or whether we met our sailors and our pilots out on the aircraft carrier, the *Theodore Roosevelt*, off the Pakistani coast, they all had that conviction of expression on their faces: Absolutely intent on persevering and succeeding, knowing their cause is just.

We spent a good hour with the President of Pakistan. It has been said many times that President Musharraf, well before September 11, offered leadership by recognizing that he had a problem with terrorism in his own country. In early June, well before September 11, he had met with religious leaders and said: We are going to have to start dampening down the religious extremism. In his country, there are 3,000 of these madrasahs, which are religious extremist schools.

The President of Pakistan recognized he had a problem because where poverty exists and fathers and mothers cannot support their children, these children get shipped off to these religious schools where they provide the basic necessities for them but in the process train them in the ways of terrorism and extremism and teach them a doctrine that is not taught in the Koran.

The President of Pakistan saw well ahead of September 11 that he was going to have a problem. He started laying the groundwork so that when the awful events of September 11 came and he knew he was going to have to make a choice—was he going to fight with a coalition of nations led by the United States to rid that part of the world of terrorism, including the terrorists in his country, or was he going to stay with the longstanding policy where the Government of Pakistan had even recognized officially, diplomatically, the Taliban Government, and

was he going to break relations with them and cast his lot with the nations of the world that were trying to get rid of the terrorists—he did just that.

Of course, at the time my colleagues and I were there, we had another reason to be concerned about that part of the world because two armies were amassing on either side of the Kashmir border, two armies of nuclear nations which portend awful things for the peace of this world should they get into a hot war, not even to speak of how it would drain Pakistan's energies and military activities away from helping the coalition of nations try to get the Taliban, the al-Qaida, and the terrorist leaders as they attempt to flee into Pakistan.

We went up to the Khyber Pass and met with the commanding general who was commanding about 33,000 troops all in that sector of the Afghan-Pakistan border where we are concerned that al-Qaida are trying to flee.

The general assured us that with all of their troops on the border, plus all of their friendships and lines of communication they have built with the native Pakistanis in all of those villages, they will know when one of those terrorists comes across.

At the time we were there, which was about 2 weeks ago, they had already captured in excess of 200 al-Qaida. We went on to Muscat, Oman, and met with the Sultan of Oman. Again, it is a different kind of government in that region of the world and yet one that is very necessary in helping us as we knit and keep together this fragile coalition of nations, most of them being Muslim, as we fight terrorism in that part of the world.

I believe the leaders in Central Asia now recognize terrorist activity is one of the greatest threats to the stability of their countries, and I believe they are now much more enthused in supporting the coalition efforts because of the extraordinary success we have had.

I will conclude with this: The commander in chief of the Central Command I have the pleasure of having reside in my State, General Franks. He is stationed at MacDill Air Force Base where not only the Central Command is located but also the Special Operations Command. We have another commander in chief on the same base.

I think the military success of this war effort thus far is illustrated by the photograph we saw on the front pages of so many of our newspapers, which was the Special Operations troop, American, on horseback, riding with other Afghan troops on horseback. The difference was the U.S. Special Operations person was calling in pinpoint airstrikes from his vantage point traversing the terrain on horseback. It is a combination of low tech and high tech. It is a commitment of very specialized troops, few in number, but backed up by the superiority of the skies, the precision of the weapons, and the instant communication between the low-tech troop on horseback, or on

the ground, with the high-tech arsenal represented by the skies and by the pinpoint accuracy of the weapons.

So the terrorist is in a compound, suddenly there is an explosion, and he flees and all of a sudden sighs relief that he escaped, and then whammo, the second precision pinpoint-accurate weapon hits. Talk about demoralizing the enemy.

Why have we had success? Because of the combination of that and, in conclusion, because of the absolute determination of our men and women in uniform. That is what made me so proud for all of us, what made all of us in our nine-senator delegation so appreciative that we could express to those troops whom we saw the appreciation of the American people for their dedication and for their success.

I yield the floor.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. DAYTON). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Florida.

#### BOWL GAME WAGERS SUCCESSFUL FOR FLORIDA

Mr. NELSON of Florida. Mr. President, as long as we have a lull, on a much lighter note I note for my colleagues some of the conversations I had prior to the Christmas recess and prior to all the bowl games. It so happened Florida had three college teams in bowl games, and so in trying to be a good Senator representing my State of Florida, I went to the respective Senators from the States with the other three teams.

Given the fact that the Gator Bowl in Jacksonville was being waged between Florida State University and Virginia Tech, I naturally went to Senator WARNER and Senator ALLEN and suggested we have a friendly wager on the game. What Senator ALLEN and I agreed to was we would wager a crate of Florida oranges and a bushel of Virginia peanuts.

I am one who absolutely loves peanuts, and I am going to thoroughly enjoy those Virginia peanuts that are going to be presented to me by Senator ALLEN next week. We will have an appropriate ceremony and may even have the president of Florida State University present for this solemn occasion.

Then I went to the other NELSON in the Senate, our fellow freshman, BEN NELSON of Nebraska, and suggested that something as monumental as the national championship being played in the Rose Bowl in Pasadena was certainly worth us determining we would put something of specialty of our State on the line, backing up our boast that our team was going to be the national

champion: The University of Miami versus Nebraska, the Hurricanes versus the Cornhuskers. So we determined in a friendly conclusion it would be a crate of Florida oranges versus a box of Omaha steaks. I am already stoking up my grill.

For the third bowl game of a Florida college team, the Orange Bowl in Miami pitting the University of Florida Gators against the Maryland Terrapins, I searched and searched for Senator MIKULSKI, and I could not find her in the remaining hours of the session. I finally found Senator SARBANES. I explained what I had done in the other bowl game and what was on the line in Miami in the Orange Bowl. Senator SARBANES chose not to engage in a friendly wager, of which I have just had the occasion today to remind him. He suggested he was wise beyond his years in not taking up my challenge.

Early in our tenure one day I overheard the other NELSON in the Senate speaking to a group, in a voice sufficiently loud that he knew I could overhear his statement. I will sum up the conversation in this spirit of levity. Senator BEN NELSON said to them, within my hearing: Oh, you must understand, I am the NELSON in the Senate who comes from the State with "the" football team.

I sauntered over and I said: That's right, BEN, you come from Nebraska, with the great Nebraska Cornhuskers, which I have great respect for, one of the finest football programs in the Nation. But, BEN, you must explain to your folks that I am the NELSON in the Senate who comes from the State with six professional football teams: the Dolphins, the Bucks, the Jaguars, the Gators, the Hurricanes, and the Seminoles.

I think that has now been amply demonstrated by the bowl games we just witnessed.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GRASSLEY. 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. GRASSLEY. I inquire of the Presiding Officer, are we in morning business?

The PRESIDING OFFICER. The Senator is correct.

Mr. GRASSLEY. I will speak for a few minutes.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

#### BUDGET COMMITTEE HEARING

Mr. GRASSLEY. Mr. President, today, with the announcement that the Federal Government is facing near-term budget deficits, as opposed to long-term budget deficits, for the next



2 or 3 years, but not for the next 10 years, we will hear a lot of talk from the critics about the need to postpone or repeal last year's bipartisan tax cut. The critics say we should revisit the tax cut for two reasons. First, they claim the tax cut is responsible for a return of budget deficits; second, the critics claim the tax cut will jeopardize our long-term economic growth. I will consider each of these claims.

According to the CBO projections, the tax cut is responsible for less than 15 percent of the reduction in this year's surplus and less than 40 percent of the reduction in the surpluses for the 10 years we project ahead. The slowdown in our economy and the additional spending enacted last year are responsible for most of the deterioration in our budget outlay. The second criticism is that the tax cut will reduce the surplus, thereby exerting upward pressure on interest rates and reduce future economic growth.

A recent study by the congressional Joint Economic Committee concludes there is no evidence to support the criticism that interest rates rise because there is budget surplus or that there is a relationship.

According to the Joint Economic Committee:

Empirical studies on interest rates have uniformly failed to find any statistical significant relationship between interest rates and the budget balance of the U.S. government.

This result is likely due to the fact that the deficits we have seen in the past were not large enough to affect the interest rates given the overall size of our financial markets which would also include the global financial markets.

If the tax cut is not responsible for the rising deficits and higher interest rates, then why do the critics still complain? Maybe they have not read the studies to which I have referred.

Based on the studies, I asked critics the legitimate question, What is there to complain about? One reason I believe they want to delay repeal of the tax cuts is because they have a desire to spend the money, which, in the end, actually, then, if you spend it, because you increase taxes, you still do not have any less deficit.

Some critics have already announced they have plans to spend the money by raising taxes, or delaying the tax cuts, as they call it. As other spending plans become public, it will become obvious their cries for fiscal discipline are nothing more than crocodile tears.

In addition to the critics who want to spend the tax cut, there are also critics who insist we cannot afford the tax cut because our long-term budget projections show Federal spending will exceed revenue by 25 percent within the next 50 years. To argue, as they do, that we cannot afford a modest tax cut today because we will need a huge tax increase in future years ignores the obvious: Congress cannot provide more government than the taxpayers are

willing to pay for. Through our country's history, the Federal Government has never taken more than one-fifth of our Nation's income in taxes. That includes even in wartime. If we are not willing to pay 25 percent more for government, if we are not willing to do that now, why should we be willing to put ourselves into a spending policy where we expect our children and grandchildren to have higher taxes so they can pay for programs we instituted at a time when we were not willing to put taxes higher than they have ever been in the history of our country? Our challenge today is to get beyond the rhetoric and make affordable government once again.

In addition to this point, as we prepare for the next budget season, I participated today in the Budget Committee review of the CBO report. Once again we are having this issue brought up about the tax cut being responsible for the budget deficits, as opposed to the war on terrorism, as opposed to the recession that is a result of the war on terrorism, and some technical budget adjustments that are made annually.

In regard to the accusation that the tax cuts proposed by President Bush in the last election, and then in turn enacted by Congress—and in turn when it was enacted, it was enacted as a bipartisan tax relief package because several members of the Democratic Party voted for it—in regard to that being the cause of the deficit, as is the insinuation on the part of those people who make that argument, I made the point this morning, and I would like to repeat the point I made in the Budget Committee to the Members of the entire Senate, that if you look at the \$1.3 billion tax cut the bipartisan Members of this body voted for and the President signed on June 7, and you say that is the cause of the deficit, you have to also look at the fact that there was an alternative called the Daschle-Carnahan amendment that was offered that was \$1.265 trillion, just 6-percent less than what the President signed.

That amendment got 48 votes. It lost, but almost every member of the Democratic Party voted for that amendment.

So whether you look at \$1.3 billion that passed by a bipartisan majority, and a pretty overwhelming majority, or whether you look at the Daschle-Carnahan amendment, we have all but two or three Members of this Senate who voted for tax cuts of at least \$1.265 trillion or the 6-percent higher figure that was finally adopted of \$1.3 trillion. Either way, just considering that 6-percent differential, you are going to end up with about the same budget deficit situation, short term or long term, under a policy either way that was backed by all but about two or three Members of this body last spring.

So my point is this: It is wrong for Democratic leaders to blame the bipartisan tax cut that the President signed on June 7 for the deficit situation without taking credit themselves for back-

ing such a tax policy that was only 6-percent less than what the President had already proposed.

So I don't think we have a bad situation because of the reduction of taxes. We have a bad situation because of the war on terrorism, the economic recession caused by the war on terrorism, because of technical adjustments in the budget, and because of the additional appropriations we had to have for the military and for the domestic war on terrorism.

That is where it is. But if you want to blame taxes, there are 97 or 98 of us in this body who have to share that blame, not just the 48 Republicans and 12 Democrats who voted for the bill the President signed.

I yield the floor and 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. BROWNBACK. 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. BROWNBACK. Mr. President, I ask unanimous consent to speak as in morning business for up to 5 minutes.

The PRESIDING OFFICER. The Senate is in morning business. The Senator from Kansas is recognized.

#### NOMINATION OF UNITED STATES AMBASSADOR TO THE PHILIPPINES

Mr. BROWNBACK. Mr. President, I rise to bring to the attention of the Senate a situation on which we need to take some action. Presently in the Philippines there are two Kansans being held hostage by a group of terrorists called the Abu Sayf group. It has links to al-Qaida and bin Laden. They got their start through al-Qaida and bin Laden and now are operating in the Philippines.

They have taken a number of people hostage over a period of 8 months. A number of these individuals have been released. One has been beheaded, a Californian. The two who are Kansans and a Filipino remain hostage. This matter was discussed on the TV show, "48 Hours," Monday night of this week.

They are in a desperate situation; Martin and Gracia Burnham are the two Kansans. They are missionaries. Their parents are missionaries in the Philippines. They have taken up that calling as well. They were there and taken hostage and have been held by this group now for 8 months.

The Senate has before us, nominated to be the United States Ambassador to the Philippines, Ambassador-designate Ricciardone. He is qualified and knowledgeable. He was cleared through the Senate Foreign Relations Committee. He is the appropriate and right person for this job. He remains stalled in this body, unfortunately, at this point in time.

I take this opportunity to ask my colleagues if there is a way that we could get this nomination cleared. I know there are a number of difficult and nettlesome issues in front of the Senate, and sometimes things are associated one with the other. But if possible, if we could free this nomination to move it forward so the United States would have an ambassador to the Philippines to negotiate and to see to the safe release of these two hostages, it would be important to America, important to the Philippines, and to the overall world effort.

The United States is involved in some delicate issues with the Philippines at the present time. I will not speak about that. The current issue I am concerned about is not only the work the United States is doing with the Philippines—the Philippine military has taken on this exercise to free the Burnhams; they have been aggressively pursuing the terrorist group for some period of time—but we need a leader from the United States. We need our ambassador to the Philippines in this delicate situation.

If the Presiding Officer or other Members of the Senate could have seen “48 Hours,” they would have seen Gracia Burnham pleading: Will somebody please show us mercy. Will somebody please notice that we are here and help us out. She said that morning she awakened with chest pains. They are living in the jungle, being moved daily and on the run. It is a difficult, horrible situation. They need our key representative in that country.

I ask other Members of the Senate to please consider and see fit to moving forward on this nomination that has cleared unanimously the Senate Foreign Relations Committee—a professional, highly qualified for this position, which would mean so much for our efforts in the Philippines to date. If my colleagues could see to that, this would be an important addition to the international portfolio of ambassadors.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. CLINTON. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. STABENOW). Without objection, it is so ordered.

The Senator from New York.

#### NEW YORK'S GROUND ZERO CLEANUP: AHEAD OF SCHEDULE AND UNDER BUDGET

Mrs. CLINTON. Madam President, along with my colleague Senator SCHUMER, and Congressman NADLER in the House, I reaffirm the commitment of this Congress and this Nation to the rebuilding of New York.

One hundred thirty-five days after the worst attacks in history on U.S.

soil, I ask my colleagues to join me in a pledge to fulfill our promise to all Americans to make New York—our financial, our cultural, and media heart—whole again.

The World Trade Center attacks claimed the lives of close to 3,000 of our fellow citizens, as well as those who had come from other countries to America seeking a better life. The emotional toll has been staggering. I have met with countless family members who lost mothers and fathers, sisters and brothers, husbands and wives, daughters and sons. While there is nothing we can say or do that will bring these loved ones back to their families, the outpouring of compassion and kindness from all over the Nation has brought comfort to many.

Along with this heartfelt sympathy, I believe we have an obligation to help not only those who lost their loved ones but also help those who lost their livelihoods rebuild their lives and reclaim their futures.

New Yorkers were comforted when the President and leaders from the House and the Senate came to ground zero and stood in the House and Senate promising to make New York whole again. Their determination in the face of what seemed at the time great odds reinforced the workers who labored day after day, night after night, at ground zero. Despite the many obstacles, the recovery effort has moved forward faster than anyone could have predicted.

Some months ago, I told my colleagues our best estimate was that with 24-hour-day shifts, we would perhaps have to take an entire year to clear the site to be ready to rebuild. I am very proud of the construction workers who have been working day in and day out, often at great personal sacrifice and risk, as well as the contractors who have worked with the city, to the end that we now believe this cleanup effort will be completed 4 months ahead of schedule and billions of dollars under budget.

That does not in any way take away from the fact that the financial toll has been enormous. In fact, the terrorist attacks are estimated to cost New York City and its businesses over \$100 billion in financial losses over the next 2 years. Lower Manhattan's business district has been decimated. Nearly 25 million square feet of office space, 20 percent of all of downtown New York's office space, was damaged or destroyed by the attacks, leaving 850 businesses and over 125,000 workers physically displaced.

The effects of these attacks have also been staggering on New York's workforce. New York City's unemployment rate spiked to 7.4 percent in December, nearly a 3-year high, from 6.9 percent in November. The September 11 attacks ruined our small businesses, destroying and severely impacting nearly 15,000 of them. Businesses that were thriving on September 10, employing people, building a positive future for themselves, were destroyed, and they

remain out of business 4½ months later. We are expected to lose nearly 150,000 jobs, and that is an unsustainable loss.

The number of private sector jobs sank 3 percent last year, more than twice the national rate. We are struggling to make sure the aid that was voted for at the end of last year gets out as quickly as possible, and especially gets into the hands of these small businesses that are desperate for some kind of assistance.

We also face a big job in cleaning up, repairing, and rebuilding the infrastructure. The attacks left 42 percent of Lower Manhattan's subway system unusable. That translates into significant disruptions in the daily commutes of 335,000 passengers who ride to Lower Manhattan every day.

We are going to be getting some positive plans adopted soon, we hope, that will show what needs to be done to repair this infrastructure. I know this body will be there to help.

I have been especially concerned about the air quality at and near ground zero. Many of our rescue workers, firefighters, police officers, construction workers, residents, and others have been complaining of respiratory problems. Some call them the World Trade Center cough or the 9-11 cough. It is a significant health problem.

I have visited with physicians who are treating the firefighters and the construction workers. They are concerned because a lot of people are really encountering severe respiratory problems and developing asthma. We have many families and residents who still are afraid to move back into their homes, leaving large parts of Lower Manhattan uninhabited, leaving buildings that were once prime real estate nearly empty.

I am pleased the Clean Air, Wetlands and Climate Change Subcommittee of the Environment and Public Works Committee has honored my request and will hold a hearing in New York City on these issues in a few weeks. We really do not know the effects of the exposure on those who have been most directly involved in the work at ground zero and others who are within the vicinity, but we owe it to them to find answers. We have to make sure we know what the health risks are for the children who are being asked to move back into the elementary schools that were vacated near ground zero. I am hopeful this hearing will get to the bottom of some of these issues.

We also have to be sure our workforce is not forgotten. So many of them need some extra unemployment insurance. So many are about to lose their health insurance.

I went to a hearing last week that was held with hundreds and hundreds of people. We had testimony from representatives of various groups, and the biggest concern among the workers who had worked in the World Trade Center or at a neighboring business

was that their health insurance policies were about to run out and they did not know where to turn.

We have been discussing what should be done on a recovery package for the Nation, but I know from firsthand experience we really must focus attention on New York's needs in terms of unemployment insurance, disaster unemployment assistance, and the extension of health care benefits in order to give some help to those people who, through no fault of their own, were left unemployed directly because of the attacks.

Similarly, we have to continue to support both the public and the private sector in meeting the needs that come out of 9-11.

I thank Chairman BAUCUS and ranking member Senator GRASSLEY for their help to Senator SCHUMER and myself as we have tried to draft policies that will make a direct impact on the financial burdens being shouldered by the public and private sector. We need tax incentives. We need bonding authority. We need advanced refunding authority. All of that has been worked through the Finance Committee. A similar proposal has passed the House. I am hopeful we will be able to get something along those lines through the Congress and to the President very soon, either standing alone or as part of a larger economic recovery proposal.

One issue that is now more pressing than when we left a month ago is the impact on States across the Nation of the economic slowdown and of 9-11. We are seeing increases in unemployment in many parts of the country. We see many people lose their health insurance. We expect to see millions more added to the Medicaid roles. It has been predicted that the number of children on Medicaid could increase as much as 11.3 percent. At a time when State budgets are already reeling from reduced revenues, when States—unlike the Federal Government—have to run a balanced budget, they cannot spend more than they take in. They may not have the resources needed to address these increasing health needs.

That is why I hope, in a bipartisan manner, we can provide some relief to States. They are desperate for it. Whether Republican or Democratic Governor, we are hearing they need help. They need help not only to meet health needs but also law enforcement and homeland security needs. If we do not provide direct assistance to cities and counties, they are going to be running in the red, with the overtime they are now paying and with the additional responsibilities imposed on police, firefighters, and emergency workers.

We have our work cut out for us. I am confident that under the leadership in this body and in the House and with the support of the administration we can meet the needs of New York and we can assure the people who were so directly devastated by these attacks that we stand with them.

Earlier today I was privileged to be at the White House. It was a nostalgic

return visit for me, sitting in the East Room, surrounded by my colleagues from New York, New Jersey, and Virginia, all of whom had gathered to witness the President signing the Victims Tax Relief Act, something I fought very hard for because it was a tangible way of providing assistance to those who were directly impacted with the loss of a loved one on 9-11. I am proud we included Oklahoma City victims and victims of the anthrax attacks because we need to demonstrate America is united not only in our war against terrorism but on behalf of the victims of terrorism. I was very proud when the President signed that bill, surrounded by so many of the families from New York and New Jersey with whom I have met, as well as other families from around the country who lost a loved one on one of the planes in the Pentagon attack or in the fields of Pennsylvania.

It was a very reassuring moment to see how all levels of government were supporting those who woke up on September 11—on a beautiful autumn day for flying, for going to work, for minding one's own business—and ended a day having lost a relative, a friend, knowing their lives would never be the same.

I strongly hope Congress will pass this resolution and reaffirm our commitment to New York by continuing to provide the much needed Federal assistance that New Yorkers require to recover from these horrific attacks that were, as we know so well, attacks on America.

I appreciate this opportunity to take a few minutes to set the stage and remind everyone that, although we face future challenges with the continuing war on terrorism to make sure national security is as strong as we can make it, to ensure we are doing everything possible to enhance our homeland security and that we take necessary steps to assure economic security in the face of the economic downturn and the attacks on 9-11, that we also remain united behind the needs of New York.

It is an honor to represent New York. It is often a challenge to convey the needs I see every day. I try to do my best to speak for those who will never stand in this Chamber but who are living every day with the consequences of those horrific attacks. It is such an honor to represent such brave and courageous Americans as I do in New York. I look forward to the continuing help I have received with such graciousness from my colleagues to make sure that New Yorkers know America stands with us.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DASCHLE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. CARNAHAN). Without objection, it is so ordered.

#### HOPE FOR CHILDREN ACT

Mr. DASCHLE. Madam President, I move to proceed to H.R. 622, and I ask unanimous consent that the pending farm bill not be displaced by the adoption of this motion.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 622) to amend the Internal Revenue Code of 1986 to expand the adoption credit, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

#### AMENDMENT NO. 2698

(Purpose: To provide incentives for an economic recovery, and for other purposes)

Mr. DASCHLE. Madam President, I have an amendment at the desk and ask for its consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from South Dakota [Mr. DASCHLE], for himself and Mr. BAUCUS, proposes an amendment numbered 2698.

Mr. DASCHLE. Madam President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The text of the amendment is printed in today's RECORD under "Amendments Submitted.")

Mr. DASCHLE. Madam President, I express my appreciation to the distinguished Republican leader for this ongoing effort to try to get to this point. This is not what he would have subscribed to; this is not what I would have subscribed to necessarily.

Basically what this does is provide us with an opportunity to move forward on an economic stimulus package. It is open to amendment. But what I have done with the amendment I have just offered to the bill, H.R. 622, which is the adoption tax credit bill that had been on the calendar, is simply provide an opportunity now for us to move forward.

The amendment I have just offered is comprised of the four components I have been talking about on the floor and off the floor. The amendment includes, first, the bonus depreciation legislation, the tax rebate, the unemployment legislation, and the so-called FMAP, the resources provided to the States to help them offset the cost of Medicaid.

Those four components are components in various forms, of course, that have been supported by Republicans and Democrats. It is the right of any Senator now to offer an amendment,

whether it is the complete substitute that some might prefer or targeted amendments dealing with these four components or something else.

My hope is, however, at some point in the not too distant future we can complete our work on this and go to conference so we can ultimately complete our work on a bill that enjoys both House and Senate support and hopefully the support of the President as well.

That is, in essence, what we have done today. I appreciate the help and the cooperative effort that has been made by a number of our colleagues, not the least of whom is the Republican leader. I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. LOTT. Madam President, I believe Senator DASCHLE has appropriately described the procedure that is being employed in this situation. It is highly appropriate we begin this new year by trying to work through the amendments and the process that can get us to an economic security package.

I do think the economy needs some stimulus. I do think we need additional unemployment compensation. I think we need to look at ways to give incentives to small businessmen and women to create jobs so we have growth in the economy, so we are not just trying to help our people make sure they have something to live on this week but so they can get and have a good paying job in the future.

We could debate about when we should have done it and how we should do it, but the fact is we should do this. We have talked back and forth during the past 24 hours about the best way to proceed. I obviously thought the best way to proceed was to call up the House-passed bipartisan bill, have it open for amendment and debate and see how it moved and to get a vote on that, but we could not come to agreement to get that done.

We also looked at coming up with this so-called common approach with the four components and limiting amendments. Part of the problem was the fourth item, the Federal assistance to the States. The way it was going to be introduced was not in the bipartisan House-passed package so it was thought this was not a common approach provision by our people.

There also was some resistance. I think in both conferences, to say we can only have two or three amendments. I believe by having an opportunity to offer amendments on both sides after a reasonable period of time Members are going to make a decision. We need to go ahead and get this done and get it to conference or, if we cannot come to agreement on something, it deserves to go forward. It is going to be difficult because at this point procedurally 60 votes are required for amendments or substitutes. We will have a full debate. We will have a chance to offer amendments, and I

think it is necessary and appropriate that we try to get a stimulus package done.

So after a lot of discussion back and forth, this is the best procedure we could purpose. We did not require a vote on the motion to proceed to the bill that was being used to call up this procedure, and we are not filibustering it. We want it resolved. I think this could get it resolved, but it is going to be tough. It is going to take some give and take on both sides. We have to try to come up with something that will enjoy bipartisan support to get 60 votes. We will see if we can get that done. It is certainly worth the effort.

I yield the floor.

Mr. DASCHLE. Madam 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. 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.

#### MORNING BUSINESS

Mr. REID. Madam President, I ask unanimous consent that the Senate now proceed to a period for morning business, with Senators permitted to speak for up to 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### CREATING A NEW BUREAU OF INDIAN TRUST ASSET MANAGEMENT

Mr. DASCHLE. Madam President, it has long been recognized that the Department of the Interior's Indian trust fund accounting and management systems have struggled with the challenge of meeting the Government's trust responsibility to Native Americans. Shortly before the Christmas break, to her credit, the Secretary of the Interior acknowledged this fact and proposed reorganizing the way the Department handles its trust asset management responsibilities.

The Secretary has proposed creating a new Bureau of Indian Trust Asset Management to manage Indian trusts. It is now the job of the Department, Congress, and the tribes to assess how this plan would work in practice.

Tribal leaders in South Dakota have emphasized to me their concern that any BIA reorganization plan that has not been thoroughly discussed with the Native American community nationwide could hold potentially adverse consequences for tribal members. The leaders of the nine tribes in my State, for example, ask how such a proposal would address the underlying issues of trust fund management in light of the pending Cobell vs. Norton class action suit; how it would impact funding for other programs upon which tribes depend; and how it would affect the self-governance of Tribes.

These are legitimate questions, and tribal leaders and their members deserve satisfactory answers prior to the implementation of any reorganization plan. I hope that a more concerted effort will be made, by the Department and Congress, to involve tribal leaders fully in the decision-making process on the BIA reorganization effort. Certainly no significant organizational changes within the BIA should be made without adequate consultation with tribal leaders across the country. The essence of the Federal Government's trust relationship with the tribes requires no less.

#### TRIBUTE TO MAJOR JEFFREY W. PRICHARD, U.S. AIR FORCE

Mr. LOTT. Madam President, I would like to take this opportunity to recognize and say farewell to an outstanding Air Force officer, Major Jeff "JoBu" Prichard, upon his departure from my staff. Major Prichard was selected as an Air Force Fellow to work in my office during the First Session of the 107th Congress due to his outstanding professional reputation and superior knowledge of Defense issues, the United States Air Force requirements process, and the military presence in my home State. He has been a valued team member and it is a privilege for me to recognize his many outstanding achievements and the superior service he has provided the United States Senate, the Air Force, and our Nation.

Major Prichard, a native of the State of Mississippi, graduated from the University of Southern Mississippi and was commissioned a Second Lieutenant through the Reserve Officer Training Corps, ROTC. Since then, Major Prichard has spent the majority of his career patrolling the world's skies as an Air Force fighter pilot. Following flight training, he began his service flying the F-15C "Eagle" in the 67th Fighter Squadron, 18th Tactical Fighter Wing in Okinawa, Japan. During this tour, Major Prichard was selected as a member of the 18th Wing team that won the 1992 Worldwide William Tell Air-to-Air Weapons Competition and he out flew all competitors to win the coveted "Topgun" Trophy. After his tour in Japan, he reported to the 60th Fighter Squadron in Ft. Walton Beach, FL, where he deployed in support of Operation UPHOLD DEMOCRACY in Haiti and Operation SOUTHERN WATCH where he lead 34 combat missions patrolling the skies over Iraq enforcing the no-fly zone. Also during this tour, Major Prichard attended the Air Force's Weapons School at Nellis AFB, NV, and in September 1996 was handpicked to return as an instructor. In 1999, Major Prichard left the cockpit to serve on the staff of the Secretary of the Air Force in Washington, DC, as the Air-to-Air Missile Program Manager and then was selected to serve as a Military Legislative Fellow during the 1st session of the 107th Congress.

Major Prichard quickly became a valued member of my staff sharing his

proven operational experience and insightful knowledge on a number of Department of Defense issues, including defense health care, operational bed-down of C-17 and C-130J aircraft, various weapons systems, military construction, and university research programs. Specifically, Jeff was instrumental in helping the Air Force craft a C-130J Roadmap for future bed-down of operational assets that took into account Congressional concerns. He helped me articulate a successful case for adding funding for additional maintenance training simulators and military construction projects that will help ensure the successful bed-down in Jackson, MS of the first ever C-17 aircraft assigned to the National Guard. He helped craft new legislation that will ensure the financial viability of our Armed Forces Retirement Homes and the quality of life for the residents well into the 21st century. He also provided extremely valuable inputs in helping to craft legislation that established the future site of the Air Force Memorial while preserving as much acreage as possible for the Arlington National Cemetery. Major Prichard's coordination with the staffs of the Senate Armed Services Committee and the Senate Appropriations Defense Subcommittee led to over \$28 million in additional military construction funding for Mississippi's military bases and yielded over \$100 million in research, development, test, and evaluation funds for universities in Mississippi.

Major Prichard is married to the former Wendy Lynn Hurlbert of Minneapolis, MN. They have three children, 10-year-old daughter Sydney, 8-year-old son Jeffrey Jr., and 5-year-old daughter Hailey. Among Major Prichard's many awards and decorations are the Meritorious Service Medal, Air Medal, Aerial Achievement Medal, Air Force Commendation Medal, and Air Force Achievement Medal.

Major Prichard will return to the Air Force at Langley AFB, Virginia, where he will once again control the skies in the F-15C. I have appreciated greatly Major Jeff Prichard's contributions to my team and I will miss him. On behalf of my colleagues on both sides of the aisle, I wish Major Prichard and his family "Good Hunting and Godspeed."

#### TRIBUTE TO COMMANDER MICHAEL LIPSKI, U.S. NAVY

Mr. LOTT. Madam President, I would like to take this opportunity to recognize and say farewell to an outstanding Naval Officer, Commander Michael Lipski, upon his departure from my staff. Commander Lipski was selected to work as a Navy Fellow in my office during the First Session of the 107th Congress due to his outstanding professional reputation and superior knowledge of Defense programs, industry, and the military construction requirements process. It is a privilege for me to recognize a fellow Mississippian for

the devotion to duty, exceptional performance, and outstanding professionalism he has provided to the United States Senate, the Department of Defense, and our great Nation.

Commander Lipski entered the University of Mississippi in 1979 and was commissioned as an Ensign upon graduation in 1984. After his completion of the Navy's Surface Warfare Officer School in 1985, he served as Auxiliaries Officer and Main Propulsion Assistant on USS *Oliver Hazard Perry*, FFG-7, where he earned his qualification as a Surface Warfare Officer. In 1988, Commander Lipski became an Assistant Professor of Naval Science at Florida A&M University where he instructed Midshipmen in ship systems engineering, weapon systems theory, shipboard operations and navigation. While at Florida A&M, he also earned his Craftmaster qualification and served as the Officer-in-Charge of the Naval Sail Training Vessel *Dolphin*, NSY-29. In December 1989, Commander Lipski was designated a Civil Engineer Corps Officer and served on the staff of the Officer-in-Charge of Construction, Mariana Islands as an Assistant Resident Officer-in-Charge of Construction. After leaving Guam in 1992, he was assigned to Naval Computer and Telecommunications Station, Cutler, ME, as the Public Works Officer and Officer-in-Charge of Naval Facilities and Engineering Command Contracts. After a follow-on assignment to the Naval Postgraduate School, where he earned a Masters degree in Financial Management, Commander Lipski served as the Public Works Officer at the Naval Mobile Construction Battalion Center in Gulfport, MS. While in Gulfport, he superbly managed over \$60 million in military construction projects. He also wrote a Master Plan for Seabee Base Gulfport that led to over \$100 million in quality of life and mission support military construction projects that have greatly improved the operational capability and morale of the Seabees and their families stationed in Gulfport. Prior to joining my staff in January 2001, Commander Lipski served with distinction for two years on the staff of the Chief of Naval Operations ensuring that our sailors and their families had top-notch bachelor quarters and family housing to live in.

Commander Lipski quickly became a valued member of my staff where he led several legislative initiatives that enormously benefitted the Department of Defense, the Navy, and the State of Mississippi. He worked hard to ensure that the Defense authorization and appropriations bills for fiscal year 2002 included legislative provisions and specific programs aimed at modernizing and recapitalizing our military and improving the quality of life of our service members and their families. Specifically, he did a great deal of research and analysis that led to a complete rewrite of the statutes governing the management and oversight of the Armed Forces Retirement Homes. This

new legislation will ensure the financial viability of our Armed Forces Retirement Homes and quality care for the residents well into the 21st century. Commander Lipski also articulated a successful case for adding \$28 million in military construction projects for Mississippi's military bases. Commander Lipski's strong leadership, hard work, and vision led to congressional actions that will ensure our military is properly equipped and trained to meet head-on the challenges it will face in the future.

Commander Lipski is married to the former Jill Daria Wiltzius of Spooner, WI. He is the son of John and Eleanor Lipski of Long Beach, MS. Mike is a registered Professional Engineer in the State of Mississippi, a member of the Navy Acquisition Professional Community, and a member of the Society of American Military Engineers. His many awards and decorations include the Meritorious Service Medal, Navy Commendation Medal, Navy Achievement Medal and numerous other service awards.

Throughout his career, Commander Lipski has served the United States Navy and our Nation with excellence and distinction. He will be sorely missed on Capitol Hill but his return to the Naval Service will benefit Naval Air Station Jacksonville, the Navy's commands in the southeastern United States, and our great Nation. On behalf of my colleagues on both sides of the aisle, I wish Mike and Jill "fair winds and following seas."

#### DR. MARTIN LUTHER KING, JR.

Mr. DURBIN. Madam President, today I rise to pay tribute to a great man, Dr. Martin Luther King, Jr. Dr. King was born on January 15, 1929. As a nation, we have celebrated his life and accomplishments every third Monday in January since 1986. However, in my home State of Illinois, we have been celebrating this great man for almost 30 years, since 1973.

Late in 1955, Montgomery, AL, civil rights activist Rosa Parks refused to obey the city's rules mandating segregation on buses. Five days later, Dr. King was elected by his supporters to be president of the Montgomery Improvement Association. As president, he participated in the bus boycott that eventually led to the Supreme Court declaring Montgomery's segregation laws unconstitutional. As Dr. King gained national prominence he was repeatedly attacked for his beliefs and because of the color of his skin. Sadly, violent acts against Americans of different beliefs, ethnic groups, and hues continue to plague our nation today.

Building on the success of the Montgomery boycott movement, Dr. King and other southern African-American ministers founded the Southern Christian Leadership Conference. With his colleagues, Dr. King promoted the goal of voting rights when he spoke at the Lincoln Memorial during the 1957 Prayer Pilgrimage for Freedom.

Dr. King also guided mass demonstrations in Birmingham, AL, with others in the Student Nonviolent Coordinating Committee. The protests caught headlines around the world, as clashes between protesters and police turned violent. Despite police dogs and fire hoses, Dr. King persevered, leading to the decision by President Kennedy to submit broad civil rights legislation to Congress, and eventually to the Civil Rights Act of 1964.

Despite becoming Time magazine's Man of the Year in 1964, Dr. King continued to face many challenges to his nonviolent tactics. While attempting to assist a garbage workers' strike in Memphis on April 4, 1968, Dr. King was assassinated. The world changed for many on that day. Many thought that Dr. King's message of tolerance, equality, and love for our fellow men and women would die with his death. It did not. Rather, Dr. King's message and legacy continue to spread.

In the wake of the attacks on the World Trade Center and the Pentagon on September 11, many have found it difficult to adhere to Dr. King's message.

As we searched for understanding, many mistook symbols of religious tenets, such as beards and turbans, for symbols of distrust and terror. Arab Americans and Sikh Americans have been harassed, threatened, and assaulted because of the physical and religious similarities they share with the terrorists who took the lives of thousands of Americans four months ago. The passage of a resolution condemning hate crimes against Sikh Americans, which I sponsored and worked to include in the antiterrorism bill, underscores Congress's commitment to prevent any such acts of bigotry and violence.

A Human Rights Watch report revealed that over 1,100 individuals have been detained as part of the Justice Department's terrorism investigation after the September 11 attacks. Scores of detainees are still in custody today, some having been detained for over two months with no explanation to family members or friends. We need to be careful. History has taught us that in times of war, our government has sometimes acted in haste and in error. We can point to incident after incident where the Executive Branch implemented measures that in hindsight went too far and infringed on our civil liberties. Let us make sure that history does not repeat itself as the Justice Department continues its investigation of the terror attacks of September 11.

In celebrating Dr. King's birthday, we continue to learn from his words. I am proud to say our nation is a melting pot of different ethnic groups, and together we form the strongest nation in the world. In his famous "I Have a Dream" speech, Dr. King said, "Let us not wallow in the valley of despair. I say to you today, my friends, that even though we face the difficulties of today

and tomorrow, I still have a dream. It is a dream deeply rooted in the American dream. I have a dream that one day this nation will rise up and live out the meaning of its creed: We hold these truths to be self-evident, that all men are created equal."

Let us not forget the truths Dr. King taught us. We must join together to celebrate his triumphs, and live out his words, that all men and women, having been created equal, will be treated with equal dignity and respect.

Mrs. CARNAHAN. Madam President, earlier this month I had the opportunity to visit our troops in Afghanistan who are on the front lines in the global war to conquer terrorism. I also spoke with new Afghani leaders, who desire a far different future for their people. While visiting with them, I was reminded of a quote from Martin Luther King Jr.'s letter from Birmingham city jail: "Injustice anywhere is a threat to justice everywhere. We are caught in an inescapable network of mutuality tied in a single garment of destiny. Whatever affects one directly affects all indirectly."

The life of Dr. King always reminds me of the power of one; the possibility that each of us has for righting wrong, no matter who we are or where we are. When Dr. King began his work, he was not a prominent political figure. He did not have great financial resources at his command. He was a simple Baptist preacher.

He was walking in the footsteps of those who had gone before him. People like Sojourner Truth who embodied the power of one. She was not famous in any way; she was a humble slave woman with a commanding presence and a heart-wrenching story.

There was Harriet Beecher Stowe, writer of "Uncle Tom's Cabin." She was not a social philosopher or a theologian; she was a housewife with seven children.

Rosa Parks was not a revolutionary; she was a woman who was tired after a day's work and wanted to sit down on a bus.

None of these people began with great wealth, fame, or political power. Yet they harnessed the inner strength to challenge traditional thinking and to change the course of our Nation, not with guns and hatred, but with non-violence and love.

This past year we saw the heroism of average working Americans—firefighters, police officers, emergency medical personnel, postal workers and members of the armed forces. We learned again that each of us owes a debt to freedom.

Dr. King reminded us that "the arc of the universe is long, but it ends in justice." For more than 200 years, Americans like Sojourner Truth, Harriet Beecher Stowe, Rosa Parks and Dr. King himself have pushed and prodded our Nation toward greater equality. Now in this century, it is up to us to continue that long journey. We cannot be bystanders to history. We all have some

Martin Luther King in us. His work is now our work, and there is much to be done.

### ECONOMIC STIMULUS

Mr. KYL. Madam President, the Senate has failed to follow the House of Representatives in passing compromise, bipartisan legislation to help stimulate our economy and provide temporary assistance to displaced workers. While the Bush administration and the House compromised, some would say too much, in their effort to act responsibly and find the middle ground, opponents of this legislation were tireless in their efforts to undermine its passage. I applaud the House, the Bush administration, and the Senate Republican leadership, including Senator GRASSLEY, for their effort to provide the Senate with an opportunity to pass an economic stimulus package.

Sadly, the majority leader refused even to allow a simple vote on this legislation. Why? Was it because he knew that this compromise would pass the Senate? If the economy continues to falter, there can be no question where the blame lies.

Voting on the economic stimulus package would have provided an excellent opportunity for members to put aside their partisan objectives, and come together in the best interests of the American people. The economic data are compelling. The terrorist attacks have thrown an already struggling economy into a tailspin, and the dismal economic reports released for the months of October and November, detailing the rise in unemployment and the decline in manufacturing activity, confirmed these worst fears; that we are in the midst of a recession.

As many economists, including Federal Reserve Chairman Alan Greenspan, have correctly noted, this is an "investment" recession, meaning that the slowdown is caused by a contraction of business investment, with resultant job loss and economic dislocation. Yet the majority leader fought against proposals that would have provided incentives for investment, and innovation. He and his supporters incomprehensibly denied the unarguable truism that meaningful economic stimulus emanates from the private sector, from businesses both large and small. An objective observer would likely note that, having already passed legislation that provides for \$40 billion in emergency spending for disaster relief, and \$15 billion in additional spending for an emergency airline package to deal with the temporary shut-down of air travel, it made sense for Congress to balance this spending, and any further spending, with tax relief targeted towards stimulating economic activity in the private sector.

The majority leader argued instead that spending would be more beneficial. But it should already be obvious that the perils of unrestrained spending are real. Congress has already



spent all of the Social Security surplus, and our Federal budget is now in a deficit position. Consequently, additional Federal spending will require the Federal Government to issue new debt in order to finance new spending. This new debt will mean that the government, in addition to maintaining post-World War II record high levels of income tax burdens of Americans, must again borrow from the American public to finance its operations. This renewed Federal borrowing may cause interest rates to rise, which in turn would slow down our economic recovery. In short, Congress must be extremely skeptical about any new spending, especially when it results in deficit spending.

The real point, however, is that we cannot spend our way out of a recession. Everyone agrees that some additional spending is needed to assist the hundreds of thousands of workers both directly, and indirectly affected in the aftermath of September 11. But should the goal be to provide these workers with unemployment checks? Or should it be to provide them with paychecks? Clearly, people would prefer to work, not collect unemployment benefits. And creating jobs starts with spurring investment so that entrepreneurs are able to form and grow businesses, which in turn, will be able to employ workers.

Nearly 2 months ago, President Bush proposed a package that promised to both provide additional spending to support those workers who lost their jobs and, at the same time, enact fundamental tax relief measures to promote investment and ensure that those same workers would be able to find work again in the near future. In the effort to avoid a partisan debate at this critical time, he included several recommendations from the Senate majority in his bipartisan proposal. It was a balanced and responsible combination of tax relief and temporary spending.

Prior to September 11, our economy was beginning to show signs of a possible turnaround. The bipartisan tax relief package passed by Congress, and signed into law by President Bush on June 7 was just starting to make its way through the economy. However, any progress on the road to recovery has all but been lost due to the terrorist attacks. In fact, the general economic situation has worsened substantially. That is why the Senate would have passed the President's proposal.

First, it would have accelerated all of the marginal income-tax rate cuts that became law this summer, but are now delayed until 2004 and 2006. The proposed plan would have them take effect on January 1, 2002, and would have applied to rates at every level of income. Considering that roughly one-third of personal tax filers are actually small businesses, I believe that it is essential that the 40 percent top marginal tax rate come down immediately to 33 percent to help unincorporated small firms retain and create more jobs. Entrepreneurs and the customers they

serve are the life-blood of our economic system. More money in their hands means more money moving through the entire economy.

In an effort to encourage investment, the President's original plan also incorporated a 30 percent depreciation bonus for the purchase of any new capital assets. This would enable companies to get much-needed equipment and other resources that might not otherwise have been affordable.

Furthermore, his original plan included a full repeal of the corporate alternative minimum tax, AMT, a thoroughly regressive, tortuously complicated, and utterly unfair tax that literally imposes a heavier burden on companies when their income falls. On November 6, the Treasury Department released data showing that, in 1998, some 30,226 companies paid higher taxes due to the corporate AMT than they would otherwise have paid. Thus, during an economic downturn like the one we are currently experiencing, as companies are currently seeing their sales and profits dip, their tax burden is actually increased.

The President's original plan advocated a prospective repeal of the corporate AMT, unlike other proposals that are retroactive. Repeal would have immediately freed up monies for investment and employee retention. What's more, elimination of this administrative nightmare would dramatically lessen the tax code's current drag on the economy. It's really quite simple; repeal of the corporate AMT yields immediate short-term relief at a time when the economy needs it most.

Lastly, in a bipartisan effort, the President reached across the aisle and embraced a Democratic proposal that would provide rebates of up to \$300 for workers who filed income-tax returns but did not have an income-tax liability.

Senate Republicans embraced the President's reasonable and responsible approach. We urged the majority leader to quickly act upon his plan and the first economic stimulus package that the House passed.

Personally, I strongly supported the President's plan; however, I believed it could have been strengthened by a couple of key provisions. First, I believe it is absolutely crucial that we make the provisions of the tax law signed on June 7 permanent, especially with respect to repeal of the estate tax. The importance of permanence cannot be understated. It is critical to the financial planning of families and businesses, all of whom must make important decisions based on what they expect will be the tax laws in the future. Assuring taxpayers that the tax relief they now have will still be there 10 years down the line provides a level of economic certainty in these less-than-certain times, helping to bolster consumer confidence and encourage investment.

Second, if we are to prevent thousands of bankruptcies, hundreds of

thousands of lost jobs, and many other indirect consequences to the rest of the economy, we need to specifically help our struggling travel and tourism industry. Accordingly, I introduced legislation that I had hoped would be included in the economic stimulus package. My bill, entitled the Travel America Now Act of 2001, would provide a \$500 tax credit per person, and \$1,000 for a couple filing jointly, for personal expenses for travel originating within the United States. This includes travel by airplane, ship, train, car, and bus, hotel and motel accommodations, and rental cars, but not meals. As first drafted, the credit would have been effective from the date of enactment until December 31, 2001. The most important effect of such legislation is that it would get America moving and doing business again. Millions of small businesses would have benefited.

I believed that the President's plan could be improved by these two proposals, but I supported the President's plan because I wanted to help enact legislation to help our economy get back on track.

Unfortunately, most members of the Senate majority were less interested in compromising. In November, they crafted a partisan bill in the dead of night that was a special interest grab bag of new spending items, enhanced entitlement programs, and expanded bureaucracy. Its meager \$20 billion business investment proposal, and the \$14 billion consumer spending proposal would have done very little to stimulate consumer activity, and even less to stimulate investment.

The bill increased spending and reduced revenues by \$67 billion in fiscal year 2002, and \$53 billion through 2011. However, two items made the real cost much more expensive than the advertised price tag might have suggested. First, the majority leader insisted on amending this partisan bill with an additional \$15 billion of new spending, which would have included a veritable collage of new projects, from tunnels for Amtrak, ferries for New Jersey and New York, agriculture research, to highway repairs. Second, the unemployment provisions contained in this partisan bill included some \$19 billion in accelerated Reed Act payments. The result: taxpayers would have seen a significant increase in their tax burden, approximately \$14 billion, over the next 10 years.

The bill was rammed through the Finance Committee on a strict, partisan vote. When it became clear that this partisan legislation could not pass on the Senate floor, the majority leader chose to stop the consideration of an economic stimulus package and move to low-priority legislation. The House had acted, as had the President, but in the Senate, the majority leader continued to block consideration of an economic stimulus package.

He brought up a big spending railroad retirement bill and then a pork-laden farm bill, both of which could have

waited until next year. For several weeks, the Bush administration, the majority in the House, and the minority in the Senate negotiated with the majority leader's deputies in an effort to craft a bill he would be willing to bring to the Senate floor for a vote. These deputies erected various roadblocks to disrupt these negotiations. Then the majority leader, himself, unilaterally raised the bar to agreement by insisting on a compromise package that would be acceptable to two-thirds of the Democrats in the Senate. Despite these deliberately constructed obstructions to compromise, advocates of an economic stimulus package continued to work hard to construct a compromise that would be acceptable to a majority of the House and Senate.

The administration made significant compromises, especially related to greatly expanded health insurance benefits to the recently unemployed through an individual tax credit for health insurance. The majority leader once again raised the bar and insisted that these benefits be provided to employers for the benefit of all workers who are unemployed. Under his proposal, even those workers who chose to retire early would be entitled to this new expansive health care program. Additionally, he refused to empower these displaced workers with individual tax credits, but insisted on burdening businesses with a new government mandate.

With three days left until the holiday weekend, the administration, the House, and a majority in the Senate agreed on a bipartisan compromise on economic stimulus and aid to dislocated workers. The House then passed this legislation. Despite the fact that a majority in the Senate was committed to voting for it, the majority leader still refused to allow this compromise legislation to come to the Senate floor. So the 2001 session ended without Senate action on the most important issue facing the country.

Contained within this legislation is \$60 billion of investment stimulus—just the sort of assistance that Chairman Greenspan had urged us to enact. Under the bipartisan stimulus package, the current 27 percent rate would drop to 25 percent in 2002. This provision accelerates the bipartisan decision the Senate made last summer to reduce individual tax rates. Under last summer's tax cut bill, the 27 percent rate would have fallen to 26 percent in 2004 and 25 percent in 2006. This cut benefits married couples with taxable income between \$45,200 and \$109,250; singles with taxable income between \$27,050 and \$65,550; heads of household with taxable income between \$36,250 and \$93,650. Acceleration of the 27 percent rate reduction would yield \$17.9 billion of tax relief in 2002 for over 36 million taxpayers, or one-third of all income taxpayers.

The bipartisan stimulus package provides 30 percent bonus depreciation for three years. Property eligible for the 30

percent bonus depreciation includes property depreciated over 20 years or less, water utility property, computer software, etc. Property which takes longer than three years to construct will qualify for bonus depreciation on a pro-rata basis, if the property is placed in service before 2007. The portion eligible for bonus depreciation would be the costs incurred within the three-year bonus depreciation window. This provision would encourage accelerating long-term construction activity into the next three years.

Additional investment stimulus included in this legislation is an extension of net operating loss carrybacks for two years, corporate alternative minimum tax relief, and an increase of the small business expensing amount to \$35,000. All of which would help stimulate economic activity in our country.

The House-passed bipartisan stimulus package would also provide checks to low-income Americans in order to stimulate consumer spending. The legislation also would extend popular expiring tax provisions, provide targeted incentives to help with the New York City reconstruction, and exempt the victims of terrorist attacks from federal taxes. Finally, the bill would provide nearly \$20 billion of aid to dislocated workers in the form of greatly expanded unemployment payments and health benefits.

This proposal was a compromise. It is not the legislation that I would have written. But this legislation was a carefully crafted bipartisan, bicameral compromise that the President would have signed. It passed the House. It had the support of a majority of the Senate. But it died because the majority leader was unwilling to let the majority act.

So the economy will not be helped. Unemployed workers will not be helped. Small businesses will not be helped. Taxpayers will not be helped. Workers hoping to save their jobs will not be helped. All because of one man. Remember that next year.

#### THE AMERICAN SMALL BUSINESS EMERGENCY RELIEF AND RECOVERY ACT OF 2001

Mr. KERRY. Madam President, I rise today to speak on the behalf of thousands of small business owners across this country who are still struggling to keep their businesses open in the aftermath of the terrorist attacks. They're having a tremendously tough time paying their bills and making payroll, and they need access to affordable loans so that they have sufficient working capital as they adjust to the market or until business returns to normal.

Senator BOND and I put forth a comprehensive bill in the last session, shortly after terrorist attacks, that addressed not only disaster assistance and the worsening credit crunch that has compounded the financial problems of small businesses, but also the need

for business counseling and protection in recovering lost revenue from frozen federal contracting jobs. I am talking specifically about S. 1499, the American Small Business Emergency Relief and Recovery Act of 2001.

For the sake of small business owners and their employees, I wish I could say that I was here to speak about implementation of this legislation. But I cannot. S. 1499, was blocked by the Administration and a few Republican Senators. So here I am, at the beginning of another session, a new year, and four months after the bill was introduced, talking about the Senate acting on emergency legislation as small businesses wait for us to do something to help them. I really do not know how anyone in this body could stand to go home after Congress adjourned and explain to their constituents how we could provide billions in loans and grants to airlines, but we could not provide a modicum of that assistance to small businesses.

Republicans holding the bill in the Senate tell me and the press that they blocked the bill and still have holds on the bill because the Administration has problems with it. The Administration says they have problems with the bill because they do not believe there is a credit crunch making it harder and more expensive for small businesses to get loans. They do not believe we need to provide incentives to stimulate borrowing or to encourage banks to make loans to small businesses.

How can there be no credit crunch when survey results by the Federal Reserve reveal that as many as 51 percent of banks have reduced lending to small businesses? How can there be no credit crunch when established giants like the airlines could not get loans in the post-September 11th economy?

Please tell me how the Administration's priority is an economic stimulus package, but the Administration wants us to drop the stimulus provisions in S. 1499? What better way to stimulate the economy than through business investment and job creation? What is homeland security without economic security? They want us to drop the protection for small businesses doing business with the Federal Government. And they want us to drop incentives making the Small Business Administration's loans more affordable for borrowers and lenders.

Senator BOND and I asked them to meet us halfway, and they said no. We asked them to give us alternative language, and they didn't give us any. We spent more than 20 hours negotiating on this bill and it appears as if the Administration never had any intention of finding common ground. It appears as if it was an exercise in delay.

Let me describe briefly where I disagree with the Administration about how to help small businesses battling bankruptcy and employee layoffs triggered by the terrorist attacks and economic downturn. The Administration believes that all assistance should be

delivered through the SBA's disaster loans, which are administered through only four regional offices. From talking to small businesses and SBA lenders, Senator BOND and I have concluded that small businesses would be better served through a combination of disaster loans and government guaranteed loans. Government guaranteed loans are almost five times cheaper than what the Administration has proposed, have less risk for the taxpayer, and can reach more small business owners because they are delivered through more than 5,000 private sector lenders who know their communities and have experience making SBA guaranteed loans. Our proposal combines public and private sector approaches to ensure small businesses nationwide receive the maximum amount of assistance.

The economy was fizzling before September 11th, and small businesses were already feeling the pain. To stay financially healthy, they were doing their part by cutting back on spending, investing and hiring, and the Federal Reserve was cutting interest rates in an attempt to keep inflation in check. After September 11th, small business owners across this country put on black arm bands. The plug was pulled on their business. It didn't matter what state they were in; they weren't immune to the ripple effect of grounded transportation, closed financial markets, a volatile economy, and lay-offs announced by the tens of thousands. Let's start this session off right by passing S. 1499. Let's demonstrate that we understand the significance of small businesses to the American economy and that we will help them like we have helped other industries.

#### LOCAL LAW ENFORCEMENT ENHANCEMENT ACT OF 2001

Mr. SMITH of Oregon. Madam President, I rise today to speak about hate crimes legislation I introduced with Senator KENNEDY in March of this year. The Local Law Enforcement Enhancement Act of 2001 would add new categories to current hate crimes legislation sending a signal that violence of any kind is unacceptable in our society.

I would like to describe a terrible crime that occurred November 21, 1995 in West Hollywood, CA. A male transvestite was beaten by several men yelling anti-gay epithets. The assailants, Agaron Guylbkyan, 21, Harutun Pagaryan, 18, and Vahagn Arutyunyan, 19, were charged with civil rights violations in connection with the incident.

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 of 2001 is now a symbol that can become substance. I believe that by passing this legislation, we can change hearts and minds as well.

#### DEFENSE APPROPRIATIONS BILL

Mr. KYL. Madam President. I rise today to give my qualified support to the Defense Appropriations bill. I voted for this bill because the men and women who are, at this very moment, defending our honor and protecting our freedoms from the most horrific assault ever perpetrated against this Nation need critical items funded in the bill. I qualify that support because there are numerous programs and pork projects that will not support the critical needs of our soldiers, sailors, airmen, and Marines.

Even worse, there are projects that I believe are necessary to our national defense which have been severely under-cut to meet the top line numbers while these less than mandatory projects have been added and given millions, if not billions, of dollars. I agree with my colleague from Arizona that, once again, the Appropriations Committee has run roughshod over the legislative process, circumventing the authorization process and the will of the Senate at the last minute of the last day of the session.

Obviously, we must fund our current military campaign and our other defense needs; so I will support this bill to provide necessary funding. I only hope we will be able to make more efficient and effective use of taxpayer dollars for our national security needs in the future.

#### PRINTING OF S.J. RES. 30

Mr. SPECTER. Madam President, I ask unanimous consent that the text of S.J. Res. 30, a joint resolution I introduced on December 20, 2001, be printed in today's RECORD. I further ask consent that in the permanent edition of the RECORD, the text of the resolution instead appear following the statement I issued on December 20, 2001.

There being no objection, the joint resolution was ordered to be printed in the RECORD, as follows:

#### S. J. RES. 30

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within 7 years after the date of its submission by the Congress:*

#### "ARTICLE—

"SECTION 1. If at any time 50 percent or more of the Members of the House of Representatives are unable to carry out their duties because of death or incapacity, each Governor of a State represented by a Member who has died or become incapacitated shall appoint a qualified individual to take the place of the Member as soon as practicable, but no later than 7 days, after the Member's death or incapacity has been certified.

An individual appointed to take the place of a Member of the House of Representatives under this section shall be a member of the same political party as the Member of the

House of Representatives who is being replaced.

"SECTION 2. An individual appointed to take the place of a Member of the House of Representatives under section 1 shall serve until an individual is elected to fill the vacancy resulting from the former Member's death or incapacity.

A Member shall be elected to fill the vacancy in a special election to be held at any time during the 90-day period which begins on the date the individual is appointed under section 1, in accordance with the applicable election laws of the State involved. However, if a regularly scheduled general election for the office will be held during such 90-day period, or 30 days thereafter, no special election shall be held and the Member elected in such regularly scheduled general election shall fill the vacancy upon election.

An individual appointed under section 1 may be a candidate in such a special election or in such a regularly scheduled general election.

"SECTION 3. During the period of an individual's appointment under section 1, the individual shall have all the powers and duties of a Member of the House of Representatives.

"SECTION 4. Congress shall have the power to enforce this article by appropriate legislation."

#### ADDITIONAL STATEMENTS

#### TRIBUTE TO CHIP NOBLE

• Mr. DEWINE. Mr. President, today I recognize the great achievements of Sam "Chip" Noble III. Chip is a third generation harness racer, one of the most successful the sport has ever seen. A native resident of Xenia, OH, Chip Noble has raced to 3,293 victories and three North American Driving Championships.

Chip learned how to race through the tutelage of his father, getting his start at the Lebanon Raceway. In a normal year, Chip drives in about 500 to 1,000 races. The percentage crown winner in 1978, 1981, and 1983, Chip has earned over \$17.6 million for the owners of the horses he drives.

This past summer, Chip Noble competed in the World Driving Championships as the representative of the United States. He was one of ten drivers world-wide who competed in this prestigious event, which is believed to be the world's oldest international harness racing tournament. Proudly displaying the colors of our country, Chip drove to four heat victories, the most individual victories amassed during the competition, and finished fourth overall.

I congratulate Chip Noble on his tremendous performance in the World Driving Championship and for his wonderful career in harness racing. He is a true ambassador of the sport, and I wish him the best of luck in the future.●

#### TRIBUTE TO RANDIE BLAUTH AND ADRIENNE THOMAS

• Mr. TORRICELLI. Mr. President, I rise today to recognize Ms. Randie Blauth and Ms. Adrienne Thomas for

their 25 years of service to the Glen Ridge School System.

For the past 25 years, these outstanding educators have taught many grade levels and a countless number of students have benefitted from their instruction. As members of the Glen Ridge community, Ms. Blauth and Ms. Thomas have demonstrated an extraordinarily high level of commitment and selflessness to which we should all strive to achieve.

However, the impact of their service reaches far beyond the classroom. Both Ms. Blauth and Ms. Thomas have dedicated themselves to creating a supportive and productive environment for the youth of Glen Ridge. They have helped to shape the minds and encourage the spirit of these young individuals during a crucial stage of development in their lives.

Ms. Blauth's and Ms. Thomas' accomplishments, throughout their years of service, reflect only a small portion of the many contributions they have made to the people of Glen Ridge. Their efforts have touched the lives of their students as well as those throughout their community.

They are an example of the professionalism that we look for in our educators, and the type of citizens that we hope to find in our neighborhoods, which is why their dedication is to be recognized and commended.●

#### TRIBUTE TO COLONEL BENJAMIN L. CASSIDY, USMC

● Mr. WARNER. Mr. President, today I recognize Colonel Benjamin L. Cassidy, United States Marine Corps, on the occasion of his retirement from active duty. During his twenty-eight years with the Corps, Colonel Cassidy served our nation with distinction and aplomb.

After having graduated from Brown University in 1975, Colonel Cassidy was commissioned aboard the U.S.S. Constitution in Boston Harbor. Upon completion of The Basic School in 1975, he was transferred to Camp Lejeune, NC where he served as the Battalion Logistics Officer, Executive Officer, and Platoon Commander, 2nd Battalion, 2nd Marines, 2nd Marine Division.

In 1978, Colonel Cassidy was assigned to 3rd Reconnaissance Battalion, 3rd Marine Division in Okinawa, Japan where he served as Company Commander and Platoon Commander. He was transferred to Fort Benning, GA in 1980 where he attended the Infantry Officers Advanced Course. Upon graduation, he accepted orders to Recruiting Station, Hartford, CT and served as the Recruiting Station Executive Officer from 1981 to 1984.

From 1984 to 1987, he served with the 1st Battalion, 8th Marine Regiment, 2nd Marine Division, Camp Lejeune, NC as the Battalion Operations Officer and Company Commander. In 1987, he attended the Marine Corps Command and Staff College at Quantico, VA and was later assigned as an Instructor.

From 1989 to 1991, Colonel Cassidy served as the Marine Corps' Exchange Officer to the Brazilian Marine Corps, Rio De Janeiro, Brazil. From 1991 through 1993, he served with the Bureau of International Narcotics Matters, U.S. Department of State, Washington, D.C. During this time, he also earned a Masters in National Security Studies at Georgetown University.

He next served as Battalion Inspector-Instructor and Marine Corps Advisor, 4th Reconnaissance Battalion, 4th Marine Division, San Antonio, TX. In 1995, he served as Marine Corps Liaison and student at the Chilean Naval War College, Valparaiso, Chile.

Many of you know Ben personally, as he has served for almost 4 years as the Director of the Marine Corps' Senate Liaison Office. During Colonel Cassidy's tenure here at the United States Senate, he planned and led numerous congressional delegations on fact-finding trips around the world. He coordinated these delegations flawlessly and with meticulous attention to detail. In addition, he has overseen the resolution of hundreds of congressional inquiries that have been submitted to the Marine Corps for clarification and assistance. Colonel Cassidy has also worked to ensure that members of the Senate have a better understanding of the requirements and capabilities of the Navy/Marine Corps Team.

We in the Senate have benefitted from Colonel Cassidy's dedication, sense of duty and outstanding work ethic, and I have made certain that we continue to benefit by hiring him as my Defense and Foreign Affairs Legislative Assistant. I wish Colonel Cassidy, his wonderful wife Kathleen, and their children Alanna, Ben, and Caroline, fair winds and following seas as he begins this new chapter of his life.●

#### TRIBUTE TO MAJOR GENERAL JOHN D. HAVENS

● Mrs. CARNAHAN. Mr. President, I am honored today to pay tribute to the outgoing Adjutant General of the Missouri National Guard, Major General John D. Havens.

Governor Carnahan appointed him to this post on March 6, 1997. For the next 4 years, General Havens was responsible for leading 10,000 Missouri Army and Air National Guard personnel as well as the State Emergency Management Agency and Civil Air Patrol.

Under his stewardship, the State's Guard was always ready for action; ready to respond to disasters both in Missouri and elsewhere when duty called. In addition, the Missouri Guard was ready to aid in our country's national defense. General Havens has been in command of our Missouri Guard men and women as they performed missions in defense of freedom throughout the world. His troops have graced the sky or put boots on the ground of 18 States and 26 countries.

General Havens created several ground-breaking programs as well. He

was instrumental in establishing Missouri's Show-Me Challenge Program for our State's youth. His Guardsmen created an educational program that instilled discipline and motivation in teenagers who had dropped out of school. To this day, the valuable program continues to enhance the responsibility and self-esteem of Missouri's "at-risk" youth.

General Havens fostered a culture of success by growing an organization that emphasizes skill, talent, and dedication, and values diversity. This philosophy enabled him to improve recruitment in both rural and urban areas, as demonstrated by our impressive retention rates under General Havens' administration. Missourians are proud to be associated with our Guard. For his action, the NAACP presented the General with its prestigious 2001 Roy Wilkins Renown Service Award honoring his concern for the diversity, health, strength, comfort and accomplishments of the Guard's men and women.

Throughout his military career, General Havens earned several other awards, including the Legion of Merit, the Meritorious Service Medal, the Army Commendation Medal, the Armed Forces Reserve Medal, the Army Reserve Component Achievement Medal, and the National Defense Service Medal.

But more important than any of these awards, was the honor and respect he enjoys from the men and women who served under him. General Havens is truly a people's general, and he will be missed.

In the past, I had the opportunity to work with Guard members first hand as they helped Missourians cope with natural disasters. I saw the deep commitment and compassion General Havens had instilled in them. I will also never forget the tremendous kindness shown by General Havens and members of the Guard during my husband's funeral.

General Havens' career reflects the ideal of service represented by General George Washington when he said, "When we assumed the Soldier, we did not lay aside the Citizen." Throughout his career of service to our State and to this Nation, he truly epitomized the concept of Citizen Soldier.

General Havens has served our Nation and our State honorably. I wish him all the best in retirement. He will be remembered as a patriot, a leader, a Missourian, an American, and a friend.●

#### TRIBUTE TO THE CITY OF AKRON

● Mr. DEWINE. Mr. President, today I pay tribute to the citizens of Akron, OH, for their selfless actions following the September 11 terrorist attacks. Specifically, the Akron Beacon Journal, the City's largest daily newspaper, launched a campaign to collect donations to purchase a fire truck for New York City.

As we all know too well, on September 11, terrorists attacked our great Nation in a way many of us thought unimaginable. While these acts were, indeed, horrific, instead of leaving us frozen and helpless, so many Americans have banded together and acted in ways that exemplify why this country of ours is so great. The citizens of Akron are a perfect example of this.

After deliberating about what could be done to help the people of New York City, the executives of the Akron Beacon Journal came up with an answer: a fund to purchase a new fire truck for the city of New York.

On September 16, the Akron Beacon Journal opened the fund with a donation of \$25,000 and then asked the citizens of Akron to donate, as well. The people of Akron answered this call, and responded in a resounding way. Immediately, money began pouring in for the fund.

A month later, over \$1.3 million had been raised with donations from almost 50,000 individuals and companies and organizations. With this money, the City of Akron was able to purchase a 95-foot ladder fire truck, as well as two EMS vehicles and three police cars.

I am proud of the people of Akron. And, I thank them for their extraordinary gift. This donated equipment has done more than just help New York City rebuild some of what was lost. It has reminded us all of the amazing things we can accomplish when we pull together. Their gift was one from the heart and I thank each and every one who helped make this possible.●

#### HONORING DR. MOISES SIMPSE

● Mr. GRAHAM. Mr. President, today I pay tribute to a fine humanitarian and Floridian, Dr. Moises Simpson. Throughout his career as a pediatric pulmonologist, Dr. Simpson has worked for the well-being of all sick children; particularly those that are technology dependent and otherwise referred to as "fragile children." Dr. Simpson's goal has been an admirable one—to achieve the best medical care for all children of all economic strata and backgrounds.

Since his arrival in Florida in 1984, Dr. Simpson has been an unyielding advocate for the young patient. As Dr. Simpson's patients are technology dependent, they were only cared for in Intensive Care Units of hospitals, where they became virtual prisoners in the unit. He fought diligently for the State of Florida to cover the cost of homecare for a ventilator dependent child. Through this program, even the youngest of children on ventilators were sent home for care in their familiar and familial environments. However, even at home, the children increasingly became isolated within their own four walls. To help free these children, Dr. Simpson developed and founded the first Ventilator Assisted Children's Center Camp or VACC Camp.

VACC Camp is a place where both families and technology dependent children can be in an environment that allows these fragile children to do everyday activities that were once unavailable to them. These include activities such as swimming, boating, sailing, visiting malls, and many others. These children, always ventilator dependent and usually wheelchair bound and afflicted with additional diseases, are able to enjoy the wonders of Florida's nature and outdoors at no cost to their families.

VACC Camp has allowed both abled and disabled children to come together for a life broadening experience by providing an incentive for abled children to participate. Dr. Simpson has worked with Florida's Miami-Dade County school system to create a 100 percent volunteer staff, with the school board furnishing high school students with service credits for their volunteer efforts. This remarkable camp, now in its 16th year, earned Dr. Simpson the prestigious 1998 Governors Community Service Award from the College of Chest Physicians.

In addition to his development of VACC Camp, Dr. Simpson has established a pediatric asthma center for underprivileged children. He received a combined grant which allowed him to demonstrate that providing quality medical care to this population can reduce emergency room visits and hospitalizations in these children by 70 percent.

He has also established a Cystic Fibrosis Center in South Florida, the first such center to be associated with the National Cystic Fibrosis Foundation. The Cystic Fibrosis Foundation honored him as the recipient of the first Lucent Technologies Humanitarian of the Year Award.

Dr. Simpson's altruism and dedication to quality health care for children regardless of race, gender, and economic status are a positive statement for doctors across America. Dr. Simpson has been honored and should be admired for the good he does every day, for his persistence in always improving the delivery of quality healthcare, and for his vision to meet the needs of severely debilitated children. I am indeed proud to acknowledge the work of Dr. Moises Simpson.●

#### TRIBUTE TO LOU "THE TOE" GROZA AND ERIC TURNER

● Mr. DEWINE. Mr. President, today I honor two titans of the gridiron—Lou "The Toe" Groza and Eric Turner. These men both played football for the Cleveland Browns. And, sadly, both have passed away, leaving enormous voids not only in the lives of their families and friends, but also in the hearts of the millions of fans who admired them.

I'd like to spend a few minutes telling my colleagues about these two men. Both on and off the field, Lou Groza was a model sportsman and cit-

izen. In the 1940s, Lou Groza had no time for football because he was serving his country as a medic in Okinawa. Upon his return from the war, Groza joined Paul Brown's Cleveland team and capped the 1950 season with a NFL championship field goal against the Los Angeles Rams. That championship was the first of 12 in which Groza would compete. Throughout his 21-year career, the longest serving Brown player, Groza was selected for the Pro-Bowl nine different times.

During his football career, he totaled an incredible 1,608 points, appeared in 13 pro-football championship games, was a six-time All-NFL offensive tackle, and was the last member of the Browns inaugural team to retire. Groza's outstanding service to the Browns, and to football, was rewarded in 1974 with his induction into the Hall of Fame.

Lou Groza, who dearly loved his hometown of Berea, OH, and the Browns, was a man who really seemed larger than life. He was nothing sort of a sports legend. When Lou retired in 1967, it marked not only the end of his football career, but the end of a glorious era in Browns history.

Lou Groza's football achievements speak for themselves, but it was what Groza did off the field that fellow Clevelanders remember him for most. After retiring from the Browns, Groza became a partner in a successful insurance company. He was constantly giving back to the Cleveland community through charitable organizations, such as the "Taste of the NFL," which has raised millions for the hungry. Groza always had the time to sign an autograph and often was overheard saying: "I'm no better than the fans who rooted for me all those years."

In speaking of a man who cared so much of his community and his team, we should not forget another Brown star recently passed away. That man is Eric Turner. He was a safety, who was drafted second overall, the first defensive player to be picked that high since 1956. Although he only played a few years in Cleveland before the team was moved to Baltimore, Eric made it known that his heart would never leave the Browns of their wonderful fans. Eric was an active participant in the United Way, a devoted father, and a mentor to his teammates. His warm personality and generosity are truly missed.

Lou Groza and Eric Turner had a love for football and for those around them. They gave to their team, to their families, and to their communities. I think it is only fitting that we give a little back to them by honoring them today and by keeping them and their families in our prayers.

I feel honored today to stand before this body and pay my respects to these two fine men. They both displayed courage on the playing field, as well as in their own personal battles. Each man fought their failing health. Each man fought the good fight.

Tennis great, Arthur Ashe, whose own life ended all too soon, once said something that I think helps describe the kind of people, the kinds of heroes, that Lou Groza and Eric Turner were when they were alive and how they will be remembered in their deaths. Ashe said:

True heroism is remarkably sober, very undramatic. It is not the urge to surpass all others at whatever cost, but the urge to serve others at whatever cost.

Today, we honor them as for their virtue and their strength of character. We honor them as true victors.●

#### TRIBUTE TO NICHOLAS E. FINZER

● Mrs. LINCOLN. Mr. President, today I pay tribute to Mr. Nicholas Finzer, an Arkansas native who this month will end a long career in public service as an employee of the U.S. Forest Service.

A 1963 graduate of the University of Arkansas, Nick joined the Forest Service in Montana before leaving to serve his country in Vietnam. Nick later returned to the Forest Service, working in forest and timber management and as a forest ranger in Idaho, Montana, Arkansas, North Carolina, and Texas, before returning to Arkansas for good in 1984.

That is when Nick began his tenure as Lands and Minerals Staff Officer on the Ouachita National Forest. One of his top priorities in this position was acquiring new lands in order to accommodate the public's interest to expand the forest. In nearly two decades service in the Ouachita National Forest, Nick always took a pro-active approach to acquiring new lands for the Forest Service, either through exchanges or purchases.

In 1996, Nick oversaw the exchange of over 180,000 acres from Weyerhaeuser Company for nearly 48,000 acres of government property. This transaction took in land over two States, Arkansas and Oklahoma, and required Congressional legislation to complete. At the time, it was the largest land exchange in the history of the Forest Service. Nick's colleagues attribute the success of this massive exchange to his wisdom, expertise, and perseverance.

Nick also spearheaded efforts to develop new programs in the Forest Service. He recognized the potential of the Ouachita Mountains as a part of the Forest Service's geological program. Some people may not realize it, but the Ouachita Mountains are home to a series of world-class quartz crystal deposits, many of which are located in the Ouachita National Forest. These deposits have attracted both commercial activity, mineral collectors, and tourists, and Nick should be saluted for recognizing the possibilities of these minerals. Years ago, he sat down with my predecessor, Senator Dale Bumpers, and convinced him of the significance of mineral resources in our Nation's forests, particularly the importance of managing these resources. With Nick's help, Senator Bumpers focused on a

number of important land and mineral issues that were important to the Ouachita National Forest, to the benefit of all Arkansans.

Nick Finzer's farsighted approach to forest management has brought great benefits to Arkansas and to the United States. His efforts have helped to preserve and improve the Ouachita National Forest for us and our children. For that and many other accomplishments, we owe Nick a tremendous debt of gratitude, and I am honored to pay tribute to him.●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting a withdrawal and sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

#### PERIODIC REPORT ON THE NATIONAL EMERGENCY WITH RESPECT TO THE RISK OF NUCLEAR PROLIFERATION CREATED BY THE ACCUMULATION OF WEAPONS-USABLE FISSIONABLE MATERIAL IN THE TERRITORY OF THE RUSSIAN FEDERATION—MESSAGE FROM THE PRESIDENT—PM 63

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs.

#### *To the Congress of the United States:*

As required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), I transmit herewith a 6-month periodic report on the national emergency with respect to the risk of nuclear proliferation created by the accumulation of weapons-usable fissionable material in the territory of the Russian Federation that was declared in Executive Order 13159 of June 21, 2000.

GEORGE W. BUSH.

THE WHITE HOUSE, January 23, 2002.

#### MESSAGES FROM THE HOUSE

##### ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

Under the authority of the order of the Senate of January 3, 2001, the Secretary of the Senate, on December 21, 2001, during the recess of the Senate,

received a message from the House of Representatives announcing that the Speaker has signed the following enrolled bills and joint resolutions:

H.R. 1. An act to close the achievement gap with accountability, flexibility, and choice, so that no child is left behind.

H.R. 2873. An act to extend and amend the program entitled Promoting Safe and Stable Families under title IV-B, subpart 2 of the Social Security Act, and to provide new authority to support programs for mentoring children of incarcerated parents; to amend the Foster Care Independent Living program under title IV-E of that Act to provide for educational and training vouchers for youths aging out of foster care, and for other purposes.

H.J. Res. 79. A joint resolution making further continuing appropriations for the fiscal year 2002, and for other purposes.

H.J. Res. 80. A joint resolution appointing the day for the convening of the second session of the One Hundred Seventh Congress.

Under the authority of the order of the Senate of January 3, 2001, the enrolled bills and joint resolutions were signed by the President pro tempore (Mr. BYRD) on December 21, 2001.

##### ENROLLED BILLS SIGNED

Under the authority of the order of the Senate of January 3, 2001, the Secretary of the Senate, on January 3, 2002, during the recess of the Senate, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled bills:

H.R. 1088. An act to amend the Securities Exchange Act of 1934 to reduce fees collected by the Securities and Exchange Commission, and for other purposes.

H.R. 2277. An act to provide for work authorization for nonimmigrant spouses of treaty traders and treaty investors.

H.R. 2278. An act to provide for work authorization for nonimmigrant spouses of intracompany transferees, and to reduce the period of time during which certain intracompany transferees have to be continuously employed before applying for admission to the United States.

H.R. 2336. An act to extend for 4 years, through December 31, 2005, the authority to redact financial disclosure statements of judicial employees and judicial officers.

H.R. 2506. An act making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and for other purposes.

H.R. 2751. An act to authorize the President to award a gold medal on behalf of the Congress to General Henry H. Shelton and to provide for the production of bronze duplicates of such medal for sale to the public.

H.R. 2869. An act to provide certain relief for small businesses from liability under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, and to amend such Act to promote the cleanup and reuse of brownfields, to provide financial assistance for brownfields revitalization, to enhance State response programs, and for other purposes.

H.R. 2884. An act to amend the Internal Revenue Code of 1986 to provide tax relief for victims of the terrorist attacks against the United States, and for other purposes.

H.R. 3030. An act to extend the basic pilot program for employment eligibility verification, and for other purposes.

H.R. 3061. An act making appropriations for the Departments of Labor, Health and Human Services, and Education, and related



agencies for the fiscal year ending September 30, 2002, and for other purposes.

H.R. 3248. An act to designate the facility of the United States Postal Service located at 65 North Main Street in Cranbury, New Jersey, as the "Todd Beamer Post Office Building."

H.R. 3334. An act to designate the Richard J. Guadagno Headquarters and Visitors Center at Humboldt Bay National Wildlife Refuge, California.

H.R. 3338. An act making appropriations for the Department of Defense for the fiscal year ending September 30, 2002, and for other purposes.

H.R. 3346. An act to amend the Internal Revenue Code of 1986 to simplify the reporting requirements relating to higher education tuition and related expenses.

H.R. 3348. An act to designate the National Foreign Affairs Training Center as the George P. Shultz National Foreign Affairs Training Center.

H.R. 3392. An act to name the national cemetery in Saratoga, New York, as the Gerald B.H. Solomon Saratoga National Cemetery, and for other purposes.

H.R. 3447. An act to amend title 38, United States Code, to enhance the authority of the Secretary of Veterans Affairs to recruit and retain qualified nurses for the Veterans Health Administration, to provide an additional basis for establishing the inability of veterans to defray expenses of necessary medical care, to enhance certain health care programs of the Department of Veterans Affairs, and for other purposes.

S. 1202. An act to amend the Ethics in Government Act of 1978 (5 U.S.C. App.) to extend the authorization of appropriations for the Office of Government Ethics through fiscal year 2006.

S. 1714. An act to provide for the installation of a plaque to honor Dr. James Harvey Early in the Williamsburg, Kentucky Post Office Building.

S. 1741. An act to amend title XIX of the Social Security Act to clarify that Indian women with breast or cervical cancer who are eligible for health services provided under a medical care program of the Indian Health Service or of a tribal organization are included in the optional medicaid eligibility category of breast or cervical cancer patients added by the Breast and Cervical Prevention and Treatment Act of 2000.

S. 1789. An act to amend the Federal Food, Drug, and Cosmetic Act to improve the safety and efficacy of pharmaceuticals for children.

S. 1793. An act to provide the Secretary of Education with specific waiver authority to respond to conditions in the national emergency declared by the President on September 14, 2001.

Under the authority of the order of the Senate of January 3, 2001, the enrolled bills were signed by the President pro tempore (Mr. BYRD) on January 3, 2002.

At 2:49 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 resolution:

H. Res. 332. A resolution informing the Senate that a quorum of the House is present and that the House is ready to proceed with business.

The message also announced that the House has passed the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 299. Concurrent resolution providing for a joint session of Congress to

receive a message from the President on the state of the Union.

The message further announced that the House has agreed to the amendment of the Senate to the amendment of the House to the amendments of the Senate to the bill (H.R. 2884) to amend the Internal Revenue Code of 1986 to provide tax relief for victims of the terrorist attacks against the United States on September 11, 2001.

The message also announced that the House has agreed to the amendments of the Senate to the bill (H.R. 2336) to make permanent the authority to redact financial disclosure statements of judicial employees and judicial officers.

The message further announced that the House has agreed to the amendment of the Senate to the bill (H.R. 700) to reauthorize the Asian Elephant Conservation Act of 1997.

#### MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

H.R. 400. An act to authorize the Secretary of the Interior to establish the Ronald Reagan Boyhood Home National Historic Site, and for other purposes.

H.R. 1432. An act to designate the facility of the United States Postal Service located at 3698 Inner Perimeter Road in Valdosta, Georgia, as the "Major Lyn McIntosh Post Office Building."

H.R. 2362. An act to establish the Benjamin Franklin Tercentenary Commission.

H.R. 2742. An act to authorize the construction of a Native American Cultural Center and Museum in Oklahoma City, Oklahoma.

H.R. 3343. An act to amend title X of the Energy Policy Act of 1992, and for other purposes.

H.R. 3441. An act to amend title 49, United States Code, to realign the policy responsibility in the Department of Transportation, and for other purposes.

H.R. 3487. An act to amend the Public Health Service Act with respect to health professions programs regarding the field of nursing.

H.R. 3504. An act to amend the Public Health Service Act with respect to qualified organ procurement organizations.

H.R. 3529. An act to provide tax incentives for economic recovery and assistance to displaced workers.

#### ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on January 3, 2002, she had presented to the President of the United States the following enrolled bills:

S. 1202. An act to amend the Ethics in Government Act of 1978 (5 U.S.C. App.) to extend the authorization of appropriations for the Office of Government Ethics through fiscal year 2006.

S. 1714. An act to provide for the installation of a plaque to honor Dr. James Harvey Early in the Williamsburg, Kentucky Post Office Building.

S. 1741. An act to amend title XIX of the Social Security Act to clarify that Indian women with breast or cervical cancer who are eligible for health service provided under a medical care program of the Indian Health Service or of a tribal organization are in-

cluded in the optional medicaid eligibility category of breast or cervical cancer patients added by the Breast and Cervical Prevention and Treatment Act of 2000.

S. 1789. An act to amend the Federal Food, Drug and Cosmetic Act to improve the safety and efficacy of pharmaceuticals for children.

S. 1793. An act to provide the Secretary of Education with specific waiver authority to respond to conditions in the national emergency declared by the President on September 14, 2001.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-4986. A communication from the Director of the Policy Directives and Instructions Branch, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Adjustment of Certain Fees of the Immigration Examinations Fee Account" (RIN1115-AF61) received on December 20, 2001; to the Committee on the Judiciary.

EC-4987. A communication from the Chief of the Regulations Branch, United States Customs Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Passenger and Crew Manifests Required for Passenger Flights in Foreign Air Transportation to the United States" (RIN1515-AC99) received on January 4, 2002; to the Committee on Finance.

EC-4988. A communication from the Assistant Attorney General, Civil Division, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "September 11th Victim Compensation Fund of 2001" (RIN1105-AA79) received on January 4, 2002; to the Committee on the Judiciary.

EC-4989. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to law, the report of the texts and background statements of international agreements, other than treaties; to the Committee on Foreign Relations.

EC-4990. A communication from the Deputy Secretary of Defense, transmitting, pursuant to law, a report on proposed obligations for weapons destruction and non-proliferation in the former Soviet Union; to the Committee on Armed Services.

EC-4991. A communication from the Deputy Secretary of Defense, transmitting, pursuant to law, a report on the delay of the annual report on the current and future military power of the People's Republic of China; to the Committee on Armed Services.

EC-4992. A communication from the Secretary of the Air Force, transmitting, pursuant to law, a report relative to a Program Acquisition Unit Cost breach; to the Committee on Armed Services.

EC-4993. A communication from the Chief of the Programs and Legislation Division, Office of Legislative Liaison, Department of the Air Force, transmitting, pursuant to law, a report concerning a cost comparison to reduce the cost of Personnel Services function; to the Committee on Armed Services.

EC-4994. A communication from the Chief of the Programs and Legislation Division, Office of Legislative Liaison, Department of the Air Force, transmitting, pursuant to law, a report concerning a cost comparison to reduce the cost of the Communication function; to the Committee on Armed Services.

EC-4995. A communication from the General Counsel, Office of Management and

Budget, Executive Office of the President, transmitting, pursuant to law, the report of a vacancy and a nomination for the position of Deputy Director, Office of Management and Budget, received on January 4, 2002; to the Committee on Governmental Affairs.

EC-4996. A communication from the Deputy Archivist of the United States, National Archives and Records Administration, transmitting, pursuant to law, the report of a rule entitled "Privacy Act" (RIN3095-AA99) received on January 4, 2002; to the Committee on Governmental Affairs.

EC-4997. A communication from the General Counsel of the General Accounting Office, transmitting, pursuant to law, a report relative to a bid of protest in 2000; to the Committee on Governmental Affairs.

EC-4998. A communication from the Assistant Secretary for Administration, Department of Transportation, transmitting, pursuant to law, a report of the inventories of commercial positions in the Department of Transportation; to the Committee on Governmental Affairs.

EC-4999. A communication from the Director of the Office of Regulations Management, Veterans Benefits Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Filipino Veterans' Benefits Improvements" (RIN2900-AK65) received on January 9, 2001; to the Committee on Veterans' Affairs.

EC-5000. A communication from the Director of the Office of Regulations Management, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Per Diem for Adult Day Health Care of Veterans in State Homes" (RIN2900-AJ74) received on January 9, 2002; to the Committee on Veterans' Affairs.

EC-5001. A communication from the Acting General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Electronic Filing of FERC Form 423" (RM00-1-000) received on January 4, 2002; to the Committee on Energy and Natural Resources.

EC-5002. A communication from the Assistant General Counsel for Regulatory Law, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Energy Conservation Program for Consumer Products: Test Procedures for Dishwashers" (RIN1904-AB04) received on January 11, 2002; to the Committee on Energy and Natural Resources.

EC-5003. A communication from the Assistant General Counsel for Regulatory Law, Office of Inspector General, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Cooperation with the Office of Inspector General" (DOE 221.2) received on January 11, 2002; to the Committee on Energy and Natural Resources.

EC-5004. A communication from the Assistant General Counsel for Regulatory Law, Office of Environmental Management, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Transition Implementation Guide" (DOE G 430.1-5) received on January 11, 2002; to the Committee on Energy and Natural Resources.

EC-5005. A communication from the Assistant General Counsel for Regulatory Law, Office of Departmental Representative, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Interface with the Defense Nuclear Facilities Safety Board" (DOE M 140.1-1B) received on January 11, 2002; to the Committee on Energy and Natural Resources.

EC-5006. A communication from the Assistant General Counsel for Regulatory Law, Office of Inspector General, Department of Energy, transmitting, pursuant to law, the re-

port of a rule entitled "Reporting Fraud, Waste and Abuse to the Office of Inspector General" (DOE O 221.1) received on January 11, 2001; to the Committee on Energy and Natural Resources.

EC-5007. A communication from the President of the United States, transmitting, pursuant to law, a Periodic Report on the National Emergency with Respect to the Taliban in Afghanistan; to the Committee on Banking, Housing, and Urban Affairs.

EC-5008. A communication from the President of the United States, transmitting, pursuant to law, a Periodic Report on the National Emergency with Respect to the Western Balkans; to the Committee on Banking, Housing, and Urban Affairs.

EC-5009. A communication from the President of the United States, transmitting, a report relative to the continuation of the Libya Emergency beyond January 7, 2002; to the Committee on Banking, Housing, and Urban Affairs.

EC-5010. A communication from the President of the United States, transmitting, pursuant to law, a Periodic Report on the National Emergency with Respect to Libya; to the Committee on Banking, Housing, and Urban Affairs.

EC-5011. A communication from the Director of the Financial Crimes Enforcement Network, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Amendment to the Bank Secrecy Act Regulations—Requirement the Non-financial Trades or Businesses Report Certain Currency Transactions" (RIN1506-AA25) received on January 4, 2002; to the Committee on Banking, Housing, and Urban Affairs.

EC-5012. A communication from the Assistant to the Federal Reserve Board, transmitting, pursuant to law, the report of a rule entitled "Home Mortgage Disclosure (Regulation C): Annual Adjustment to Asset-Size Exemption Threshold for Depository Institutions" received on January 4, 2002; to the Committee on Banking, Housing, and Urban Affairs.

EC-5013. A communication from the Deputy Secretary of the Division of Market Regulation, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Commission Guidance on the Scope of Section 28(e) of the Exchange Act" (15 U.S.C. 78bb(e)) received on January 4, 2002; to the Committee on Banking, Housing, and Urban Affairs.

EC-5014. A communication from the Deputy Secretary of the Division of Corporation Finance, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Disclosure of Equity Compensation Plan Information" (RIN3235-A101) received on January 4, 2002; to the Committee on Banking, Housing, and Urban Affairs.

EC-5015. A communication from the Vice Chairman of the Export-Import Bank of the United States, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Thailand; to the Committee on Banking, Housing, and Urban Affairs.

EC-5016. A communication from the Trial Attorney of the Federal Railroad Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Annual Adjustment of Monetary Threshold for Reporting Rail Equipment Accidents/Incidents" (RIN2130-AB30) received on January 4, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5017. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report entitled "TREAD Follow-Up Report"; to the Committee on Commerce, Science, and Transportation.

EC-5018. A communication from the Program Analyst of the Federal Aviation Administration, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: SOCATA Groupe Aerospatiale Models TB 9, 10, 20, 21, and 200 Airplanes" ((RIN2120-AA64)(2002-0001)) received on January 9, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5019. A communication from the Program Analyst of the Federal Aviation Administration, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Boeing Model 747 Series Airplanes" ((RIN2120-AA64)(2002-0002)) received on January 9, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5020. A communication from the Program Analyst of the Federal Aviation Administration, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: SAAB Model SF340A and 340B Series Airplanes" ((RIN2120-AA64)(22202-0003)) received on January 9, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5021. A communication from the Program Analyst of the Federal Aviation Administration, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Boeing 747 Series Airplanes" ((RIN2120-AA64)(2002-0004)) received on January 9, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5022. A communication from the Program Analyst of the Federal Aviation Administration, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Boeing Model 737-600, -700, and -800 Series Airplanes" ((RIN2120-AA64)(2001-0590)) received on January 9, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5023. A communication from the Program Analyst of the Federal Aviation Administration, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Boeing Model 737 Airplanes" ((RIN2120-AA64)(2001-0591)) received on January 9, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5024. A communication from the Program Analyst of the Federal Aviation Administration, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: McDonnell Douglas Model MD 90-30 Series Airplanes" ((RIN2120-AA64)(2001-0592)) received on January 9, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5025. A communication from the Program Analyst of the Federal Aviation Administration, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: GARMIN International GNS 430 Units" ((RIN2120-AA64)(2001-0593)) received on January 9, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5026. A communication from the Program Analyst of the Federal Aviation Administration, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Rolls Royce Corporation 250-C20 Series Turboprop and 250-B17 Series Turboprop Engines" ((RIN2120-AA64)(2001-0594)) received on January 9, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5027. A communication from the Program Analyst of the Federal Aviation Administration, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives:

Agusta SpA Model A119 Helicopters" ((RIN2120-AA64)(2001-0595)) received on January 9, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5028. A communication from the Program Analyst of the Federal Aviation Administration, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Cirrus Design Corp Models SR20 and SR22 Airplanes" ((RIN2120-AA64)(2001-0596)) received on January 9, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5029. A communication from the Program Analyst of the Federal Aviation Administration, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Bell Helicopter Textron, Inc. Model 206A, B, A-1, B-1, L, and L-1 Helicopters" ((RIN2120-AA64)(2001-0597)) received on January 9, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5030. A communication from the Program Analyst of the Federal Aviation Administration, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Bombardier Model CL-600-2B19 Series Airplanes; Correction" ((RIN2120-AA64)(2001-0598)) received on January 9, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5031. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Rolls Royce 250-C20 Turboshaft and 250 B17 Turboprop Engines; Correction" ((RIN2120-AA64)(2001-0599)) received on January 9, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5032. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Rolls Royce, plc Models Tay 650-15 and 651-54 Turbofan Engines" ((RIN2120-AA64)(2001-0601)) received on January 9, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5033. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Hartzell Propeller Inc. (HC)-(2Y)-() Propellers" ((RIN2120-AA64)(2001-0602)) received on January 9, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5034. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Rolls Royce RB211 Turbofan Engines" ((RIN2120-AA64)(2001-0603)) received on January 9, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5035. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: SOCATA Groupe Aerospatiale Model TBM 700 Airplanes" ((RIN2120-AA64)(2001-0604)) received on January 9, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5036. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Pilatus Aircraft Ltd. Models PC12 and PC45" ((RIN2120-AA64)(2001-0605)) received on January 9, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5037. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Cessna Aircraft Company Model 172N, P, R172k, RG, F172N, P, J, and K Airplanes" ((RIN2120-AA64)(2001-0606)) received on January 9, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5038. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Fokker Model F28 Mark 0100 Series Airplanes" ((RIN2120-AA64)(2001-0607)) received on January 9, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5039. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: McDonnell Douglas Model DC 8-33, -43, -51, -52, -53, and -55 Series Airplanes; Model DC 8F 54 and 55 Series Airplanes; and Model DC 8-61, -61F, -63, -63F, -71, -71F, -72, -72F, -73, and -73F Series Airplanes" ((RIN2120-AA64)(2001-0608)) received on January 9, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5040. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Raytheon Aircraft Company Beech Models 1900, 1900C (C-12J), and 1900D Airplanes" ((RIN 2120-AA64) (2001-0609)) received on January 9, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5041. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: McDonnell Douglas Models DC-9, 81, 82, 83, and 87 Series Airplanes; Model MD 88 Airplanes and Model MD-90 30 Series Airplanes" ((RIN 2120-AA64) (2001-0610)) received on January 9, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5042. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Boeing Model 737-600, 700, and 800 Series Airplanes" ((RIN 2120-AA64) (2001-0611)) received on January 9, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5043. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Honeywell International Inc. TFE 731-1, -2, -3, and -4 Turbofan Engines" ((RIN 2120-AA64) (2001-0612)) received on January 9, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5044. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Restricted Area R 6312 Cotulla, TX" ((RIN 2120-AA64) (2001-0176)) received on January 9, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5045. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revision of Class E Airspace; Springhill, IA" ((RIN 2120-AA64) (2001-0177)) received on January 9, 2002; to the Com-

mittee on Commerce, Science, and Transportation.

EC-5046. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "IFR Altitudes; Miscellaneous Amendments (19)" ((RIN 2120-AA63) (2001-0007)) received on January 9, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5047. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment to Class E Airspace; Ankeny, IA" ((RIN 2120-AA66) (2002-0001)) received on January 9, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5048. A communication from the Attorney, Research and Special Programs Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Pipeline Safety: Controlling Corrosion on Hazardous Liquid and Carbon Dioxide Pipelines" (RIN 2137-AD24) received on January 9, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5049. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Imazamox; Pesticide Tolerance" (FRL 6817-9) received on January 4, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5050. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Pymetrozine; Pesticide Tolerance" (FRL 6804-1) received on January 4, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5051. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Halosulfuron-methyl; Pesticide Tolerances for Emergency Exemptions" (FRL 6816-1) received on January 4, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5052. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Halosulfuron-methyl; Pesticide Tolerance" received on January 4, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5053. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Pesticide Chemicals Not Requiring a Tolerance or Exemption from a Tolerance; Rhodamine B; Revocation of Unlimited Tolerance Exemption" (FRL 6813-6) received on January 4, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5054. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Indian Meal Moth Granulosis Virus; Exemption from the Requirement of a Tolerance" (FRL 6812-5); to the Committee on Agriculture, Nutrition, and Forestry.

EC-5055. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Clethodim; Pesticide Tolerances for Emergency Exemptions" (FRL 6817-1) received on January 4, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5056. A communication from the Board of Governors of the Federal Reserve System, Department of the Treasury, Commodity Futures Trading Commission, Securities and Exchange Commission, transmitting jointly, pursuant to law, the Joint Report on Retail Swaps for 2001; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5057. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Ethalfuralin; Pesticide Tolerance" (FRL 6818-6) received on January 9, 2001; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5058. A communication from the Chairman and Chief Executive Officer, Farms Credit Administration, transmitting, pursuant to law, the report of a rule entitled "Loan Policies and Operations; Definitions; Loan Purchases and Sales" (RIN 3052-AB93) received on January 9, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5059. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the antinarcotics campaign in Colombia; to the Committee on Appropriations.

EC-5060. A communication from the Secretary of Defense, transmitting, pursuant to law, a report relative to the nuclear posture of the United States, and a report on sustainment and modernization of U.S. strategic nuclear forces; to the Committee on Armed Services.

EC-5061. A communication from the Director of the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report relative to a cost estimate for pay-as-you-go calculations on the Air Transportation Safety and System Stabilization Act; to the Committee on the Budget.

EC-5062. A communication from the Director of the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a list of appropriation reports; to the Committee on the Budget.

EC-5063. A communication from the Railroad Retirement Board, transmitting, pursuant to law, a report relative to the Program Fraud Civil Remedies Act for Fiscal Year 2001; to the Committee on Governmental Affairs.

EC-5064. A communication from the President of the United States, transmitting, pursuant to provision in PL 94-256, 16 USC 1823, a report relative to extending the Agreement of November 12, 1992 between the United States of America and the Government of the Republic of Lithuania to December 31, 2004; referred jointly, pursuant to the order of January 30, 1975 as modified by the order of April 11, 1986; to the Committees on Commerce, Science, and Transportation; and Foreign Relations.

EC-5065. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Fenbuconazole; Pesticide Tolerance" (FRL 6816-4) received on January 16, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5066. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Imidacloprid; Reestablishment of Tolerance for Emergency Exemptions" (FRL 6817-6) received on January 16, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5067. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the con-

tinuation of the national emergency with respect to Sierra Leone and Liberia to extend beyond January 18, 2002; to the Committee on Banking, Housing, and Urban Affairs.

EC-5068. A communication from the President of the United States, transmitting, pursuant to law, the periodic report on the national emergency with respect to Sierra Leone and Liberia; to the Committee on Banking, Housing, and Urban Affairs.

EC-5069. A communication from the Director of the Congressional Budget Office, transmitting, pursuant to law, a report on Unauthorized Appropriations and Expiring Authorizations; to the Committee on Appropriations.

EC-5070. A communication from the Assistant General Counsel for Regulatory Law, Office of the Chief Information Officer, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Guide to Preventing Computer Software Piracy" (DOE G 205.2-1) received on January 16, 2002; to the Committee on Energy and Natural Resources.

EC-5071. A communication from the Assistant General Counsel for Regulatory Law, Office of Procurement and Assistance Policy, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Implementation of Fiscal Year 2002 Legislative Provisions" (AL 2002-02) received on January 16, 2002; to the Committee on Energy and Natural Resources.

EC-5072. A communication from the Assistant General Counsel for Regulatory Law, Office of Procurement and Assistance Policy, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Implementation of Fiscal Year 2002 Legislative Provisions" (FAL 2002-02) received on January 16, 2002; to the Committee on Energy and Natural Resources.

EC-5073. A communication from the Assistant General Counsel for Regulatory Law, Office of the Chief Financial Officer, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Accounting" (DOE O 534.1A) received on January 16, 2002; to the Committee on Energy and Natural Resources.

EC-5074. A communication from the Assistant General Counsel for Regulatory Law, Office of Management Systems, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Use of Facility Contractor Employees for Services to DOE in the Washington, D.C., Area" (DOE O 350.2) received on January 16, 2002; to the Committee on Energy and Natural Resources.

EC-5075. A communication from the Assistant General Counsel for Regulatory Law, Office of the Secretary, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Radioactive Waste Management Manual" (DOE M 435.1-1 Chg. 1) received on January 16, 2002; to the Committee on Energy and Natural Resources.

EC-5076. A communication from the Deputy Secretary of Defense, transmitting, the report of a retirement; to the Committee on Armed Services.

EC-5077. A communication from the Deputy Secretary of Defense, transmitting, the report of a retirement; to the Committee on Armed Services.

EC-5078. A communication from the Secretary of Defense, transmitting, the report of a retirement; to the Committee on Armed Services.

EC-5079. A communication from the Deputy Secretary of Defense, transmitting, pursuant to law, the Annual Report for the National Security Education Program for 2000; to the Committee on Armed Services.

EC-5080. A communication from the Program Manager of the Pentagon Renovation Program, Office of the Secretary of Defense,

transmitting, pursuant to law, a report relative to the Renovation of the Pentagon; to the Committee on Armed Services.

EC-5081. A communication from the Assistant General Counsel for Regulatory Law, Albuquerque Operations Office, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Control of Nuclear Explosives During Pantex Plant Operations" (AL SD 452.4) received on January 16, 2002; to the Committee on Armed Services.

EC-5082. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Implementation of the National Invasive Species Act of 1996" ((RIN2115-AF55)(2002-0001)) received on January 11, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5083. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Safety/Security Zone Regulations; Liquid Natural Gas Carrier Transits and Anchorage Operations, Boston, Marine Inspection Zone and Captain of the Port Zone" ((RIN2115-AA97)(2001-0002)) received on January 11, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5084. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Safety/Security Zone Regulations; High Interest Vessels Transits, Narragansett Bay, Providence River, and Taunton River, Rhode Island" ((RIN2115-AA97)(2002-0003)) received on January 11, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5085. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Regatta Regulations: Circular Wireless Winterfest Boat Parade, Broward County, Fort Lauderdale, Florida" ((RIN2115-AE46)(2002-0002)) received on January 11, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5086. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Safety/Security Zone Regulations; Maine Yankee Nuclear Power Plant, Wiscasset, Maine" ((RIN2115-AA97)(2002-0006)) received on January 11, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5087. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Safety/Security Zone Regulations; Tampa Bay, Florida" ((RIN2115-AA97)(2002-0005)) received on January 11, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5088. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Safety/Security Zone Regulations; Gulf Intracoastal Waterway Port Isabel, Texas" ((RIN2115-AA97)(2002-0004)) received on January 11, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5089. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Regulations; Mississippi River, Iowa

and Illinois" ((RIN2115-AE47)(2002-0004)) received on January 11, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5090. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Draw-bridge Regulations: Back River, ME" ((RIN2115-AE47)(2002-0003)) received on January 11, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5091. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Draw-bridge Regulations: Hackensack River, NJ" ((RIN2115-AE47)(2002-0002)) received on January 11, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5092. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Draw-bridge Regulations: Mianus River, CT" ((RIN2115-AE47)(2002-0001)) received on January 11, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5093. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Regulated Navigation Area; Chesapeake Bay Entrance and Hampton Roads, VA and Adjacent Water" ((RIN2115-AE84)(2002-0001)) received on January 11, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5094. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Draw-bridge Regulations; Lake Pontchartrain, LA" ((RIN2115-AE47)(2002-0005)) received on January 11, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5095. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Pollution Prevention for Oceangoing Ships and Certain Vessels in Domestic Service" ((RIN2115-AF56)(2002-0001)) received on January 11, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5096. A communication from the Senior Legal Advisor to the Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations; Kailua-Kona, Hawaii" (MM Doc. No. 00-174) received on January 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5097. A communication from the Senior Legal Advisor to the Chief of the Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations; (St. Augustine and Neptune Beach, Florida)" (MM Doc. No. 01-101) received on January 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5098. A communication from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.622(b), Table of Allotments, DTV Broadcast Stations; Destin, FL" (MM Doc. No. 01-171, RM-10158) received on January 16,

2002; to the Committee on Commerce, Science, and Transportation.

EC-5099. A communication from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Ancillary or Supplementary Use of Digital Television Capacity by Noncommercial Licenses" (MM Doc. No. 98-203) received on January 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5100. A communication from the Senior Legal Advisor, Wireless Telecommunications, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Revision of Part 22 and Part 90 of the Commission's Rules to Facilitate Future Development of Paging Systems, and Implementation of Section 309(j) of the Communications Act—Competitive Bidding" (WT Doc. No. 96-18) received on January 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5101. A communication from the Attorney, Common Carrier Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "2000 Biennial Regulatory Review—Comprehensive Review of the Accounting Requirements and ARMIS Reporting Requirements for Incumbent Local Exchange Carriers: Phase 2; Amendments to the Uniform System of Accounts for Interconnection; Jurisdictional Separations Reform and Referral to the Federal-State Joint Board; Local Competition and Broadband Reporting" (FCC 01-305) received on January 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5102. A communication from the Deputy Chief, Accounting Policy Division, Common Carrier Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "In the Matter of Multi-Association Group (MAG) Plan for Regulation of Interstate Services of Non-Price Cap Incumbent Local Exchange Carriers and Interexchange Carriers; Federal-State Joint Board on Universal Service; Access Charge Reform for Incumbent Local Exchange Carriers Subject to Rate-of-Return Regulation; Prescribing the Authorized Rate of Return for Interstate Services of Local Exchange Carriers" (FCC 01-304) received on January 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5103. A communication from the Acting Chief, Policy and Rules Division, Office of Engineering and Technology, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Part 2 of the Commission's Rules to Allocate Spectrum Below 3 GHz for Mobile and Fixed Services to Support the Introduction of New Advanced Wireless Services, Including Third Generation Wireless Service" (FCC 01-256) received on January 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5104. A communication from the Acting Chief of the Policy and Rules Division, Office of Engineering and Technology, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Authorization and Use of Software Defined Radios" (FCC 01-264) received on January 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5105. A communication from the Assistant Bureau Chief, Management, International Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "First Order on Reconstruction in the Matter of Redesignation of the 18 GHz Frequency Band, Blanket Licensing of Satellite Earth Stations in the Ka-Band, and the Allocation of Additional

Spectrum for Broadcast Satellite-Service Use" (FCC 01-323) received on January 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5106. A communication from the Associate Chief, Accounting Policy Division, Common Carrier Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "In the Matter of Billed Party Preference for Inter LATA 0+ Calls, Second Order on Reconsideration in CC Docket No. 92-77" (FCC 01-355) received on January 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5107. A communication from the Legal Advisor, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Implementation of 911 Act; The Use of N11 Codes and Other Abbreviated Dialing Arrangements" (CC Doc. 92-105) received on January 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5108. A communication from the Attorney, Common Carrier Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "In the Matter of Numbering Resource Optimization; Implementation of the Local Competition Provision of the Telecommunications Act of 1996; Telephone Number Portability, Third Report and Order and Second Order on Reconsideration in CC Docket No. 96-98 and CC Docket No. 99-200" (FCC 01-362) received on January 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5109. A communication from the Senior Transportation Analyst, Office of the Secretary of Transportation, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Procedures for Compensation of Air Carriers" ((RIN2105-AD06)(2002-0001)) received on January 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5110. A communication from the Assistant Bureau Chief, Management, International Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Report and Order in the Matter of Commission Consideration of Applications Under the Cable Landing License Act" (FCC 01-332) received on January 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5111. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Flight Crew Compartment Access and Door Designs" (RIN2120-AH55) received on January 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5112. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Safe Disposition of Life-Limited Aircraft Parts" (RIN2120-AH11) received on January 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5113. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Security Considerations in the Design of the Flightdeck on Transport Category Airplanes" (RIN2120-AH56) received on January 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5114. A communication from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations; Olathe, CO and Paonia,

CO" (MM Doc. No. 98-188) received on January 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5115. A communication from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations; Detroit Lakes and Barnesville, Minnesota, and Enderlin, North Dakota" (MM Doc. No. 00-53) received on January 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5116. A communication from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations; Simpsonville, South Carolina" (MM Doc. No. 01-110) received on January 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5117. A communication from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations; Pittsburg, New Hampshire" (MM Doc. No. 01-170) received on January 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5118. A communication from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations; Huntsville, La Porte, Nacogdoches and Willis, Texas and Lake Charles, Louisiana" (MM Doc. No. 01-31) received on January 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5119. A communication from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations; Mendocino, CA" (MM Doc. No. 01-168) received on January 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5120. A communication from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations; Wadley, Georgia" (MM Doc. No. 01-178) received on January 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5121. A communication from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotment, FM Broadcast Stations; Moberly, Lee's Summit and Madison, Missouri" (MM Doc. No. 00-129) received on January 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5122. A communication from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations; Clinton and Oliver Springs, Tennessee" (MM Doc. No. 001-195) received on January 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5123. A communication from the Senior Legal Advisor to the Bureau Chief, Mass

Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations; Burgin and Science Hill, Kentucky" (MM Doc. No. 00-173) received on January 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5124. A communication from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.622(b), Table of Allotments, DTV Broadcast Stations; Boise, IA" (MM Doc. No. 01-85) received on January 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5125. A communication from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations; Sykesville, Pennsylvania" (MM Doc. No. 01-176) received on January 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5126. A communication from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations; Las Vegas and Pecos, New Mexico" (MM Doc. No. 01-141) received on January 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5127. A communication from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments; FM Broadcast Stations; Nogales, Vail and Patagonia, Arizona" (MM Doc. No. 00-31) received on January 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5128. A communication from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.622(b), Table of Allotments, DTV Broadcast Stations; Calumet, MI" (MM Doc. No. 01-166) received on January 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5129. A communication from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations; Barnwell, South Carolina, and Pembroke, Douglas, Willacooche, Statesboro, Pulaski, East Dublin, Swainsboro and Twin City, Georgia" (MM Doc. No. 00-18) received on January 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5130. A communication from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.606(b), Table of Allotments; TV Broadcast Stations; International Falls and Chisholm, Minnesota" (MM Doc. No. 01-87) received on January 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5131. A communication from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.622(b), Table of Allotments, DTV

Broadcast Stations; San Antonio, TX" (MM Doc. No. 00-100) received on January 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5132. A communication from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.622(b), Table of Allotments, DTV Broadcast Stations; New Orleans, LA" (MM Doc. No. 01-164) received on January 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5133. A communication from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations; Brightwood, Madras, Prineville and Bend, Oregon" (MM Doc. No. 00-87) received on January 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5134. A communication from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotment, FM Broadcast Stations; Sabinal, Texas" (MM Doc. No. 01-187) received on January 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5135. A communication from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations; McConellsville, Ohio" (MM Doc. No. 00-172) received on January 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5136. A communication from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments; FM Broadcast Stations; Grants, Milan, and Shiprock, New Mexico; Van Wert and Columbus Grove, Ohio; Lebanon and Hamilton, Ohio and Fort Thomas, Kentucky" (MM Doc. Nos. 01-118, -119, -122) received on January 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5137. A communication from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations; Arthur, North Dakota" (MM Doc. No. 01-12) received on January 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5138. A communication from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations; Soperton, East Dublin and Swainsboro, Georgia" (MM Doc. No. 99-259) received on January 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5139. A communication from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Review of the Commission's Rules and Policies Affecting the Conversion to Digital Television" (MM Doc. No. 00-39) received on January 16, 2002; to the Committee on Commerce, Science, and Transportation.



## NOMINATION DISCHARGED

Pursuant to a unanimous consent agreement of January 5, 2001, the Committee on Governmental Affairs was discharged of the following nomination:

## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Kenneth M. Donohue, Sr., of Virginia, to be Inspector General, Department of Housing and Urban Development.

## 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 Mrs. CLINTON (for herself and Mr. SCHUMER):

S. 1892. A bill to designate the facility of the United States Postal Service located at 375 Carlls Path in Deer Park, New York, as the "Raymond M. Downey Post Office Building"; to the Committee on Governmental Affairs.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. LEVIN (for himself, Mr. DEWINE, Ms. LANDRIEU, Ms. STABENOW, Mr. CRAIG, Mrs. CLINTON, Mr. HELMS, Mr. VOINOVICH, Mr. ROCKEFELLER, Mr. GRASSLEY, Mr. BAUCUS, Mr. CHAFEE, Mr. CRAPO, Mr. INHOFE, Mrs. FEINSTEIN, Mr. HOLLINGS, Mr. LUGAR, Mr. HAGEL, Mrs. HUTCHISON, Mr. JOHNSON, Mr. ALLEN, Mr. MCCAIN, Mr. NICKLES, Mr. BURNS, Mr. SESSIONS, Mr. DURBIN, Mr. SPECTER, and Mr. HUTCHINSON):

S. Res. 199. A resolution honoring the life of Rex David "Dave" Thomas and expressing the deepest condolences of the Senate to his family on his death; considered and agreed to.

By Mr. KENNEDY (for himself and Ms. MIKULSKI):

S. Res. 200. A resolution expressing the sense of the Senate regarding the national nutrition program for the elderly, on the occasion of the 30th anniversary of its establishment; considered and agreed to.

## ADDITIONAL COSPONSORS

S. 201

At the request of Mr. WARNER, the name of the Senator from Virginia (Mr. ALLEN) was added as a cosponsor of S. 201, a bill to require that Federal agencies be accountable for violations of antidiscrimination and whistleblower protection laws, and for other purposes.

S. 281

At the request of Mr. HAGEL, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 281, a bill to authorize the design and construction of a temporary education center at the Vietnam Veterans Memorial.

S. 358

At the request of Mr. FRIST, the name of the Senator from Ohio (Mr.

VOINOVICH) was added as a cosponsor of S. 358, a bill to amend the Social Security Act to establish a Medicare Prescription Drug and Supplemental Benefit Program and for other purposes.

S. 456

At the request of Ms. SNOWE, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 456, a bill to amend title 38, United States Code, to enhance the assurance of efficiency, quality, and patient satisfaction in the furnishing of health care to veterans by the Department of Veterans Affairs, and for other purposes.

S. 732

At the request of Mr. THOMPSON, the name of the Senator from Alaska (Mr. MURKOWSKI) was added as a cosponsor of S. 732, a bill to amend the Internal Revenue Code of 1986 to reduce the depreciation recovery period for certain restaurant buildings, and for other purposes.

S. 742

At the request of Mr. GRASSLEY, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 742, a bill to provide for pension reform, and for other purposes.

S. 865

At the request of Mr. MCCONNELL, the name of the Senator from Ohio (Mr. VOINOVICH) was added as a cosponsor of S. 865, a bill to provide small businesses certain protections from litigation excesses and to limit the product liability of nonmanufacturer product sellers.

S. 866

At the request of Mr. REID, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 866, a bill to amend the Public Health Service Act to provide for a national media campaign to reduce and prevent underage drinking in the United States.

S. 906

At the request of Mr. ENZI, the name of the Senator from Virginia (Mr. ALLEN) was added as a cosponsor of S. 906, a bill to provide for protection of gun owner privacy and ownership rights, and for other purposes.

S. 1030

At the request of Mr. CONRAD, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 1030, a bill to improve health care in rural areas by amending title XVIII of the Social Security Act and the Public Health Service Act, and for other purposes.

S. 1125

At the request of Mr. DORGAN, his name was added as a cosponsor of S. 1125, a bill to conserve global bear populations by prohibiting the importation, exportation, and interstate trade of bear viscera and items, products, or substances containing, or labeled or advertised as containing, bear viscera, and for other purposes.

S. 1209

At the request of Mr. BINGAMAN, the names of the Senator from Florida (Mr.

GRAHAM), the Senator from Delaware (Mr. BIDEN), the Senator from Nevada (Mr. REID), and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. 1209, a bill to amend the Trade Act of 1974 to consolidate and improve the trade adjustment assistance programs, to provide community-based economic development assistance for trade-affected communities, and for other purposes.

S. 1230

At the request of Mr. FRIST, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. 1230, a bill to amend the Public Health Service Act to focus American efforts on HIV/AIDS, tuberculosis, and malaria in developing countries.

S. 1566

At the request of Mr. REID, the names of the Senator from California (Mrs. FEINSTEIN) and the Senator from South Dakota (Mr. DASCHLE) were added as cosponsors of S. 1566, a bill to amend the Internal Revenue code of 1986 to modify and expand the credit for electricity produced from renewable resources and waste products, and for other purposes.

S. 1593

At the request of Mr. JEFFORDS, the name of the Senator from South Carolina (Mr. HOLLINGS) was added as a cosponsor of S. 1593, a bill to authorize the Administrator of the Environmental Protection Agency to establish a grant program to support research projects on critical infrastructure protection for water supply systems, and for other purposes.

S. 1651

At the request of Mr. DORGAN, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1651, a bill to establish the United States Consensus Council to provide for a consensus building process in addressing national public policy issues, and for other purposes.

S. 1655

At the request of Mr. BIDEN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1655, a bill to amend title 18, United States Code, to prohibit certain interstate conduct relating to exotic animals.

S. 1738

At the request of Mr. KERRY, the name of the Senator from Colorado (Mr. CAMPBELL) was added as a cosponsor of S. 1738, a bill to amend title XVIII of the Social Security Act to provide regulatory relief, appeals process reforms, contracting flexibility, and education improvements under the medicare program, and for other purposes.

S. 1749

At the request of Mr. KENNEDY, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 1749, a bill to enhance the border security of the United States, and for other purposes.

S. 1774

At the request of Mr. CORZINE, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 1774, a bill to accord honorary citizenship to the alien victims of September 11, 2001, terrorist attacks against the United States and to provide for the granting of citizenship to the alien spouses and children of certain victims of such attacks.

S. 1839

At the request of Mr. ALLARD, the name of the Senator from Minnesota (Mr. DAYTON) was added as a cosponsor of S. 1839, a bill to amend the Bank Holding Company Act of 1956, and the Revised Statutes of the United States to prohibit financial holding companies and national banks from engaging, directly or indirectly, in real estate brokerage or real estate management activities, and for other purposes.

S. 1867

At the request of Mr. LIEBERMAN, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 1867, a bill to establish the National Commission on Terrorist Attacks Upon the United States, and for other purposes.

S. RES. 182

At the request of Mrs. FEINSTEIN, the names of the Senator from Minnesota (Mr. WELLSTONE), the Senator from Indiana (Mr. LUGAR), and the Senator from Vermont (Mr. JEFFORDS) were added as cosponsors of S. Res. 182, a resolution expressing the sense of the Senate that the United States should allocate significantly more resources to combat global poverty.

#### STATEMENTS OF INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. CLINTON (for herself and Mr. SCHUMER):

S. 1892. A bill to designate the facility of the United States Postal Service located at 37 Carl Path in Deer Park, New York, as the "Raymond M. Downey Post Office Building"; to the Committee on Government Affairs.

Mrs. CLINTON. Madam President, I rise today to introduce legislation to pay tribute to a great New Yorker, a beloved leader and noble public servant, Deputy Chief Ray Downey of the New York City Fire Department. The legislation I'm introducing today with my colleague, Senator SCHUMER, would name a post office in Deer Park, New York as the "Raymond M. Downey Post Office Building."

Firs, I want to express my deepest sympathies to his wife, Rosalie, and their five children for their terrible loss.

A hero among heroes, Ray Downey was one of the most decorated members of the Fire Department, awarded five medals for valor and 16 unit citations. His esteemed career spanned nearly 40 years with the New York Fire Department, including service with both ladder and engine companies, as

well as rescue squads. A former Marine, Downey joined the New York fire department in 1962, first serving in Brooklyn.

From the Murrah Federal Building in Oklahoma City in 1995 to the 1993 World Trade Center bombing, Chief Downey helped lead the department with his skill and courage. He was considered a leading expert on rescues involving collapsed buildings. For nearly 15 years, he commanded Rescue Company 2 and in August, because of his leadership and skill, he was promoted to Special Operations Command, which dealt with hazardous materials and rescue work. The reach of his work extended beyond New York City. He was a leader of the Urban Search and Rescue Team, which assisted in the Walton Floods response in Upstate New York, as well as the "ice storm" that hit Upstate in 2000 and Hurricane Georges and the Dominican Republic.

Due to his incredible knowledge of how buildings fall down, he has been described as having "rock star" status among firefighters across the country. Congressman Israel, who introduced the companion legislation in the House of Representatives, summed it up well, saying, "He is a national treasure." I could not agree more.

Chief Downey was also a member of a national advisory commission on domestic response to terrorism. Nearly five years ago, he warned that our next war would be fought in an urban area, and, unfortunately, he was right. Early on September 11, at age 63, just like he did a thousand times before, Ray Downey responded to the call for duty. In spite of his age, he joined the heroic and unforgettable effort to save lives in World Trade Center towers. The unmistakable courage and the incalculable sacrifices that he and all the public safety officers who responded that day made for the good of their communities and their country are the kinds of virtues and values that make them real-life heroes.

It has been reported that after September 11, Ray Downey's wife Rosalie, found a manila folder in his brief case filled with letters and praise from his lifetime of service. This modest man, who never boasted of his incredible rescues, had immense pride in his work, and rightly so. He quietly chronicled his service to the city and the manila folder grew thicker.

His life of service will also live on in the hearts and minds of all those whose lives he touched through his bravery and leadership. We will never forget Ray Downey's extraordinary career and I ask you to join us today in supporting this legislation, which will create a lasting tribute to this legendary figure. Ray Downey leaves behind a grateful city, in awe of all he achieved on its behalf.

#### SUBMITTED RESOLUTIONS

SENATE RESOLUTION 200—EXPRESSING THE SENSE OF THE SENATE REGARDING THE NATIONAL NUTRITION PROGRAM FOR THE ELDERLY, ON THE OCCASION OF THE 30TH ANNIVERSARY OF ITS ESTABLISHMENT

Mr. KENNEDY (for himself and Ms. MIKULSKI) submitted the following resolution; which was considered and agreed to:

SENATE RESOLUTION 199—HONORING THE LIFE OF REX DAVID "DAVE" THOMAS AND EXPRESSING THE DEEPEST CONDOLENCES OF THE SENATE TO HIS FAMILY ON HIS DEATH

Mr. LEVIN (for himself, Mr. DEWINE, Ms. LANDRIEU, Ms. STABENOW, Mr. CRAIG, Mrs. CLINTON, Mr. HELMS, Mr. VOINOVICH, Mr. ROCKEFELLER, Mr. GRASSLEY, Mr. BAUCUS, Mr. CHAFEE, Mr. CRAPO, Mr. INHOFE, Mrs. FEINSTEIN, Mr. HOLLINGS, Mr. LUGAR, Mr. HAGEL, Mrs. HUTCHISON, Mr. JOHNSON, Mr. ALLEN, Mr. MCCAIN, Mr. NICKLES, Mr. BURNS, Mr. SESSIONS, Mr. DURBIN, Mr. SPECTER, and Mr. HUTCHINSON) submitted the following resolution; which was considered and agreed to:

Whereas the Senate has learned with great sadness of the death of Dave Thomas from liver cancer at the age of 69 on January 8, 2002;

Whereas Dave Thomas, born in Atlantic City, New Jersey, on July 2, 1932, and adopted shortly thereafter by Rex and Auleva Thomas, of Kalamazoo, Michigan, was a lifelong advocate and activist for the cause of adoption;

Whereas Dave Thomas, in 1979, was awarded the Horatio Alger Award for dedication, individual initiative, and a commitment to excellence, as exemplified by remarkable achievements accomplished through honesty, hard work, self-reliance, and perseverance;

Whereas from 1990 until 2000 Dave Thomas was national spokesman for numerous White House adoption and foster care initiatives;

Whereas Dave Thomas received numerous awards including the Angel in Adoption Award by the Congressional Coalition on Adoption for generating awareness of the thousands of children waiting for permanent homes and loving families;

Whereas Dave Thomas, in 1992, established the Dave Thomas Foundation for Adoption and donated his speaking fees and profits from sales of his books, "Dave's Way, Well Done!" and "Franchising for Dummies", to adoption causes;

Whereas Dave Thomas established the Dave Thomas Foundation for Adoption, to work with national adoption organizations, individuals and public and private agencies to raise awareness about children awaiting adoption and to provide direct support for programs seeking to find permanent homes for children in foster care;

Whereas Dave Thomas established the Dave Thomas Center for Adoption Law to ease and facilitate the adoption process through education, advocacy and research;

Whereas Dave Thomas was a constructive force in shaping corporate health policy to cover adoption expenses and, through his efforts, 75 percent of Fortune 1000 companies

now offer adoption benefits to their employees;

Whereas Dave Thomas received the 2001 Social Awareness Award from the United States Postal Service for being instrumental in the use of the Adoption Awareness postage stamp as a vehicle for highlighting cause of adoption;

Whereas Dave Thomas founded Wendy's Old-Fashioned Hamburgers in Columbus, Ohio, on November 15, 1969 and transformed it into one of the most successful food franchises in the country and, in promoting Wendy's, became a national figure representing a friendly face, good food, and a kind sense of humor;

Whereas Dave Thomas, in 1993, 45 years after leaving school, earned his GED certificate and received his high school diploma from Coconut Creek High School in Ft. Lauderdale, Florida, securing him as role model to students of all ages;

Whereas Dave Thomas used his financial success to promote and advance the cause of adoption: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes that America has lost one of its most dedicated and hardest working advocates for adoption, and honors him in his devotion to family, life, and business; and

(2) expresses its deep and heartfelt condolences to the family of Dave Thomas on their loss.

#### S. RES. 200

Whereas on March 22, 1972, President Richard Nixon signed Public Law 92-258, which amended the Older Americans Act of 1965 to establish a national nutrition program for the elderly, commonly referred to as the "Elderly Nutrition Program";

Whereas the Elderly Nutrition Program has been expanded since its inception in 1972 to include 3 distinct components: congregate meals, home delivered meals, and the Nutrition Program for the Elderly in the Department of Agriculture;

Whereas the Elderly Nutrition Program operates in every State and most counties and cities in the United States, providing seniors with guaranteed meals;

Whereas these meals each provide at a minimum 33 percent of the recommended daily allowances of nutrients;

Whereas the Elderly Nutrition Program has provided more than 4,700,000,000 meals;

Whereas the Elderly Nutrition Program is a vital component of a service network, providing a continuum of home- and community-based long-term care for seniors and helping them to avoid premature or unnecessary institutionalization;

Whereas the Elderly Nutrition Program provides a powerful socialization opportunity for millions of seniors to help combat loneliness and isolation;

Whereas a strong national network of nutrition service providers and thousands of dedicated volunteers administer the Elderly Nutrition Program; and

Whereas under the Elderly Nutrition Program, more than 272,000,000 meals are provided each year to older individuals in the greatest economic or social need and to older Native Americans: Now, therefore, be it

*Resolved*, That on the occasion of the 30th anniversary of the establishment of a national nutrition program for the elderly, commonly referred to as the "Elderly Nutrition Program"—

(1) it is the sense of the Senate that the program, of great importance to the health and well-being of participants, is well-run and continues to achieve its objectives on behalf of the senior citizens it serves; and

(2) the Senate—

(A) expresses appreciation for the daily work of all the individuals, including volun-

teers, who administer the program at the local level; and

(B) recognizes the importance of the present and future health and well-being of the millions of senior citizens across the Nation, including the maintenance of their independence and dignity.

### AMENDMENTS SUBMITTED AND PROPOSED

SA 2698. Mr. DASCHLE (for himself and Mr. BAUCUS) proposed an amendment to the bill H.R. 622, to amend the Internal Revenue Code of 1986 to expand the adoption credit, and for other purposes.

#### TEXT OF AMENDMENTS

SA 2698. Mr. DASCHLE (for himself, and Mr. BAUCUS) proposed an amendment to the bill H.R. 622, to amend the Internal Revenue Code of 1986 to expand the adoption credit, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE; ETC.

(a) SHORT TITLE.—This Act may be cited as the "Economic Recovery and Assistance for American Workers Act of 2002".

(b) REFERENCES TO INTERNAL REVENUE CODE OF 1986.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

#### (c) TABLE OF CONTENTS.—

Sec. 1. Short title; etc.

#### TITLE I—SUPPLEMENTAL REBATE FOR INDIVIDUAL TAXPAYERS

Sec. 101. Supplemental rebate.

#### TITLE II—TEMPORARY BUSINESS RELIEF

Sec. 201. Special depreciation allowance for certain property.

#### TITLE III—ASSISTANCE FOR MEDICAID COVERAGE

Sec. 301. Temporary increases of medicaid FMAP.

#### TITLE IV—TEMPORARY EXTENDED UNEMPLOYMENT BENEFITS

Sec. 401. Short title.

Sec. 402. Federal-State agreements.

Sec. 403. Temporary extended unemployment compensation account.

Sec. 404. Payments to States having agreements under this title.

Sec. 405. Financing provisions.

Sec. 406. Fraud and overpayments.

Sec. 407. Definitions.

Sec. 408. Applicability.

#### TITLE V—ADDITIONAL PROVISIONS

Sec. 501. No impact on social security trust funds.

Sec. 502. Emergency designation.

#### TITLE I—SUPPLEMENTAL REBATE FOR INDIVIDUAL TAXPAYERS

##### SEC. 101. SUPPLEMENTAL REBATE.

(a) IN GENERAL.—Section 6428 (relating to acceleration of 10 percent income tax rate bracket benefit for 2001) is amended by adding at the end the following new subsection:

“(f) SUPPLEMENTAL REBATE.—

“(1) IN GENERAL.—Each individual who was an eligible individual for such individual's first taxable year beginning in 2000 and who, before October 16, 2001—

“(A) filed a return of tax imposed by subpart A for such taxable year, or

“(B) filed a return of income tax with the government of American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, the Commonwealth of Puerto Rico, or the Virgin Islands of the United States, shall be treated as having made a payment against the tax imposed by chapter 1 for such first taxable year in an amount equal to the supplemental refund amount for such taxable year.

“(2) SUPPLEMENTAL REFUND AMOUNT.—For purposes of this subsection, the supplemental refund amount is an amount equal to the excess (if any) of—

“(A)(i) \$600 in the case of taxpayers to whom section 1(a) applies,

“(ii) \$500 in the case of taxpayers to whom section 1(b) applies, and

“(iii) \$300 in the case of taxpayers to whom subsections (c) or (d) of section 1 applies, over

“(B) the amount of any advance refund amount paid to the taxpayer under subsection (e).

“(3) TIMING OF PAYMENTS.—In the case of any overpayment attributable to this subsection, the Secretary shall, subject to the provisions of this title, refund or credit such overpayment as rapidly as possible.

“(4) NO INTEREST.—No interest shall be allowed on any overpayment attributable to this subsection.

“(5) SPECIAL RULE FOR CERTAIN NON-RESIDENTS.—The determination under subsection (c)(2) as to whether an individual who filed a return of tax described in paragraph (1)(B) is a nonresident alien individual shall, under rules prescribed by the Secretary, be made by reference to the possession or Commonwealth with which the return was filed and not the United States.”.

#### (b) TECHNICAL CORRECTION.—

(1) IN GENERAL.—Subsection (b) of section 6428 is amended to read as follows:

“(b) CREDIT TREATED AS NONREFUNDABLE PERSONAL CREDIT.—For purposes of this title, the credit allowed under this section shall be treated as a credit allowable under subpart A of part IV of subchapter A of chapter 1.”.

#### (2) CONFORMING AMENDMENTS.—

(A) Subsection (d) of section 6428 is amended to read as follows:

“(d) COORDINATION WITH ADVANCE REFUNDS OF CREDIT.—

“(1) IN GENERAL.—The amount of credit which would (but for this paragraph) be allowable under this section shall be reduced (but not below zero) by the aggregate refunds and credits made or allowed to the taxpayer under subsection (e). Any failure to so reduce the credit shall be treated as arising out of a mathematical or clerical error and assessed according to section 6213(b)(1).

“(2) JOINT RETURNS.—In the case of a refund or credit made or allowed under subsection (e) with respect to a joint return, half of such refund or credit shall be treated as having been made or allowed to each individual filing such return.”.

(B) Paragraph (2) of section 6428(e) is amended to read as follows:

“(2) ADVANCE REFUND AMOUNT.—For purposes of paragraph (1), the advance refund amount is the amount that would have been allowed as a credit under this section for such first taxable year if—

“(A) this section (other than subsections (b) and (d) and this subsection) had applied to such taxable year, and

“(B) the credit for such taxable year were not allowed to exceed the excess (if any) of—

“(i) the sum of the regular tax liability (as defined in section 26(b)) plus the tax imposed by section 55, over

“(ii) the sum of the credits allowable under part IV of subchapter A of chapter 1 (other

than the credits allowable under subpart C thereof, relating to refundable credits).”.

(c) CONFORMING AMENDMENTS.—

(1) Paragraph (1) of section 6428(d), as amended by subsection (b), is amended by striking “subsection (e)” and inserting “subsections (e) and (f)”.

(2) Paragraph (2) of section 6428(d), as amended by subsection (b), is amended by striking “subsection (e)” and inserting “subsection (e) or (f)”.

(3) Paragraph (3) of section 6428(e) is amended by striking “December 31, 2001” and inserting “the date of the enactment of the Economic Recovery and Assistance for American Workers Act of 2001”.

(d) REPORTING REQUIREMENT.—For purposes of determining the individuals who are eligible for the supplemental rebate under section 6428(f) of the Internal Revenue Code of 1986, the governments of American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, the Commonwealth of Puerto Rico, and the Virgin Islands of the United States shall provide, at such time and in such manner as provided by the Secretary of the Treasury, the names, addresses, and taxpayer identifying numbers (within the meaning of section 6109 of the Internal Revenue Code of 1986) of residents who filed returns of income tax with such governments for 2000.

(e) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall take effect on the date of the enactment of this Act.

(2) TECHNICALS.—The amendments made by subsection (b) shall take effect as if included in the amendment made by section 101(b)(1) of the Economic Growth and Tax Relief Reconciliation Act of 2001.

## TITLE II—TEMPORARY BUSINESS RELIEF PROVISIONS

### SEC. 201. SPECIAL DEPRECIATION ALLOWANCE FOR CERTAIN PROPERTY.

(a) IN GENERAL.—Section 168 (relating to accelerated cost recovery system) is amended by adding at the end the following new subsection:

“(k) SPECIAL ALLOWANCE FOR CERTAIN PROPERTY ACQUIRED AFTER SEPTEMBER 10, 2001, AND BEFORE SEPTEMBER 11, 2002.—

“(1) ADDITIONAL ALLOWANCE.—In the case of any qualified property—

“(A) the depreciation deduction provided by section 167(a) for the taxable year in which such property is placed in service shall include an allowance equal to 30 percent of the adjusted basis of the qualified property, and

“(B) the adjusted basis of the qualified property shall be reduced by the amount of such deduction before computing the amount otherwise allowable as a depreciation deduction under this chapter for such taxable year and any subsequent taxable year.

“(2) QUALIFIED PROPERTY.—For purposes of this subsection—

“(A) IN GENERAL.—The term ‘qualified property’ means property—

“(i) (I) to which this section applies which has an applicable recovery period of 20 years or less or which is water utility property,

“(II) which is computer software (as defined in section 167(f)(1)(B)) for which a deduction is allowable under section 167(a) without regard to this subsection,

“(III) which is qualified leasehold improvement property, or

“(IV) which is eligible for depreciation under section 167(g),

“(ii) the original use of which commences with the taxpayer after September 10, 2001,

“(iii) which is—

“(I) acquired by the taxpayer after September 10, 2001, and before September 11, 2002, but only if no written binding contract

for the acquisition was in effect before September 11, 2001, or

“(II) acquired by the taxpayer pursuant to a written binding contract which was entered into after September 10, 2001, and before September 11, 2002, and

“(iv) which is placed in service by the taxpayer before January 1, 2003.

“(B) EXCEPTIONS.—

“(i) ALTERNATIVE DEPRECIATION PROPERTY.—The term ‘qualified property’ shall not include any property to which the alternative depreciation system under subsection (g) applies, determined—

“(I) without regard to paragraph (7) of subsection (g) (relating to election to have system apply), and

“(II) after application of section 280F(b) (relating to listed property with limited business use).

“(ii) ELECTION OUT.—If a taxpayer makes an election under this clause with respect to any class of property for any taxable year, this subsection shall not apply to all property in such class placed in service during such taxable year.

“(C) SPECIAL RULES.—

“(i) SELF-CONSTRUCTED PROPERTY.—In the case of a taxpayer manufacturing, constructing, or producing property for the taxpayer's own use, the requirements of clause (iii) of subparagraph (A) shall be treated as met if the taxpayer begins manufacturing, constructing, or producing the property after September 10, 2001, and before September 11, 2002.

“(ii) SALE-LEASEBACKS.—For purposes of subparagraph (A)(ii), if property—

“(I) is originally placed in service after September 10, 2001, by a person, and

“(II) sold and leased back by such person within 3 months after the date such property was originally placed in service, such property shall be treated as originally placed in service not earlier than the date on which such property is used under the lease-back referred to in subclause (II).

“(D) COORDINATION WITH SECTION 280F.—For purposes of section 280F—

“(i) AUTOMOBILES.—In the case of a passenger automobile (as defined in section 280F(d)(5)) which is qualified property, the Secretary shall increase the limitation under section 280F(a)(1)(A)(i) by \$1,600.

“(ii) LISTED PROPERTY.—The deduction allowable under paragraph (1) shall be taken into account in computing any recapture amount under section 280F(b)(2).

“(3) QUALIFIED LEASEHOLD IMPROVEMENT PROPERTY.—For purposes of this subsection—

“(A) IN GENERAL.—The term ‘qualified leasehold improvement property’ means any improvement to an interior portion of a building which is nonresidential real property if—

“(i) such improvement is made under or pursuant to a lease (as defined in subsection (h)(7))—

“(I) by the lessee (or any sublessee) of such portion, or

“(II) by the lessor of such portion,

“(ii) such portion is to be occupied exclusively by the lessee (or any sublessee) of such portion, and

“(iii) such improvement is placed in service more than 3 years after the date the building was first placed in service.

“(B) CERTAIN IMPROVEMENTS NOT INCLUDED.—Such term shall not include any improvement for which the expenditure is attributable to—

“(i) the enlargement of the building,

“(ii) any elevator or escalator,

“(iii) any structural component benefiting a common area, and

“(iv) the internal structural framework of the building.

“(C) DEFINITIONS AND SPECIAL RULES.—For purposes of this paragraph—

“(i) BINDING COMMITMENT TO LEASE TREATED AS LEASE.—A binding commitment to enter into a lease shall be treated as a lease, and the parties to such commitment shall be treated as lessor and lessee, respectively.

“(ii) RELATED PERSONS.—A lease between related persons shall not be considered a lease. For purposes of the preceding sentence, the term ‘related persons’ means—

“(I) members of an affiliated group (as defined in section 1504), and

“(II) persons having a relationship described in subsection (b) of section 267; except that, for purposes of this clause, the phrase ‘80 percent or more’ shall be substituted for the phrase ‘more than 50 percent’ each place it appears in such subsection.

“(D) IMPROVEMENTS MADE BY LESSOR.—In the case of an improvement made by the person who was the lessor of such improvement when such improvement was placed in service, such improvement shall be qualified leasehold improvement property (if at all) only so long as such improvement is held by such person. If property ceases to be qualified leasehold improvement property, the remaining basis of such property shall be depreciated under this section over 39 years.”.

(b) ALLOWANCE AGAINST ALTERNATIVE MINIMUM TAX.—

(1) IN GENERAL.—Section 56(a)(1)(A) (relating to depreciation adjustment for alternative minimum tax) is amended by adding at the end the following new clause:

“(iii) ADDITIONAL ALLOWANCE FOR CERTAIN PROPERTY ACQUIRED AFTER SEPTEMBER 10, 2001, AND BEFORE SEPTEMBER 11, 2002.—The deduction under section 168(k) shall be allowed.”.

(2) CONFORMING AMENDMENT.—Clause (i) of section 56(a)(1)(A) is amended by striking “clause (ii)” both places it appears and inserting “clauses (ii) and (iii)”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after September 10, 2001, in taxable years ending after such date.

## TITLE III—ASSISTANCE FOR MEDICAID COVERAGE

### SEC. 301. TEMPORARY INCREASES OF MEDICAID FMAP.

(a) PERMITTING MAINTENANCE OF FISCAL YEAR 2001 FMAP FOR LAST 3 CALENDAR QUARTERS OF FISCAL YEAR 2002.—Notwithstanding any other provision of law, but subject to subsection (e), if the FMAP determined without regard to this section for a State for fiscal year 2002 is less than the FMAP as so determined for fiscal year 2001, the FMAP for the State for fiscal year 2001 shall be substituted for the State's FMAP for the second, third, and fourth calendar quarters in fiscal year 2002, before the application of this section.

(b) PERMITTING MAINTENANCE OF FISCAL YEAR 2002 FMAP FOR FIRST CALENDAR QUARTER OF FISCAL YEAR 2003.—Notwithstanding any other provision of law, but subject to subsection (e), if the FMAP determined without regard to this section for a State for fiscal year 2003 is less than the FMAP as so determined for fiscal year 2002, the FMAP for the State for fiscal year 2002 shall be substituted for the State's FMAP for the first calendar quarter in fiscal year 2003, before the application of this section.

(c) GENERAL 1.50 PERCENTAGE POINTS INCREASE FOR CALENDAR YEAR 2002.—Notwithstanding any other provision of law, but subject to subsections (f) and (g), for each State for the second, third, and fourth calendar quarters in fiscal year 2002 and the first calendar quarter of fiscal year 2003, the FMAP (taking into account the application of subsections (a) and (b)) shall be increased by 1.50 percentage points.

(d) FURTHER INCREASE FOR STATES WITH HIGH UNEMPLOYMENT RATES FOR CALENDAR YEAR 2002.—

(1) IN GENERAL.—Notwithstanding any other provision of law, but subject to subsections (f) and (g), the FMAP for a high unemployment State for the second, third, and fourth calendar quarters in fiscal year 2002 and the first calendar quarter in fiscal year 2003 (and any subsequent calendar quarter in calendar year 2002 or the first calendar quarter in fiscal year 2003 regardless of whether the State continues to be a high unemployment State for any such calendar quarter) shall be increased (after the application of subsections (a), (b), and (c)) by 1.50 percentage points.

(2) HIGH UNEMPLOYMENT STATE.—

(A) IN GENERAL.—For purposes of this subsection, a State is a high unemployment State for a calendar quarter if, for any 3 consecutive months beginning on or after June 2001 and ending with the second month before the beginning of the calendar quarter, the State has an average seasonally adjusted unemployment rate that exceeds the average weighted unemployment rate during such period. Such unemployment rates for such months shall be determined based on publications of the Bureau of Labor Statistics of the Department of Labor.

(B) AVERAGE WEIGHTED UNEMPLOYMENT RATE DEFINED.—For purposes of subparagraph (A), the “average weighted unemployment rate” for a period is—

(i) the sum of the seasonally adjusted number of unemployed civilians in each State and the District of Columbia for the period; divided by

(ii) the sum of the civilian labor force in each State and the District of Columbia for the period.

(e) INCREASE IN CAP ON MEDICAID PAYMENTS TO TERRITORIES.—Notwithstanding any other provision of law, with respect to the second, third, and fourth calendar quarters fiscal year 2002 and the first calendar quarter in fiscal year 2003, the amounts otherwise determined for Puerto Rico, the Virgin Islands, Guam, the Northern Mariana Islands, and American Samoa under section 1108 of the Social Security Act (42 U.S.C. 1308) shall each be increased by an amount equal to 6 percentage points of such amounts.

(f) SCOPE OF APPLICATION.—The increases in the FMAP for a State under this section shall apply only for purposes of title XIX of the Social Security Act and shall not apply with respect to—

(1) disproportionate share hospital payments described in section 1923 of such Act (42 U.S.C. 1396r-4); and

(2) payments under titles IV and XXI of such Act (42 U.S.C. 601 et seq. and 1397aa et seq.).

(g) STATE ELIGIBILITY.—A State is eligible for an increase in its FMAP under subsection (c) or (d) or an increase in a cap amount under subsection (e) only if the eligibility under its State plan under title XIX of the Social Security Act (including any waiver under such title or under section 1115 of such Act (42 U.S.C. 1315)) is no more restrictive than the eligibility under such plan (or waiver) as in effect on October 1, 2001.

(h) DEFINITIONS.—In this section:

(1) FMAP.—The term “FMAP” means the Federal medical assistance percentage, as defined in section 1905(b) of the Social Security Act (42 U.S.C. 1396d(b)).

(2) STATE.—The term “State” has the meaning given such term for purposes of title XIX of the Social Security Act (42 U.S.C. 1396 et seq.).

## TITLE IV—TEMPORARY EXTENDED UNEMPLOYMENT BENEFITS

### SEC. 401. SHORT TITLE.

This title may be cited as the “Temporary Extended Unemployment Compensation Act of 2002”.

### SEC. 402. FEDERAL-STATE AGREEMENTS.

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

(b) PROVISIONS OF AGREEMENT.—Any agreement under subsection (a) shall provide that the State agency of the State will make payments of temporary extended unemployment compensation to individuals—

(1) who—

(A) first exhausted all rights to regular compensation under the State law on or after the first day of the week that includes September 11, 2001; or

(B) have their 26th week of regular compensation under the State law end on or after the first day of the week that includes September 11, 2001;

(2) who do not have any rights to regular compensation under the State law of any other State; and

(3) who are not receiving compensation under the unemployment compensation law of any other country.

(c) COORDINATION RULES.—

(1) TEMPORARY EXTENDED UNEMPLOYMENT COMPENSATION TO SERVE AS SECOND-TIER BENEFITS.—Notwithstanding any other provision of law, neither regular compensation, extended compensation, nor additional compensation under any Federal or State law shall be payable to any individual for any week for which temporary extended unemployment compensation is payable to such individual.

(2) TREATMENT OF OTHER UNEMPLOYMENT COMPENSATION.—After the date on which a State enters into an agreement under this title, any regular compensation in excess of 26 weeks, any extended compensation, and any additional compensation under any Federal or State law shall be payable to an individual in accordance with the State law after such individual has exhausted any rights to temporary extended unemployment compensation under the agreement.

(d) EXHAUSTION OF BENEFITS.—For purposes of subsection (b)(1)(A), an individual shall be deemed to have exhausted such individual's rights to regular compensation under a State law when—

(1) no payments of regular compensation can be made under such law because the individual has received all regular compensation available to the individual based on employment or wages during the individual's base period; or

(2) the individual's rights to such compensation have been terminated by reason of the expiration of the benefit year with respect to which such rights existed.

(e) WEEKLY BENEFIT AMOUNT, TERMS AND CONDITIONS, ETC. RELATING TO TEMPORARY EXTENDED UNEMPLOYMENT COMPENSATION.—For purposes of any agreement under this title—

(1) the amount of temporary extended unemployment compensation which shall be payable to an individual for any week of total unemployment shall be equal to the amount of regular compensation (including dependents' allowances) payable to such individual under the State law for a week for total unemployment during such individual's benefit year;

(2) the terms and conditions of the State law which apply to claims for regular com-

pensation and to the payment thereof shall apply to claims for temporary extended unemployment compensation and the payment thereof, except where inconsistent with the provisions of this title or with the regulations or operating instructions of the Secretary promulgated to carry out this title; and

(3) the maximum amount of temporary extended unemployment compensation payable to any individual for whom a temporary extended unemployment compensation account is established under section 403 shall not exceed the amount established in such account for such individual.

### SEC. 403. TEMPORARY EXTENDED UNEMPLOYMENT COMPENSATION ACCOUNT.

(a) IN GENERAL.—Any agreement under this title shall provide that the State will establish, for each eligible individual who files an application for temporary extended unemployment compensation, a temporary extended unemployment compensation account.

(b) AMOUNT IN ACCOUNT.—

(1) IN GENERAL.—The amount established in an account under subsection (a) shall be equal to the greater of—

(A) 50 percent of the total amount of regular compensation (including dependents' allowances) payable to the individual during the individual's benefit year under such law; or

(B) 13 times the individual's weekly benefit amount.

(2) WEEKLY BENEFIT AMOUNT.—For purposes of paragraph (1)(B), an individual's weekly benefit amount for any week is an amount equal to the amount of regular compensation (including dependents' allowances) under the State law payable to the individual for such week for total unemployment.

### SEC. 404. PAYMENTS TO STATES HAVING AGREEMENTS UNDER THIS TITLE.

(a) GENERAL RULE.—There shall be paid to each State that has entered into an agreement under this title an amount equal to 100 percent of the temporary extended unemployment compensation paid to individuals by the State pursuant to such agreement.

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

(c) ADMINISTRATIVE EXPENSES.—There are appropriated out of the employment security administration account (as established by section 901(a) of the Social Security Act (42 U.S.C. 1101(a)) of the Unemployment Trust Fund, without fiscal year limitation, such funds as may be necessary for purposes of assisting States (as provided in title III of the Social Security Act (42 U.S.C. 501 et seq.)) in meeting the costs of administration of agreements under this title.

### SEC. 405. FINANCING PROVISIONS.

(a) IN GENERAL.—Funds in the extended unemployment compensation account (as established by section 905(a) of the Social Security Act (42 U.S.C. 1105(a))), and the Federal unemployment account (as established by section 904(g) of such Act (42 U.S.C. 1104(g))), of the Unemployment Trust Fund

(as established by section 904(a) of such Act (42 U.S.C. 1104(a))) shall be used, in accordance with subsection (b), for the making of payments (described in section 404(a)) to States having agreements entered into under this title.

(b) **CERTIFICATION.**—The Secretary shall from time to time certify to the Secretary of the Treasury for payment to each State the sums described in section 404(a) which are payable to such State under this title. The Secretary of the Treasury, prior to audit or settlement by the General Accounting Office, shall make payments to the State in accordance with such certification by transfers from the extended unemployment compensation account, as so established (or, to the extent that there are insufficient funds in that account, from the Federal unemployment account, as so established) to the account of such State in the Unemployment Trust Fund (as so established).

#### SEC. 406. FRAUD AND OVERPAYMENTS.

(a) **IN GENERAL.**—If an individual knowingly has made, or caused to be made by another, a false statement or representation of a material fact, or knowingly has failed, or caused another to fail, to disclose a material fact, and as a result of such false statement or representation or of such nondisclosure such individual has received any temporary extended unemployment compensation under this title to which such individual was not entitled, such individual—

(1) shall be ineligible for any further benefits under this title in accordance with the provisions of the applicable State unemployment compensation law relating to fraud in connection with a claim for unemployment compensation; and

(2) shall be subject to prosecution under section 1001 of title 18, United States Code.

(b) **REPAYMENT.**—In the case of individuals who have received any temporary extended unemployment compensation under this title to which such individuals were not entitled, the State shall require such individuals to repay those benefits to the State agency, except that the State agency may waive such repayment if it determines that—

(1) the payment of such benefits was without fault on the part of any such individual; and

(2) such repayment would be contrary to equity and good conscience.

#### (c) **RECOVERY BY STATE AGENCY.**—

(1) **IN GENERAL.**—The State agency may recover the amount to be repaid, or any part thereof, by deductions from any regular compensation or temporary extended unemployment compensation payable to such individual under this title or from any unemployment compensation payable to such individual under any Federal unemployment compensation law administered by the State agency or under any other Federal law administered by the State agency which provides for the payment of any assistance or allowance with respect to any week of unemployment, during the 3-year period after the date such individuals received the payment of the temporary extended unemployment compensation to which such individuals were not entitled, except that no single deduction may exceed 50 percent of the weekly benefit amount from which such deduction is made.

(2) **OPPORTUNITY FOR HEARING.**—No repayment shall be required, and no deduction shall be made, until a determination has been made, notice thereof and an opportunity for a fair hearing has been given to the individual, and the determination has become final.

(d) **REVIEW.**—Any determination by a State agency under this section shall be subject to review in the same manner and to the same extent as determinations under the State un-

employment compensation law, and only in that manner and to that extent.

#### SEC. 407. DEFINITIONS.

In this title, the terms “compensation”, “regular compensation”, “extended compensation”, “additional compensation”, “benefit year”, “base period”, “State”, “State agency”, “State law”, and “week” have the respective meanings given such terms under section 205 of the Federal-State Extended Unemployment Compensation Act of 1970 (26 U.S.C. 3304 note).

#### SEC. 408. APPLICABILITY.

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

- (1) beginning after the date on which such agreement is entered into; and
- (2) ending before January 6, 2003.

#### TITLE V—ADDITIONAL PROVISIONS

##### SEC. 501. NO IMPACT ON SOCIAL SECURITY TRUST FUND.

(a) **IN GENERAL.**—Nothing in this Act (or an amendment made by this Act) shall be construed to alter or amend title II of the Social Security Act (or any regulation promulgated under that Act).

##### (b) **TRANSFERS.**—

(1) **ESTIMATE OF SECRETARY.**—The Secretary of the Treasury shall annually estimate the impact that the enactment of this Act has on the income and balances of the trust funds established under section 201 of the Social Security Act (42 U.S.C. 401).

(2) **TRANSFER OF FUNDS.**—If, under paragraph (1), the Secretary of the Treasury estimates that the enactment of this Act has a negative impact on the income and balances of the trust funds established under section 201 of the Social Security Act (42 U.S.C. 401), the Secretary shall transfer, not less frequently than quarterly, from the general revenues of the Federal Government an amount sufficient so as to ensure that the income and balances of such trust funds are not reduced as a result of the enactment of this Act.

##### SEC. 502. EMERGENCY DESIGNATION.

Congress designates as emergency requirements pursuant to section 252(e) of the Balanced Budget and Emergency Deficit Control Act of 1985 the following amounts:

(1) An amount equal to the amount by which revenues are reduced by this Act below the recommended levels of Federal revenues for fiscal year 2002, the total of fiscal years 2002 through 2006, and the total of fiscal years 2002 through 2011, provided in the conference report accompanying H. Con. Res. 83, the concurrent resolution on the budget for fiscal year 2002.

(2) Amounts equal to the amounts of new budget authority and outlays provided in this Act in excess of the allocations under section 302(a) of the Congressional Budget Act of 1974 to the Committee on Finance of the Senate for fiscal year 2002, the total of fiscal years 2002 through 2006, and the total of fiscal years 2002 through 2011.

#### NOTICES OF HEARINGS/MEETINGS

##### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a Full Committee hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will take place on Tuesday, January 29, at 9:30 a.m. in room 366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on the Enron collapse and its effect on energy markets.

Those wishing to submit written statements on this subject should address them to the Committee on Energy and Natural Resources, Attn: Shirley Neff, United States Senate, Washington, DC 20510.

For further information, please call Shirley Neff at 202/224-6689 or Jonathan Black at 202/224-6672.

#### AUTHORITY FOR COMMITTEES TO MEET

##### SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE, AND NUCLEAR SAFETY

Mr. DASCHLE. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works, Subcommittee on Transportation, Infrastructure, and Nuclear Safety be authorized to meet on Wednesday, January 23, 2002, at 10 a.m. to conduct a hearing on issues related to reauthorization of the Price-Anderson provisions of the Atomic Energy Act of 1954 as they apply to licenses of the United States Nuclear Regulatory Commission. The hearing will be held in SD-406.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### SECURITY ASSISTANCE ACT OF 2001

On December 20, 2001, the Senate amended S. 1803, as follows:

S. 1803

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

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

(a) **SHORT TITLE.**—This Act may be cited as the “Security Assistance Act of 2001”.

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

- Sec. 1. Short title; table of contents.  
Sec. 2. Definitions.

##### TITLE I—VERIFICATION OF ARMS CONTROL AND NONPROLIFERATION AGREEMENTS

Sec. 101. Verification and Compliance Bureau personnel.

Sec. 102. Key Verification Assets Fund.

Sec. 103. Revised verification and compliance reporting requirements.

##### TITLE II—MILITARY AND RELATED ASSISTANCE

###### Subtitle A—Foreign Military Sales and Financing Authorities

Sec. 201. Authorization of appropriations.

Sec. 202. Relationship of foreign military sales to United States non-proliferation interests.

Sec. 203. Special Defense Acquisition Fund for nonproliferation and counter-narcotics purposes.

Sec. 204. Representation allowances.

Sec. 205. Arms Export Control Act prohibition on transactions with countries that have repeatedly provided support for acts of international terrorism.

Sec. 206. Congressional notification of small arms and light weapons license approvals; annual reports.

###### Subtitle B—International Military Education and Training

Sec. 211. Authorization of appropriations.

Sec. 212. Annual human rights reports.



Subtitle C—Security Assistance for Select Countries

- Sec. 221. Security assistance for Israel and Egypt.
- Sec. 222. Security assistance for Greece and Turkey.
- Sec. 223. Security assistance for certain other countries.

Subtitle D—Excess Defense Article and Drawdown Authorities

- Sec. 231. Excess defense articles for certain countries.
- Sec. 232. Annual briefing on projected availability of excess defense articles.
- Sec. 233. Expanded drawdown authority.
- Sec. 234. Duration of security assistance leases.

Subtitle E—Other Political-Military Assistance

- Sec. 241. Destruction of surplus weapons stockpiles.
- Sec. 242. Identification of funds for demining programs.

Subtitle F—Antiterrorism Assistance

- Sec. 251. Authorization of appropriations.
- Sec. 252. Specific program objectives.

Subtitle G—Other Matters

- Sec. 261. Revised military assistance reporting requirements.

**TITLE III—NONPROLIFERATION AND EXPORT CONTROL ASSISTANCE**

Subtitle A—General Provisions

- Sec. 301. Authorization of appropriations.
- Sec. 302. Joint State Department-Defense Department programs.
- Sec. 303. Nonproliferation technology acquisition programs for friendly foreign countries.
- Sec. 304. International nonproliferation and export control training.
- Sec. 305. Relocation of scientists.
- Sec. 306. Audits of the International Science and Technology Centers Program.
- Sec. 307. International Atomic Energy Agency regular budget assessments.
- Sec. 308. Revised nonproliferation reporting requirements.

Subtitle B—Russian Federation Debt Reduction for Nonproliferation

- Sec. 311. Short title.
- Sec. 312. Findings and purposes.
- Sec. 313. Definitions.
- Sec. 314. Establishment of the Russian Nonproliferation Investment Facility.
- Sec. 315. Reduction of the Russian Federation's Soviet-era debt owed to the United States, generally.
- Sec. 316. Reduction of Soviet-era debt owed to the United States as a result of credits extended under title I of the Agricultural Trade Development and Assistance Act of 1954.
- Sec. 317. Authority to engage in debt-for-nonproliferation exchanges and debt buybacks.
- Sec. 318. Russian Nonproliferation Investment Agreement.
- Sec. 319. Structure of debt-for-nonproliferation arrangements.
- Sec. 320. Independent media and the rule of law.
- Sec. 321. Nonproliferation requirement.
- Sec. 322. Discussion of Russian Federation debt reduction for nonproliferation with other creditor states.
- Sec. 323. Implementation of United States policy.
- Sec. 324. Consultations with Congress.
- Sec. 325. Annual report to Congress.

Subtitle C—Nonproliferation Assistance Coordination

- Sec. 331. Short title.

Sec. 332. Findings.

Sec. 333. Independent states of the former Soviet Union defined.

Sec. 334. Establishment of Committee on Nonproliferation Assistance to the Independent States of the Former Soviet Union.

Sec. 335. Duties of the Committee.

Sec. 336. Administrative support.

Sec. 337. Confidentiality of information.

Sec. 338. Statutory construction.

**TITLE IV—EXPEDITING THE MUNITIONS LICENSING PROCESS**

Sec. 401. License officer staffing.

Sec. 402. Funding for database automation.

Sec. 403. Information management priorities.

Sec. 404. Improvements to the Automated Export System.

Sec. 405. Adjustment of threshold amounts for congressional review purposes.

Sec. 406. Periodic notification of pending applications for export licenses.

**TITLE V—NATIONAL SECURITY ASSISTANCE STRATEGY**

Sec. 501. Establishment of the Strategy.

Sec. 502. Security assistance surveys.

**TITLE VI—MISCELLANEOUS PROVISIONS**

Sec. 601. Nuclear and missile nonproliferation in South Asia.

Sec. 602. Real-time public availability of raw seismological data.

Sec. 603. Detailing United States governmental personnel to international arms control and nonproliferation organizations.

Sec. 604. Diplomatic presence overseas.

Sec. 605. Protection against agricultural bioterrorism.

Sec. 606. Compliance with the Chemical Weapons Convention.

**TITLE VII—AUTHORITY TO TRANSFER NAVAL VESSELS**

Sec. 701. Authority to transfer naval vessels to certain foreign countries.

**SEC. 2. DEFINITIONS.**

In this Act:

(1) **APPROPRIATE COMMITTEES OF CONGRESS.**—The term “appropriate committees of Congress” means the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives.

(2) **DEFENSE ARTICLE.**—The term “defense article” has the meaning given the term in section 47(3) of the Arms Export Control Act (22 U.S.C. 2794 note).

(3) **DEFENSE SERVICE.**—The term “defense service” has the meaning given the term in section 47(4) of the Arms Export Control Act (22 U.S.C. 2794 note).

(4) **EXCESS DEFENSE ARTICLE.**—The term “excess defense article” has the meaning given the term in section 644(g) of the Foreign Assistance Act of 1961 (22 U.S.C. 2403(g)).

(5) **SECRETARY.**—Except as otherwise provided, the term “Secretary” means the Secretary of State.

**TITLE I—VERIFICATION OF ARMS CONTROL AND NONPROLIFERATION AGREEMENTS**

**SEC. 101. VERIFICATION AND COMPLIANCE BUREAU PERSONNEL.**

(a) **IN GENERAL.**—Of the total amounts made available to the Department of State for fiscal years 2002 and 2003, not less than \$14,000,000 each such fiscal year shall be provided to the Bureau of Verification and Compliance of the Department of State for Bureau-administered activities, including the Key Verification Assets Fund.

(b) **ADDITIONAL PERSONNEL.**—In addition to the amounts made available under subsection (a), not less than \$1,800,000 shall be

made available from the Department's American Salaries Account, for the purpose of hiring new personnel to carry out the Bureau's responsibilities, as set forth in section 112 of the Arms Export Control and Nonproliferation Act of 1999 (113 Stat. 1501A-486), as enacted into law by section 1000(a)(7) of Public Law 106-113.

**SEC. 102. KEY VERIFICATION ASSETS FUND.**

Of the total amounts made available to the Department of State for fiscal years 2002 and 2003, not less than \$7,000,000 shall be made available within the Verification and Compliance Bureau's account for each such fiscal year to carry out section 111 of the Arms Control and Nonproliferation Act of 1999 (113 Stat. 1501A-486), as enacted into law by section 1000(a)(7) of Public Law 106-113.

**SEC. 103. REVISED VERIFICATION AND COMPLIANCE REPORTING REQUIREMENTS.**

Section 403(a) of the Arms Control and Disarmament Act (22 U.S.C. 2593a(a)) is amended by striking “January 31” and inserting “April 15”.

**TITLE II—MILITARY AND RELATED ASSISTANCE**

**Subtitle A—Foreign Military Sales and Financing Authorities**

**SEC. 201. AUTHORIZATION OF APPROPRIATIONS.**

There are authorized to be appropriated to the President for grant assistance under section 23 of the Arms Export Control Act (22 U.S.C. 2763) and for the subsidy cost, as defined in section 502(5) of the Federal Credit Reform Act of 1990, of direct loans under such section \$3,674,000,000 for fiscal year 2002 and \$4,267,000,000 for fiscal year 2003.

**SEC. 202. RELATIONSHIP OF FOREIGN MILITARY SALES TO UNITED STATES NONPROLIFERATION INTERESTS.**

(a) **AUTHORIZED PURPOSES.**—The first sentence of section 4 of the Arms Export Control Act (22 U.S.C. 2754) is amended by inserting “for preventing or hindering the proliferation of weapons of mass destruction and of the means of delivering such weapons,” after “self-defense,”.

(b) **DEFINITION OF “WEAPONS OF MASS DESTRUCTION”.**—Section 47 of the Arms Export Control Act (22 U.S.C. 2794) is amended—

(1) by striking “and” at the end of paragraph (8);

(2) by striking the period at the end of paragraph (9) and inserting “; and”; and

(3) by adding at the end the following new paragraph:

“(10) ‘weapons of mass destruction’ has the meaning provided by section 1403(1) of the Defense Against Weapons of Mass Destruction Act of 1996 (title XIV of Public Law 104-201; 110 Stat. 2717; 50 U.S.C. 2302(1)).”.

(c) **SENSE OF CONGRESS.**—It is the sense of Congress that the Secretary should ensure, in circumstances where the sale of defense articles or defense services to a friendly country would serve the nonproliferation interests of the United States, but that country cannot afford to purchase such defense articles or defense services, that grant assistance is provided pursuant to section 23 of the Arms Export Control Act to facilitate such acquisition.

**SEC. 203. SPECIAL DEFENSE ACQUISITION FUND FOR NONPROLIFERATION AND COUNTER-NARCOTICS PURPOSES.**

(a) **ESTABLISHMENT.**—Notwithstanding any other provision of law, the President shall direct that the Special Defense Acquisition Fund be established pursuant to section 51 of the Arms Export Control Act (22 U.S.C. 2795).

(b) **USE OF THE SPECIAL DEFENSE ACQUISITION FUND.**—Section 51(a)(4) of the Arms Export Control Act (22 U.S.C. 2795(a)(4)) is amended by striking “for use for” and all that follows through “equipment” and inserting the following: “for use for—

“(A) narcotics control purposes and are appropriate to the needs of recipient countries, such as small boats, planes (including helicopters), and communications equipment; and

“(B) nonproliferation and export control purposes, such as nuclear, radiological, chemical, and biological warfare materials detection equipment.”

(c) LIMITATION.—Section 51(c) of the Arms Export Control Act (22 U.S.C. 2795(c)) is amended—

(1) in paragraph (1), by striking all after “exceed” through the period and inserting “\$200,000,000.”; and

(2) in paragraph (2), by striking “provided” and all that follows through “Acts” and inserting “specifically authorized by law in advance”.

(d) AUTHORIZATION.—For fiscal year 2003, not more than \$20,000,000 may be made available for obligation for the procurement of items pursuant to section 51 of the Arms Export Control Act.

#### SEC. 204. REPRESENTATION ALLOWANCES.

Section 43(c) of the Arms Export Control Act (22 U.S.C. 2792(c)) is amended by striking “\$72,500” and inserting “\$86,500”.

#### SEC. 205. ARMS EXPORT CONTROL ACT PROHIBITION ON TRANSACTIONS WITH COUNTRIES THAT HAVE REPEATEDLY PROVIDED SUPPORT FOR ACTS OF INTERNATIONAL TERRORISM.

The second sentence of section 40(d) of the Arms Export Control Act (22 U.S.C. 2780(d)) is amended—

(1) by inserting “or chemical, biological, or radiological agents” after “nuclear explosive devices”; and

(2) by inserting “or chemical, biological, or radiological agents” after “nuclear material”.

#### SEC. 206. CONGRESSIONAL NOTIFICATION OF SMALL ARMS AND LIGHT WEAPONS LICENSE APPROVALS; ANNUAL REPORTS.

(a) CONGRESSIONAL NOTIFICATION OF EXPORT LICENSE APPROVALS.—Section 36(c) of the Arms Export Control Act (22 U.S.C. 2776(c)) is amended by inserting “(or, in the case of a defense article that is a firearm controlled under category I of the United States Munitions List, \$1,000,000 or more)” after “\$50,000,000 or more”.

(b) REPORT.—Not later than six months after the date of enactment of this Act, and annually thereafter, the Secretary of State shall submit an unclassified report to the appropriate congressional committees on the numbers, range, and findings of end-use monitoring of United States transfers in small arms and light weapons.

(c) ANNUAL MILITARY ASSISTANCE REPORTS.—Section 655(b)(3) of the Foreign Assistance Act of 1961 (22 U.S.C. 2415(b)(3)) is amended by inserting before the period at the end the following: “, including, in the case of defense articles that are firearms controlled under category I of the United States Munitions List, a statement of the aggregate dollar value and quantity of semi-automatic assault weapons, or related equipment, the manufacture, transfer, or possession of which is unlawful under section 922 of title 18, United States Code, that were licensed for export during the period covered by the report”.

(d) ANNUAL REPORT ON ARMS BROKERING.—Not later than six months after the date of enactment of this Act, and annually thereafter, the Secretary of State shall submit a report to the appropriate committees of Congress on activities of registered arms brokers, including violations of the Arms Export Control Act.

(e) ANNUAL REPORT ON INVESTIGATIONS OF THE BUREAU OF ALCOHOL, TOBACCO AND FIRE-

ARMS.—Not later than six months after the date of enactment of this Act, and annually thereafter, the Secretary of the Treasury shall submit a report to the appropriate committees of Congress on investigations and other efforts undertaken by the Bureau of Alcohol, Tobacco and Firearms (including cooperation with other agencies) to stop United States-source weapons from being used in terrorist acts and international crime.

#### Subtitle B—International Military Education and Training

##### SEC. 211. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the President \$75,000,000 for fiscal year 2002 and \$85,290,000 for fiscal year 2003 to carry out chapter 5 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2347 et seq.; relating to international military education and training).

##### SEC. 212. ANNUAL HUMAN RIGHTS REPORTS.

(a) WITH RESPECT TO PROHIBITIONS ON NON-MILITARY ASSISTANCE.—Section 116(d) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n(d)) is amended by redesignating paragraphs (7) and (8) as paragraphs (8) and (9), respectively, and by inserting after paragraph (6) the following:

“(7) to the extent practicable, for any violation of internationally recognized human rights reported under this subsection, whether any foreign military or defense ministry civilian participant in education and training activities under chapter 5 of part II of this Act was involved;”

(b) RECORDS REGARDING FOREIGN PARTICIPANTS.—Section 548 of the Foreign Assistance Act of 1961 (22 U.S.C. 2347e) is amended—

(1) by striking “In” and inserting “(a) DEVELOPMENT AND MAINTENANCE OF DATABASE.—In”; and

(2) by adding at the end the following new subsections:

“(b) ANNUAL LIST OF FOREIGN PERSONNEL.—For the purposes of preparing the report required pursuant to section 116(d), the Secretary of State may annually request the Secretary of Defense to provide information contained in the database with respect to a list submitted to the Secretary of Defense by the Secretary of State, containing the names of foreign personnel or military units. To the extent practicable, the Secretary of Defense shall provide, and the Secretary of State may take into account, the information contained in the database, if any, relating to the Secretary of State’s submission.

“(c) UPDATING OF DATABASE.—If the Secretary of State determines and reports to Congress under section 116(d) that a foreign person identified in the database maintained pursuant to this section was involved in a violation of internationally recognized human rights, the Secretary of Defense shall ensure that the database is updated to contain such fact and all relevant information.”

#### Subtitle C—Security Assistance for Select Countries

##### SEC. 221. SECURITY ASSISTANCE FOR ISRAEL AND EGYPT.

(a) AUTHORIZATION OF APPROPRIATIONS.—

(1) ISRAEL.—Section 513 of the Security Assistance Act of 2000 (Public Law 106-280) is amended by striking “2001 and 2002” each place that it appears and inserting “2002 and 2003”.

(2) EGYPT.—Section 514 of the Security Assistance Act of 2000 (Public Law 106-280) is amended by striking “2001 and 2002” each place that it appears and inserting “2002 and 2003”.

(b) BALLISTIC MISSILE DEFENSE.—Of the amounts made available for fiscal years 2002

and 2003 under section 513 of the Security Assistance Act of 2000 (Public Law 106-280), as amended by subsection (a), \$100,000,000 may be used each such fiscal year for the establishment, in cooperation with a United States company, of a production line for the Arrow missile in the United States.

##### SEC. 222. SECURITY ASSISTANCE FOR GREECE AND TURKEY.

(a) IN GENERAL.—Of the amounts made available for the fiscal years 2002 and 2003 to carry out chapter 5 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2347 et seq.)—

(1) \$1,000,000 for fiscal year 2002 and \$1,170,000 for fiscal year 2003 are authorized to be available for Greece; and

(2) \$2,500,000 for fiscal year 2002 and \$2,920,000 for fiscal year 2003 are authorized to be available for Turkey.

(b) USE FOR PROFESSIONAL MILITARY EDUCATION.—Of the amounts available under paragraphs (1) and (2) of subsection (a) for each of fiscal years 2002 and 2003, \$500,000 of each such amount should be available for purposes of professional military education.

(c) USE FOR JOINT TRAINING.—It is the sense of Congress that, to the maximum extent practicable, amounts available under subsection (a) that are used in accordance with subsection (b) should be used for joint training of Greek and Turkish officers.

(d) REPEAL.—Section 512 of the Security Assistance Act of 2000 (Public Law 106-280; 114 Stat. 856) is repealed.

##### SEC. 223. SECURITY ASSISTANCE FOR CERTAIN OTHER COUNTRIES.

(a) FMF FOR CERTAIN OTHER COUNTRIES.—Of the amounts made available for the fiscal years 2002 and 2003 under section 23 of the Arms Export Control Act (22 U.S.C. 2763), the following amounts are authorized to be available on a grant basis for the following countries for the fiscal years specified:

(1) THE BALTIC STATES.—For all of the Baltic states of Estonia, Latvia, and Lithuania, \$21,000,000 for fiscal year 2002 and \$24,400,000 for fiscal year 2003.

(2) BULGARIA.—For Bulgaria, \$10,000,000 for fiscal year 2002 and \$11,620,000 for fiscal year 2003.

(3) THE CZECH REPUBLIC.—For the Czech Republic, \$12,000,000 for fiscal year 2002 and \$14,000,000 for fiscal year 2003.

(4) GEORGIA.—For Georgia, \$5,650,000 for fiscal year 2002 and \$6,560,000 for fiscal year 2003.

(5) HUNGARY.—For Hungary, \$12,000,000 for fiscal year 2002 and \$14,000,000 for fiscal year 2003.

(6) JORDAN.—For Jordan, \$75,000,000 for fiscal year 2002 and \$87,300,000 for fiscal year 2003.

(7) MALTA.—For Malta, \$1,000,000 for fiscal year 2002 and \$1,170,000 for fiscal year 2003.

(8) THE PHILIPPINES.—For the Philippines, \$19,000,000 for fiscal year 2002 and \$22,100,000 for fiscal year 2003.

(9) POLAND.—For Poland, \$15,000,000 for fiscal year 2002 and \$17,500,000 for fiscal year 2003.

(10) ROMANIA.—For Romania, \$11,500,000 for fiscal year 2002 and \$13,400,000 for fiscal year 2003.

(11) SLOVAKIA.—For Slovakia, \$8,500,000 for fiscal year 2002 and \$9,900,000 for fiscal year 2003.

(12) SLOVENIA.—For Slovenia, \$4,500,000 for fiscal year 2002 and \$5,250,000 for fiscal year 2003.

(b) IMET.—Of the amounts made available for the fiscal years 2002 and 2003 to carry out chapter 5 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2347 et seq.), the following amounts are authorized to be available for the following countries for the fiscal years specified:

(1) **THE BALTIC STATES.**—For all of the Baltic states of Estonia, Latvia, and Lithuania, \$3,000,000 for fiscal year 2002 and \$3,420,000 for fiscal year 2003.

(2) **BULGARIA.**—For Bulgaria, \$1,200,000 for fiscal year 2002 and \$1,370,000 for fiscal year 2003.

(3) **THE CZECH REPUBLIC.**—For the Czech Republic, \$1,800,000 for fiscal year 2002 and \$2,050,000 for fiscal year 2003.

(4) **GEORGIA.**—For Georgia, \$850,000 for fiscal year 2002 and \$970,000 for fiscal year 2003.

(5) **HUNGARY.**—For Hungary, \$1,800,000 for fiscal year 2002 and \$2,050,000 for fiscal year 2003.

(6) **JORDAN.**—For Jordan, \$1,800,000 for fiscal year 2002 and \$2,050,000 for fiscal year 2003.

(7) **MALTA.**—For Malta, \$300,000 for fiscal year 2002 and \$350,000 for fiscal year 2003.

(8) **THE PHILIPPINES.**—For the Philippines, \$1,710,000 for fiscal year 2002 and \$2,000,000 for fiscal year 2003.

(9) **POLAND.**—For Poland, \$1,900,000 for fiscal year 2002 and \$2,160,000 for fiscal year 2003.

(10) **ROMANIA.**—For Romania, \$1,400,000 for fiscal year 2002 and \$1,600,000 for fiscal year 2003.

(11) **SLOVAKIA.**—For Slovakia, \$850,000 for fiscal year 2002 and \$970,000 for fiscal year 2003.

(12) **SLOVENIA.**—For Slovenia, \$800,000 for fiscal year 2002 and \$910,000 for fiscal year 2003.

(c) **WRITTEN EXPLANATION OF PRESIDENTIAL DETERMINATIONS.**—In the event that the President determines not to provide, or determines to exceed, the funding allocated for any country specified in this section by an amount that is more than five percent of that specified in this section, the President shall submit to the appropriate committees of Congress within 15 days of such determination a written explanation of the reasons therefor.

(d) **REPEALS.**—Sections 511 (a) and (b) and 515 of the Security Assistance Act of 2000 are repealed.

#### **Subtitle D—Excess Defense Article and Drawdown Authorities**

#### **SEC. 231. EXCESS DEFENSE ARTICLES FOR CERTAIN COUNTRIES.**

(a) **AUTHORITY.**—Notwithstanding section 516(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(e)), during each of the fiscal years 2002 and 2003, funds available to the Department of Defense may be expended for crating, packing, handling, and transportation of excess defense articles transferred under the authority of section 516 of such Act to Albania, Bulgaria, Croatia, Estonia, Former Yugoslavia Republic of Macedonia, Georgia, India, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Moldova, Mongolia, Pakistan, Romania, Slovakia, Slovenia, Tajikistan, Turkmenistan, Ukraine, and Uzbekistan.

(b) **SENSE OF CONGRESS.**—The authority provided under this section should be utilized only for those countries demonstrating a genuine commitment to democracy and human rights.

#### **SEC. 232. ANNUAL BRIEFING ON PROJECTED AVAILABILITY OF EXCESS DEFENSE ARTICLES.**

Not later than 90 days prior to the commencement of each fiscal year, the Department of Defense shall brief the Department of State and the appropriate committees of Congress regarding the expected availability of excess defense articles during the next fiscal year, for the purpose of enabling the Department of State to factor such availability into annual security assistance plans.

#### **SEC. 233. EXPANDED DRAWDOWN AUTHORITY.**

Section 506(c) of the Foreign Assistance Act of 1961 (22 U.S.C. 2318(c)) is amended to read as follows:

“(c) For the purposes of any provision of law that authorizes the drawdown of defense or other articles or commodities, or defense or other services from an agency of the United States Government, such drawdown may include the supply of commercial transportation and related services and defense or other articles or commodities, or defense or other services, that are acquired by contract for the purposes of the drawdown in question, if the cost to acquire such items or services is less than the cost to the United States Government of providing such items or services from existing agency assets.”.

#### **SEC. 234. DURATION OF SECURITY ASSISTANCE LEASES.**

Section 61 of the Arms Export Control Act (22 U.S.C. 2796) is amended—

(1) in subsection (b), by striking “of not to exceed five years” and inserting “that may not exceed 5 years, plus a period of time specified in the lease as may be necessary for major refurbishment work to be performed prior to final delivery by the lessor of the defense articles,”; and

(2) by adding at the end the following new subsection:

“(d) In this section, the term ‘major refurbishment work’ means refurbishment work performed over a period estimated to be 6 months or more.”.

#### **Subtitle E—Other Political-Military Assistance**

#### **SEC. 241. DESTRUCTION OF SURPLUS WEAPONS STOCKPILES.**

Of the funds authorized to be appropriated to the President for fiscal years 2002 and 2003 to carry out chapters 1 and 10 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.), relating to development assistance, up to \$10,000,000 is authorized to be made available each such fiscal year for the destruction of surplus stockpiles of small arms, light weapons, and other munitions.

#### **SEC. 242. IDENTIFICATION OF FUNDS FOR DEMINING PROGRAMS.**

Of the funds authorized to be appropriated under section 201 for nonproliferation, antiterrorism, demining, and related programs, \$40,000,000 is authorized to be appropriated for fiscal year 2002 for demining programs and program support costs.

#### **Subtitle F—Antiterrorism Assistance**

#### **SEC. 251. AUTHORIZATION OF APPROPRIATIONS.**

Section 574(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2349aa-4(a)) is amended by striking “\$72,000,000 for fiscal year 2001 and \$73,000,000 for fiscal year 2002” and inserting “\$73,000,000 for fiscal year 2002 and \$75,000,000 for fiscal year 2003”.

#### **SEC. 252. SPECIFIC PROGRAM OBJECTIVES.**

Of the amounts authorized to be appropriated to the President pursuant to section 574(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2349aa-4(a)), \$2,000,000 may be made available for the provision of the Pisces system to the governments of the Philippines and Pakistan.

#### **Subtitle G—Other Matters**

#### **SEC. 261. REVISED MILITARY ASSISTANCE REPORTING REQUIREMENTS.**

(a) **ANNUAL FOREIGN MILITARY TRAINING REPORTS.**—Section 656(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2416) does not apply to any NATO or major non-NATO ally unless the chairman or ranking member of one of the appropriate committees of Congress has specifically requested, in writing, inclusion of such country in the report. Such request shall be made not later than 45 calendar days prior to the date on which the report is required to be transmitted.

(b) **ANNUAL MILITARY ASSISTANCE REPORTS.**—Section 655 of the Foreign Assistance Act of 1961 (22 U.S.C. 2415) is amended—

(1) by striking subsection (c); and

(2) by redesignating subsection (d) as subsection (c).

(c) **QUARTERLY REPORTS ON GOVERNMENT-TO-GOVERNMENT ARMS EXPORTS.**—Section 36(a) of the Arms Export Control Act (22 U.S.C. 2776(a)) is amended—

(1) by striking paragraph (7); and

(2) by redesignating paragraphs (8), (9), (10), (11), (12), and (13) as paragraphs (7), (8), (9), (10), (11), and (12), respectively.

### **TITLE III—NONPROLIFERATION AND EXPORT CONTROL ASSISTANCE**

#### **Subtitle A—General Provisions**

#### **SEC. 301. AUTHORIZATION OF APPROPRIATIONS.**

(a) **AUTHORIZATION.**—Section 585 of the Foreign Assistance Act of 1961 (22 U.S.C. 2349bb-4) is amended—

(1) in subsection (a), by striking all after “chapter” and inserting “\$142,000,000 for fiscal year 2002 and \$152,000,000 for fiscal year 2003.”; and

(2) in subsection (c), by striking “2001” each place that it appears and inserting “2002”.

(b) **SUBALLOCATIONS.**—Of the amounts authorized to be appropriated to the President for fiscal years 2002 and 2003 under chapter 9 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2349bb et seq.)—

(1) not less than \$2,000,000 shall be made available each such fiscal year for the purpose of carrying out section 584 of the Foreign Assistance Act of 1961, as added by section 304 of this Act; and

(2) \$65,000,000 for fiscal year 2002 and \$65,000,000 for fiscal year 2003 are authorized to be appropriated for science and technology centers in the independent states of the former Soviet Union.

(c) **CONFORMING AMENDMENT.**—Section 302 of the Security Assistance Act of 2000 (Public Law 106-280) is repealed.

#### **SEC. 302. JOINT STATE DEPARTMENT-DEFENSE DEPARTMENT PROGRAMS.**

Of the amounts authorized to be appropriated to the President for fiscal years 2002 and 2003 under chapter 9 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2349bb et seq.), the Secretary is authorized to make available not more than \$1,000,000 for international counterproliferation programs administered by the Department of Defense.

#### **SEC. 303. NONPROLIFERATION TECHNOLOGY ACQUISITION PROGRAMS FOR FRIENDLY FOREIGN COUNTRIES.**

(a) **IN GENERAL.**—For the purpose of enhancing the nonproliferation and export control capabilities of friendly countries, of the amounts authorized to be appropriated for fiscal years 2002 and 2003 under chapter 9 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2349bb et seq.), the Secretary is authorized to expend not more than—

(1) \$5,000,000 for the procurement and provision of nuclear, chemical, and biological detection systems, including spectroscopic and pulse echo technologies; and

(2) \$10,000,000 for the procurement and provision of x-ray systems capable of imaging sea-cargo containers.

(b) **TRAINING REQUIREMENT.**—The Secretary shall not provide any equipment or technology pursuant to this section without having first developed and budgeted for a multiyear training plan to assist foreign personnel in the utilization of those items.

(c) **PROCUREMENT AUTHORITIES.**—For fiscal year 2003, the Secretary shall utilize, to the maximum extent practicable, the Special Defense Acquisition Fund for procurements authorized under this section.

**SEC. 304. INTERNATIONAL NONPROLIFERATION AND EXPORT CONTROL TRAINING.**

Chapter 9 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2349bb et seq.) is amended—

(1) by redesignating sections 584 and 585 as sections 585 and 586, respectively; and

(2) by inserting after section 583 the following:

**“SEC. 584. INTERNATIONAL NONPROLIFERATION EXPORT CONTROL TRAINING.**

“(a) GENERAL AUTHORITY.—The President is authorized to furnish, on such terms and conditions consistent with this chapter (but whenever feasible on a reimbursable basis), education and training to foreign personnel for the purpose of enhancing the nonproliferation and export control capabilities of such personnel through their attendance in special courses of instruction conducted by the United States.

“(b) ADMINISTRATION OF COURSES.—The Secretary of State shall have overall responsibility for the development and conduct of international nonproliferation education and training programs, but may utilize other departments and agencies, as appropriate, to recommend personnel for the education and training, and to administer specific courses of instruction.

“(c) PURPOSES.—Education and training activities conducted under this section shall be—

“(1) of a technical nature, emphasizing techniques for detecting, deterring, monitoring, interdicting, and countering proliferation;

“(2) designed to encourage effective and mutually beneficial relations and increased understanding between the United States and friendly countries; and

“(3) designed to improve the ability of friendly countries to utilize their resources with maximum effectiveness, thereby contributing to greater self-reliance by such countries.

“(d) PRIORITY TO CERTAIN COUNTRIES.—In selecting military and foreign governmental personnel for education and training pursuant to this section, priority shall be given to personnel from countries for which the Secretary of State has given priority under section 583(b).”

**SEC. 305. RELOCATION OF SCIENTISTS.**

(a) REINSTATEMENT OF CLASSIFICATION AUTHORITY.—Section 4 of the Soviet Scientists Immigration Act of 1992 (Public Law 102-509; 106 Stat. 3316; 8 U.S.C. 1153 note) is amended by striking subsection (d) and inserting the following:

“(d) DURATION OF AUTHORITY.—The authority under subsection (a) shall be in effect during the following periods:

“(1) The period beginning on the date of the enactment of this Act and ending 4 years after such date.

“(2) The period beginning on the date of the enactment of the Security Assistance Act of 2001 and ending 4 years after such date.”

(b) LIMITATION ON NUMBER OF SCIENTISTS ELIGIBLE FOR VISAS UNDER AUTHORITY.—Subsection (c) of such section is amended by striking “750” and inserting “950”.

(c) LIMITATION ON ELIGIBILITY.—Subsection (a) of such section is amended by adding at the end the following new sentence: “A scientist is not eligible for designation under this subsection if the scientist has previously been granted the status of an alien lawfully admitted for permanent residence (as defined in section 101(a)(20) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(20))).”

(d) CONSULTATION REQUIREMENT.—The Attorney General shall consult with the Secretary, the Secretary of Defense, the Sec-

retary of Energy, and the heads of other appropriate agencies of the United States regarding—

(1) previous experience in implementing the Soviet Scientists Immigration Act of 1992; and

(2) any changes that those officials would recommend in the regulations prescribed under that Act.

**SEC. 306. AUDITS OF THE INTERNATIONAL SCIENCE AND TECHNOLOGY CENTERS PROGRAM.**

Consistent with section 303(b) of the Security Assistance Act of 2000 (Public Law 106-280; 114 Stat. 853), not later than 60 days after the date of enactment of this Act, the Secretary shall submit a detailed report to the appropriate committees of Congress on United States audit practices with respect to the “International Science and Technology Centers Program”.

**SEC. 307. INTERNATIONAL ATOMIC ENERGY AGENCY REGULAR BUDGET ASSESSMENTS.**

(a) FINDINGS.—Congress makes the following findings:

(1) The Department of State has concluded that the International Atomic Energy Agency (hereafter in this section referred to as the “IAEA”) is a critical and effective instrument for verifying compliance with international nuclear nonproliferation agreements, and that it serves as an essential barrier to the spread of nuclear weapons.

(2) The IAEA furthers United States national security objectives by helping to prevent the proliferation of nuclear weapons material, especially through its work on effective verification and safeguards measures.

(3) The IAEA can also perform a critical role in monitoring and verifying aspects of nuclear weapons reduction agreements between nuclear weapons states.

(4) As the IAEA has negotiated and developed more effective verification and safeguards measures, it has experienced significant real growth in its mission, especially in the vital area of nuclear safeguards inspections.

(5) Nearly two decades of zero budget growth have affected the ability of the IAEA to carry out its mission and to hire and retain the most qualified inspectors and managers, as evidenced in the decreasing proportion of such personnel who hold doctorate degrees.

(6) Although voluntary contributions by the United States lessen the IAEA’s budgetary constraints, they cannot readily be used for the long-term capital investments or permanent staff increases necessary to an effective IAEA safeguards regime.

(7) It was not the intent of Congress that the United States contributions to all United Nations-related organizations and activities be reduced pursuant to the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Years 2000 and 2001 (as enacted into law by section 1000(a)(7) of Public Law 106-113; 113 Stat. 1501A-405 et seq.), which sets 22 percent assessment rates as benchmarks for the general United Nations budget, the Food and Agricultural Organization, the World Health Organization, and the International Labor Organization. Rather, contributions for important and effective agencies such as the IAEA should be maintained at levels commensurate with the criticality of its mission.

(b) ADDITIONAL FUNDING FOR THE INTERNATIONAL ATOMIC ENERGY AGENCY.—It is the sense of Congress that—

(1) the Secretary should negotiate a gradual and sustained increase in the regular budget of the International Atomic Energy Agency, which should begin with the 2002 budget;

(2) if a regular budget increase for the IAEA is achieved, the Secretary should seek to gain consensus within the IAEA Board of Governors for allocation of a larger proportion of that budget to nuclear nonproliferation activities; and

(3) if such a reallocation of the regular IAEA budget cannot be obtained, the United States should decrease its voluntary contribution by \$400,000 for each \$1,000,000 increase in its annual assessment.

(c) AUTHORIZATION OF APPROPRIATIONS.—Of the funds authorized to be appropriated for international organizations, \$60,000,000 are authorized to be appropriated in fiscal year 2002 for the payment of the United States assessment to the International Atomic Energy Agency, and \$75,000,000 shall be available for that purpose in fiscal year 2003.

**SEC. 308. REVISED NONPROLIFERATION REPORTING REQUIREMENTS.**

Section 308 of Public Law 102-182 (22 U.S.C. 5606) is hereby repealed.

**Subtitle B—Russian Federation Debt Reduction for Nonproliferation****SEC. 311. SHORT TITLE.**

This subtitle may be cited as the “Russian Federation Debt Reduction for Nonproliferation Act of 2001”.

**SEC. 312. FINDINGS AND PURPOSES.**

(a) FINDINGS.—Congress finds the following:

(1) It is in the vital security interests of the United States to prevent the spread of weapons of mass destruction to additional states or to terrorist organizations, and to ensure that other nations’ obligations to reduce their stockpiles of such arms in accordance with treaties, executive agreements, or political commitments are fulfilled.

(2) In particular, it is in the vital national security interests of the United States to ensure that—

(A) all stocks of nuclear weapons and weapons-usable nuclear material in the Russian Federation are secure and accounted for;

(B) stocks of nuclear weapons and weapons-usable nuclear material that are excess to military needs in the Russian Federation are monitored and reduced;

(C) any chemical or biological weapons, related materials, and facilities in the Russian Federation are destroyed;

(D) the Russian Federation’s nuclear weapons complex is reduced to a size appropriate to its post-Cold War missions, and its experts in weapons of mass destruction technologies are shifted to gainful and sustainable civilian employment;

(E) the Russian Federation’s export control system blocks any proliferation of weapons of mass destruction, the means of delivering such weapons, and materials, equipment, know-how, or technology that would be used to develop, produce, or deliver such weapons; and

(F) these objectives are accomplished with sufficient monitoring and transparency to provide confidence that they have in fact been accomplished and that the funds provided to accomplish these objectives have been spent efficiently and effectively.

(3) United States programs should be designed to accomplish these vital objectives in the Russian Federation as rapidly as possible, and the President should develop and present to Congress a plan for doing so.

(4) Substantial progress has been made in United States-Russian Federation cooperative programs to achieve these objectives, but much more remains to be done to reduce the urgent risks to United States national security posed by the current state of the Russian Federation’s weapons of mass destruction stockpiles and complexes.

(5) The threats posed by inadequate management of weapons of mass destruction

stockpiles and complexes in the Russian Federation remain urgent. Incidents in years immediately preceding 2001, which have been cited by the Russia Task Force of the Secretary of Energy's Advisory Board, include—

(A) a conspiracy at one of the Russian Federation's largest nuclear weapons facilities to steal nearly enough highly enriched uranium for a nuclear bomb;

(B) an attempt by an employee of the Russian Federation's premier nuclear weapons facility to sell nuclear weapons designs to agents of Iraq and Afghanistan; and

(C) the theft of radioactive material from a Russian Federation submarine base.

(6) Addressing these threats to United States and world security will ultimately consume billions of dollars, a burden that will have to be shared by the Russian Federation, the United States, and other governments, if this objective is to be achieved.

(7) The creation of new funding streams could accelerate progress in reducing these threats to United States security and help the government of the Russian Federation to fulfill its responsibility for secure management of its weapons stockpiles and complexes as United States assistance phases out.

(8) The Russian Federation suffers from a significant foreign debt burden, a substantial proportion of which it inherited from the Soviet Union. The Russian Federation is taking full responsibility for this debt, but the burden of debt repayment could threaten Russian Federation economic reform, particularly in 2003 and beyond.

(9) The Russian Federation's need for debt relief has been the subject of discussions between the United States and the Russian Federation at the highest levels and is cited by United States officials as one reason why the Russian Federation has recognized that its future lies with the West.

(10) Past debt-for-environment exchanges, in which a portion of a country's foreign debt is canceled in return for certain environmental commitments or payments by that country, provide a model for a possible debt-for-nonproliferation exchange with the Russian Federation, which could be designed to provide additional funding for nonproliferation and arms reduction initiatives.

(11) Most of the Russian Federation's official bilateral debt is held by United States allies that are advanced industrial democracies. Since the issues described pose threats to United States allies as well, United States leadership that results in a larger contribution from United States allies to cooperative threat reduction activities will be needed.

(b) PURPOSES.—The purposes of this subtitle are—

(1) to recognize the vital interests of the United States, its allies, and the Russian Federation in reducing the threats to international security described in the findings set forth in subsection (a);

(2) to facilitate the accomplishment of the United States objectives described in the findings set forth in subsection (a) by providing for the alleviation of a portion of the Russian Federation's foreign debt, thus allowing the use of additional resources for these purposes; and

(3) to ensure that resources freed from debt in the Russian Federation are targeted to the accomplishment of the United States objectives described in the findings set forth in subsection (a).

#### SEC. 313. DEFINITIONS.

In this subtitle:

(1) AGREEMENT.—The term "Agreement" means the Russian Nonproliferation Investment Agreement provided for in section 318.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means—

(A) the Committee on International Relations and the Committee on Appropriations of the House of Representatives; and

(B) the Committee on Foreign Relations and the Committee on Appropriations of the Senate.

(3) COST.—The term "cost" has the meaning given that term in section 502(5) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a(5)).

(4) FACILITY.—The term "Facility" means the Russian Nonproliferation Investment Facility established in the Department of the Treasury by section 314.

(5) SOVIET-ERA DEBT.—The term "Soviet-era debt" means debt owed as a result of loans or credits provided by the United States (or any agency of the United States) to the Union of Soviet Socialist Republics.

#### SEC. 314. ESTABLISHMENT OF THE RUSSIAN NON-PROLIFERATION INVESTMENT FACILITY.

There is established in the Department of the Treasury an entity to be known as the "Russian Nonproliferation Investment Facility" for the purpose of providing for the administration of debt reduction in accordance with this subtitle.

#### SEC. 315. REDUCTION OF THE RUSSIAN FEDERATION'S SOVIET-ERA DEBT OWED TO THE UNITED STATES, GENERALLY.

(a) AUTHORITY TO REDUCE SOVIET-ERA DEBT.—

(1) AUTHORITY.—

(A) IN GENERAL.—Except as provided in subparagraph (B), and subject to section 321, the President may reduce the amount of Soviet-era debt owed by the Russian Federation to the United States (or any agency of the United States) that is outstanding as of October 1, 2001.

(B) EXCEPTION.—The authority of subparagraph (A) to reduce Soviet-era debt does not include any debt that is described in section 316(a)(1).

(2) CONGRESSIONAL NOTIFICATION.—The President shall notify the appropriate congressional committees of his intention to reduce the amount of the Russian Federation's Soviet-era debt at least 15 days in advance of any formal determination to do so.

(3) AUTHORIZATION OF APPROPRIATIONS.—

(A) IN GENERAL.—For the cost of the reduction of any Soviet-era debt pursuant to this section, there are authorized to be appropriated to the President—

(i) \$50,000,000 for fiscal year 2002; and

(ii) \$100,000,000 for fiscal year 2003.

(B) LIMITATION.—The authority provided by this section shall be available only to the extent that appropriations for the cost of the modification of any Soviet-era debt pursuant to this section are made in advance.

(4) CERTAIN PROHIBITIONS INAPPLICABLE.—

(A) IN GENERAL.—A reduction of Soviet-era debt pursuant to this section shall not be considered assistance for the purposes of any provision of law limiting assistance to a country.

(B) ADDITIONAL REQUIREMENT.—The authority of this section may be exercised notwithstanding section 620(r) of the Foreign Assistance Act of 1961 or section 321 of the International Development and Food Assistance Act of 1975.

(b) IMPLEMENTATION OF SOVIET-ERA DEBT REDUCTION.—

(1) IN GENERAL.—Any reduction of Soviet-era debt pursuant to subsection (a) shall be—

(A) implemented pursuant to the terms of a Russian Nonproliferation Investment Agreement authorized under section 318; and

(B) accomplished at the direction of the Facility by the exchange of a new obligation for obligations of the type referred to in such

subsection that are outstanding as of October 1, 2001.

(2) EXCHANGE OF OBLIGATIONS.—

(A) IN GENERAL.—The Facility shall notify the agency primarily responsible for administering part I of the Foreign Assistance Act of 1961 of an agreement entered into under paragraph (1) with the Russian Federation to exchange a new obligation for outstanding obligations.

(B) ADDITIONAL REQUIREMENT.—At the direction of the Facility, the old obligations that are the subject of the agreement shall be canceled and a new debt obligation for the Russian Federation shall be established relating to the agreement, and the agency primarily responsible for administering part I of the Foreign Assistance Act of 1961 shall make an adjustment in its accounts to reflect the debt reduction.

(c) ADDITIONAL TERMS AND CONDITIONS.—The following additional terms and conditions shall apply to the reduction of Soviet-era debt under subsection (a)(1) in the same manner as such terms and conditions apply to the reduction of debt under section 704(a)(1) of the Foreign Assistance Act of 1961:

(1) The provisions relating to repayment of principal under section 705 of the Foreign Assistance Act of 1961.

(2) The provisions relating to interest on new obligations under section 706 of the Foreign Assistance Act of 1961.

#### SEC. 316. REDUCTION OF SOVIET-ERA DEBT OWED TO THE UNITED STATES AS A RESULT OF CREDITS EXTENDED UNDER TITLE I OF THE AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT OF 1954.

(a) AUTHORITY TO REDUCE CERTAIN SOVIET-ERA DEBT.—

(1) AUTHORITY.—Notwithstanding any other provision of law, and subject to section 321, the President may reduce the amount of Soviet-era debt owed to the United States (or any agency of the United States) by the Russian Federation that is outstanding as of October 1, 2001, as a result of any credits extended under title I of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1701 et seq.).

(2) CONGRESSIONAL NOTIFICATION.—The President shall notify the appropriate congressional committees of his intention to reduce the amount of the Russian Federation's Soviet-era debt described in paragraph (1) at least 15 days in advance of any formal determination to do so.

(3) AUTHORIZATION OF APPROPRIATIONS.—

(A) IN GENERAL.—For the cost of the reduction of any Soviet-era debt pursuant to this section, there are authorized to be appropriated to the President—

(i) \$50,000,000 for fiscal year 2002; and

(ii) \$100,000,000 for fiscal year 2003.

(B) LIMITATION.—The authority provided by this section shall be available only to the extent that appropriations for the cost of the modification of any Soviet-era debt pursuant to this section are made in advance.

(b) IMPLEMENTATION OF SOVIET-ERA DEBT REDUCTION.—

(1) IN GENERAL.—Any reduction of Soviet-era debt pursuant to subsection (a) shall be—

(A) implemented pursuant to the terms of a Russian Nonproliferation Investment Agreement authorized under section 318; and

(B) accomplished at the direction of the Facility by the exchange of a new obligation for obligations of the type referred to in such subsection that are outstanding as of October 1, 2001.

(2) EXCHANGE OF OBLIGATIONS.—

(A) IN GENERAL.—The Facility shall notify the Commodity Credit Corporation of an agreement entered into under paragraph (1) with an eligible country to exchange a new obligation for outstanding obligations.

(B) **ADDITIONAL REQUIREMENT.**—At the direction of the Facility, the old obligations that are the subject of the agreement shall be canceled and a new debt obligation shall be established for the Russian Federation relating to the agreement, and the Commodity Credit Corporation shall make an adjustment in its accounts to reflect the debt reduction.

(C) **ADDITIONAL TERMS AND CONDITIONS.**—The following additional terms and conditions shall apply to the reduction of Soviet-era debt under subsection (a)(1) in the same manner as such terms and conditions apply to the reduction of debt under section 604(a)(1) of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1738c):

(1) The provisions relating to repayment of principal under section 605 of such Act.

(2) The provisions relating to interest on new obligations under section 606 of such Act.

**SEC. 317. AUTHORITY TO ENGAGE IN DEBT-FOR-NONPROLIFERATION EXCHANGES AND DEBT BUYBACKS.**

(a) **LOANS AND CREDITS ELIGIBLE FOR SALE, REDUCTION, OR CANCELLATION.**—

(1) **DEBT-FOR-NONPROLIFERATION EXCHANGES.**—

(A) **IN GENERAL.**—Notwithstanding any other provision of law, and subject to section 321, the President may, in accordance with this section, sell to any purchaser eligible under subparagraph (B), any loan or credit described in section 315(a)(1), or any credit described in section 316(a)(1), or on receipt of payment from an eligible purchaser, reduce or cancel any such loan or credit or portion thereof, only for the purpose of facilitating a debt-for-nonproliferation exchange to support activities that further United States objectives described in the findings set forth in section 312(a).

(B) **ELIGIBLE PURCHASER.**—A loan or credit may be sold, reduced, or canceled under subparagraph (A) with respect to a purchaser who presents plans satisfactory to the President for using the loan or credit for the purpose of engaging in debt-for-nonproliferation exchange to support activities that further United States objectives described in the findings set forth in section 312(a).

(C) **CONSULTATION REQUIREMENT.**—Before the sale under subparagraph (A) to any purchaser eligible under subparagraph (B), or any reduction or cancellation under subparagraph (A), of any loan or credit made to the Russian Federation, the President shall consult with that country concerning the amount of loans or credits to be sold, reduced, or canceled and their uses for debt-for-nonproliferation exchanges to support activities that further United States objectives described in the findings set forth in section 312(a).

(D) **AUTHORIZATION OF APPROPRIATIONS.**—For the cost of the reduction of any debt pursuant to subparagraph (A), amounts authorized to be appropriated under sections 315(a)(3) and 316(a)(3) shall be made available for such reduction of debt pursuant to subparagraph (A).

(2) **DEBT BUYBACKS.**—Notwithstanding any other provision of law, the President may, in accordance with this section, sell to the Russian Federation any loan or credit described in section 315(a)(1) or any credit described in section 316(a)(1), or on receipt of payment from the Russian Federation, reduce or cancel such loan or credit or portion thereof, if the purpose of doing so is to facilitate a debt buyback by the Russian Federation of its own qualified debt and the Russian Federation uses a substantial additional amount of its local currency to support activities that further United States objectives described in the findings set forth in section 312(a).

(3) **LIMITATION.**—The authority provided by paragraphs (1) and (2) shall be available only to the extent that appropriations for the cost of the modification of any debt pursuant to such paragraphs are made in advance.

(4) **TERMS AND CONDITIONS.**—Notwithstanding any other provision of law, the President shall, in accordance with this section, establish the terms and conditions under which loans and credits may be sold, reduced, or canceled pursuant to this section.

(5) **ADMINISTRATION.**—

(A) **IN GENERAL.**—The Facility shall notify the Administrator of the agency primarily responsible for administering part I of the Foreign Assistance Act of 1961 or the Commodity Credit Corporation, as the case may be, of purchasers that the President has determined to be eligible under paragraph (1)(B), and shall direct such agency or Corporation, as the case may be, to carry out the sale, reduction, or cancellation of a loan pursuant to such paragraph.

(B) **ADDITIONAL REQUIREMENT.**—Such agency or Corporation, as the case may be, shall make an adjustment in its accounts to reflect the sale, reduction, or cancellation.

(b) **DEPOSIT OF PROCEEDS.**—The proceeds from a sale, reduction, or cancellation of a loan sold, reduced, or canceled pursuant to this section shall be deposited in the United States Government account or accounts established for the repayment of such loan.

**SEC. 318. RUSSIAN NONPROLIFERATION INVESTMENT AGREEMENT.**

(a) **AUTHORITY.**—Subject to section 321, the Secretary is authorized, in consultation with other appropriate officials of the Federal Government, to enter into an agreement with the Russian Federation concerning the use of the funds saved by that country as a result of any debt relief provided pursuant to this subtitle. An agreement entered into under this section may be referred to as the “Russian Nonproliferation Investment Agreement”.

(b) **CONTENT OF AGREEMENT.**—The Russian Nonproliferation Investment Agreement shall ensure that—

(1) a significant proportion of the funds saved by the Russian Federation as a result of any debt relief provided pursuant to this subtitle is devoted to nonproliferation programs and projects;

(2) funding of each such program or project is approved by the United States Government, either directly or through its representation on any governing board that may be directed or established to manage these funds;

(3) administration and oversight of nonproliferation programs and projects incorporate best practices from established threat reduction and nonproliferation assistance programs;

(4) each program or project funded pursuant to the Agreement is subject to audits conducted by or for the United States Government;

(5) unobligated funds for investments pursuant to the Agreement are segregated from other Russian Federation funds and invested in financial instruments guaranteed or insured by the United States Government;

(6) the funds that are devoted to programs and projects pursuant to the Agreement are not subject to any taxation by the Russian Federation;

(7) all matters relating to the intellectual property rights and legal liabilities of United States firms in a given project are agreed upon before the expenditure of funds is authorized for that project; and

(8) not less than 75 percent of the funds made available for each nonproliferation program or project under the Agreement is spent in the Russian Federation.

(c) **USE OF EXISTING MECHANISMS.**—It is the sense of Congress that, to the extent practicable, the boards and administrative mechanisms of existing threat reduction and nonproliferation programs should be used in the administration and oversight of programs and projects under the Agreement.

**SEC. 319. STRUCTURE OF DEBT-FOR-NONPROLIFERATION ARRANGEMENTS.**

It is the sense of Congress that any debt-for-nonproliferation arrangements with the Russian Federation should provide for gradual debt relief over a period of years, with debt relief to be suspended if more than two years' worth of funds remain unobligated for approved nonproliferation programs or projects.

**SEC. 320. INDEPENDENT MEDIA AND THE RULE OF LAW.**

Subject to section 321, of the agreed funds saved by the Russian Federation as a result of any debt relief provided pursuant to this subtitle, up to 10 percent may be used to promote a vibrant, independent media sector and the rule of law in the Russian Federation through an endowment to support the establishment of a “Center for an Independent Press and the Rule of Law” in the Russian Federation, which shall be directed by a joint United States-Russian Board of Directors in which the majority of members, including the chairman, shall be United States personnel, and which shall be responsible for management of the endowment, its funds, and the Center's programs.

**SEC. 321. NONPROLIFERATION REQUIREMENT.**

(a) **PROLIFERATION TO STATE SPONSORS OF TERRORISM.**—The authorities granted under sections 315, 316, 317, 318, and 320 may not be exercised, and funds may not be expended, unless and until—

(1) the Russian Federation makes material progress in stemming the flow of sensitive goods, technologies, material, and know-how related to the design, development, and production of weapons of mass destruction and the means to deliver them to countries that have been determined by the Secretary, for the purposes of section 40 of the Arms Export Control Act, section 620A of the Foreign Assistance Act, or section 6(j) of the Export Administration Act of 1979, to have repeatedly provided support for acts of international terrorism; and

(2) the President certifies to the appropriate congressional committees that the condition required in paragraph (1) has been met.

(b) **ANNUAL DETERMINATION.**—If, in any annual report to Congress submitted pursuant to section 325, the President cannot certify that the Russian Federation continues to meet the condition required in subsection (a)(1), then, subject to the provisions of subsection (c), the authorities granted under sections 315, 316, 317, 318, and 320 may not be exercised, and funds may not be expended, unless and until such certification is made to the appropriate congressional committees.

(c) **PRESIDENTIAL WAIVER.**—The President may waive the requirements of subsection (b) for a fiscal year if the President determines that imposition of those requirements in that fiscal year would be counter to the national interest of the United States and so reports to the appropriate congressional committees.

**SEC. 322. DISCUSSION OF RUSSIAN FEDERATION DEBT REDUCTION FOR NONPROLIFERATION WITH OTHER CREDITOR STATES.**

The President and such other appropriate officials as the President may designate shall institute discussions in the Paris Club of creditor states with the objectives of—

(1) reaching agreement that each member of the Paris Club is authorized to negotiate



debt exchanges with the Russian Federation covering a portion of its bilateral debt, to finance the accomplishment of nonproliferation and arms reduction activities;

(2) convincing other member states of the Paris Club, especially the largest holders of Soviet-era Russian debt, to dedicate significant proportions of their bilateral debt with the Russian Federation to these purposes; and

(3) reaching agreement, as appropriate, to establish a unified debt exchange fund to manage and provide financial transparency for the resources provided through the debt exchanges.

#### **SEC. 323. IMPLEMENTATION OF UNITED STATES POLICY.**

It is the sense of Congress that implementation of debt-for-nonproliferation programs with the Russian Federation should be overseen by the Committee on Nonproliferation Assistance to the Independent States of the Former Soviet Union (established pursuant to section 334 of this Act).

#### **SEC. 324. CONSULTATIONS WITH CONGRESS.**

The President shall consult with the appropriate congressional committees on a periodic basis to review the operations of the Facility and the Russian Federation's eligibility for benefits from the Facility.

#### **SEC. 325. ANNUAL REPORT TO CONGRESS.**

Not later than December 31, 2002, and not later than December 31 of each year thereafter, the President shall prepare and transmit to Congress a report concerning the operation of the Facility during the fiscal year preceding the fiscal year in which the report is transmitted. The report on a fiscal year shall include—

- (1) a description of the activities undertaken by the Facility during the fiscal year;
- (2) a description of any agreement entered into under this subtitle;
- (3) a description of any grants that have been provided pursuant to the agreement; and
- (4) a summary of the results of audits performed in the fiscal year pursuant to the agreement.

#### **Subtitle C—Nonproliferation Assistance Coordination**

#### **SEC. 331. SHORT TITLE.**

This subtitle may be cited as the “Nonproliferation Assistance Coordination Act of 2001”.

#### **SEC. 332. FINDINGS.**

Congress finds that—

- (1) United States nonproliferation efforts in the independent states of the former Soviet Union have achieved important results in ensuring that weapons of mass destruction, weapons-usable material and technology, and weapons-related knowledge remain beyond the reach of terrorists and weapons-proliferating states;
- (2) although these efforts are in the United States national security interest, the effectiveness of these efforts suffers from a lack of coordination within and among United States Government agencies;
- (3) increased spending and investment by the United States private sector on nonproliferation efforts in the independent states of the former Soviet Union, specifically, spending and investment by the United States private sector in job creation initiatives and proposals for unemployed Russian Federation weapons scientists and technicians, are making an important contribution in ensuring that knowledge related to weapons of mass destruction remains beyond the reach of terrorists and weapons-proliferating states; and
- (4) increased spending and investment by the United States private sector on nonproliferation efforts in the independent

states of the former Soviet Union require the establishment of a coordinating body to ensure that United States public and private efforts are not in conflict, and to ensure that public spending on efforts by the independent states of the former Soviet Union is maximized to ensure efficiency and further United States national security interests.

#### **SEC. 333. INDEPENDENT STATES OF THE FORMER SOVIET UNION DEFINED.**

In this subtitle, the term “independent states of the former Soviet Union” has the meaning given the term in section 3 of the FREEDOM Support Act (22 U.S.C. 5801).

#### **SEC. 334. ESTABLISHMENT OF COMMITTEE ON NONPROLIFERATION ASSISTANCE TO THE INDEPENDENT STATES OF THE FORMER SOVIET UNION.**

(a) **ESTABLISHMENT.**—There is established within the executive branch of the Government an interagency committee known as the “Committee on Nonproliferation Assistance to the Independent States of the Former Soviet Union” (in this subtitle referred to as the “Committee”).

(b) **MEMBERSHIP.**—

(1) **IN GENERAL.**—The Committee shall be composed of five members, as follows:

- (A) A representative of the Department of State designated by the Secretary of State.
- (B) A representative of the Department of Energy designated by the Secretary of Energy.
- (C) A representative of the Department of Defense designated by the Secretary of Defense.
- (D) A representative of the Department of Commerce designated by the Secretary of Commerce.
- (E) A representative of the Assistant to the President for National Security Affairs designated by the Assistant to the President.

(2) **LEVEL OF REPRESENTATION.**—The Secretary of a department named in subparagraph (A), (B), (C), or (D) of paragraph (1) shall designate as the department's representative an official of that department who is not below the level of an Assistant Secretary of the department.

(c) **CHAIR.**—The representative of the Assistant to the President for National Security Affairs shall serve as Chair of the Committee. The Chair may invite the head of any other department or agency of the United States to designate a representative of that department or agency to participate from time to time in the activities of the Committee.

#### **SEC. 335. DUTIES OF THE COMMITTEE.**

(a) **IN GENERAL.**—The Committee shall have primary continuing responsibility within the executive branch of the Government for—

- (1) monitoring United States nonproliferation efforts in the independent states of the former Soviet Union; and
- (2) coordinating the implementation of United States policy with respect to such efforts.

(b) **DUTIES SPECIFIED.**—In carrying out the responsibilities described in subsection (a), the Committee shall—

- (1) arrange for the preparation of analyses on the issues and problems relating to coordination within and among United States departments and agencies on nonproliferation efforts of the independent states of the former Soviet Union;
- (2) arrange for the preparation of analyses on the issues and problems relating to coordination between the United States public and private sectors on nonproliferation efforts in the independent states of the former Soviet Union, including coordination between public and private spending on nonproliferation programs of the independent states of the former Soviet Union and coordi-

nation between public spending and private investment in defense conversion activities of the independent states of the former Soviet Union;

(3) provide guidance on arrangements that will coordinate, de-conflict, and maximize the utility of United States public spending on nonproliferation programs of the independent states of the former Soviet Union to ensure efficiency and further United States national security interests;

(4) encourage companies and nongovernmental organizations involved in nonproliferation efforts of the independent states of the former Soviet Union to voluntarily report these efforts to the Committee;

(5) arrange for the preparation of analyses on the issues and problems relating to the coordination between the United States and other countries with respect to nonproliferation efforts in the independent states of the former Soviet Union; and

(6) consider, and make recommendations to the President and Congress with respect to, proposals for new legislation or regulations relating to United States nonproliferation efforts in the independent states of the former Soviet Union as may be necessary.

#### **SEC. 336. ADMINISTRATIVE SUPPORT.**

All United States departments and agencies shall provide, to the extent permitted by law, such information and assistance as may be requested by the Committee in carrying out its functions and activities under this subtitle.

#### **SEC. 337. CONFIDENTIALITY OF INFORMATION.**

Information which has been submitted or received in confidence shall not be publicly disclosed, except to the extent required by law, and such information shall be used by the Committee only for the purpose of carrying out the functions and activities set forth in this subtitle.

#### **SEC. 338. STATUTORY CONSTRUCTION.**

Nothing in this subtitle—

(1) applies to the data-gathering, regulatory, or enforcement authority of any existing United States department or agency over nonproliferation efforts in the independent states of the former Soviet Union, and the review of those efforts undertaken by the Committee shall not in any way supersede or prejudice any other process provided by law; or

(2) applies to any activity that is reportable pursuant to title V of the National Security Act of 1947 (50 U.S.C. 413 et seq.).

### **TITLE IV—EXPEDITING THE MUNITIONS LICENSING PROCESS**

#### **SEC. 401. LICENSE OFFICER STAFFING.**

(a) **FUNDING.**—Of the amounts authorized to be appropriated under the appropriations account entitled “DIPLOMATIC AND CONSULAR PROGRAMS” for fiscal years 2002 and 2003, not less than \$10,000,000 shall be made available each such fiscal year for the Office of Defense Trade Controls of the Department of State for salaries and expenses.

(b) **ASSIGNMENT OF LICENSE REVIEW OFFICERS.**—Effective January 1, 2002, the Secretary shall assign to the Office of Defense Trade Controls of the Department of State a sufficient number of license review officers to ensure that the average weekly caseload for each officer does not exceed 40.

(c) **DETAILLEES.**—For the purpose of expediting license reviews, the Secretary of Defense should ensure that 10 military officers are continuously detailed to the Office of Defense Trade Controls of the Department of State on a nonreimbursable basis.

#### **SEC. 402. FUNDING FOR DATABASE AUTOMATION.**

Of the amounts authorized to be appropriated under the appropriations account entitled “CAPITAL INVESTMENT FUND” for fiscal years 2002 and 2003, not less than \$4,000,000

shall be made available each such fiscal year for the Office of Defense Trade Controls of the Department of State for the modernization of information management systems.

#### SEC. 403. INFORMATION MANAGEMENT PRIORITIES.

(a) **OBJECTIVE.**—The Secretary shall establish a secure, Internet-based system for the filing and review of applications for export of Munitions List items.

(b) **ESTABLISHMENT OF AN ELECTRONIC SYSTEM.**—Of the amounts made available pursuant to section 402, not less than \$3,000,000 each such fiscal year shall be made available to fully automate the Defense Trade Application System, and to ensure that the system—

(1) is a secure, electronic system for the filing and review of Munitions List license applications;

(2) is accessible by United States companies through the Internet for the purpose of filing and tracking their Munitions List license applications; and

(3) is capable of exchanging data with—

(A) the Export Control Automated Support System of the Department of Commerce;

(B) the Foreign Disclosure and Technology Information System and the USXPORTS systems of the Department of Defense;

(C) the Export Control System of the Central Intelligence Agency; and

(D) the Proliferation Information Network System of the Department of Energy.

(c) **MUNITIONS LIST DEFINED.**—In this section, the term “Munitions List” means the United States Munitions List of defense articles and defense services controlled under section 38 of the Arms Export Control Act (22 U.S.C. 2778).

#### SEC. 404. IMPROVEMENTS TO THE AUTOMATED EXPORT SYSTEM.

(a) **CONTRIBUTION TO THE AUTOMATED EXPORT SYSTEM.**—Not less than \$250,000 of the amounts provided under section 302 for each fiscal year shall be available for the purpose of—

(1) providing the Department of State with full access to the Automated Export System;

(2) ensuring that the system is modified to meet the needs of the Department of State, if such modifications are consistent with the needs of other United States Government agencies; and

(3) providing operational support.

(b) **MANDATORY FILING.**—The Secretary of Commerce, with the concurrence of the Secretary of State and the Secretary of Treasury, shall publish regulations in the Federal Register to require, upon the effective date of those regulations, that all persons who are required to file export information under chapter 9 of title 13, United States Code, to file such information through the Automated Export System.

(c) **REQUIREMENT FOR INFORMATION SHARING.**—The Secretary shall conclude an information-sharing arrangement with the heads of United States Customs Service and the Census Bureau—

(1) to allow the Department of State to access information on controlled exports made through the United States Postal Service; and

(2) to adjust the Automated Export System to parallel information currently collected by the Department of State.

(d) **SECRETARY OF TREASURY FUNCTIONS.**—Section 303 of title 13, United States Code, is amended by striking “, other than by mail.”

(e) **FILING EXPORT INFORMATION, DELAYED FILINGS, PENALTIES FOR FAILURE TO FILE.**—Section 304 of title 13, United States Code, is amended—

(1) in subsection (a)—

(A) in the first sentence, by striking “the penal sum of \$1,000” and inserting “a penal sum of \$10,000”; and

(B) in the third sentence, by striking “a penalty not to exceed \$100 for each day’s delinquency beyond the prescribed period, but not more than \$1,000,” and inserting “a penalty not to exceed \$1,000 for each day’s delinquency beyond the prescribed period, but not more than \$10,000 per violation”;

(2) by redesignating subsection (b) as subsection (c); and

(3) by inserting after subsection (a) the following:

“(b) Any person, other than a person described in subsection (a), required to submit export information, shall file such information in accordance with any rule, regulation, or order issued pursuant to this chapter. In the event any such information or reports are not filed within such prescribed period, the Secretary of Commerce (and officers of the Department of Commerce designated by the Secretary) may impose a civil penalty not to exceed \$1,000 for each day’s delinquency beyond the prescribed period, but not more than \$10,000 per violation.”.

(f) **ADDITIONAL PENALTIES.**—

(1) **IN GENERAL.**—Section 305 of title 13, United States Code, is amended to read as follows:

#### “SEC. 305. PENALTIES FOR UNLAWFUL EXPORT INFORMATION ACTIVITIES.

“(a) **CRIMINAL PENALTIES.**—(1) Any person who knowingly fails to file or knowingly submits false or misleading export information through the Shippers Export Declaration (SED) (or any successor document) or the Automated Export System (AES) shall be subject to a fine not to exceed \$10,000 per violation or imprisonment for not more than 5 years, or both.

“(2) Any person who knowingly reports any information on or uses the SED or the AES to further any illegal activity shall be subject to a fine not to exceed \$10,000 per violation or imprisonment for not more than 5 years, or both.

“(3) Any person who is convicted under this subsection shall, in addition to any other penalty, be subject to forfeiting to the United States—

“(A) any of that person’s interest in, security of, claim against, or property or contractual rights of any kind in the goods or tangible items that were the subject of the violation;

“(B) any of that person’s interest in, security of, claim against, or property or contractual rights of any kind in tangible property that was used in the export or attempt to export that was the subject of the violation; and

“(C) any of that person’s property constituting, or derived from, any proceeds obtained directly or indirectly as a result of the violation.

“(b) **CIVIL PENALTIES.**—The Secretary (and officers of the Department of Commerce specifically designated by the Secretary) may impose a civil penalty not to exceed \$10,000 per violation on any person violating the provisions of this chapter or any rule, regulation, or order issued thereunder, except as provided in section 304. Such penalty may be in addition to any other penalty imposed by law.

“(c) **CIVIL PENALTY PROCEDURE.**—(1) When a civil penalty is sought for a violation of this section or of section 304, the charged party is entitled to receive a formal complaint specifying the charges and, at his or her request, to contest the charges in a hearing before an administrative law judge. Any such hearing shall be conducted in accordance with sections 556 and 557 of title 5, United States Code.

“(2) If any person fails to pay a civil penalty imposed under this chapter, the Secretary may ask the Attorney General to commence a civil action in an appropriate

district court of the United States to recover the amount imposed (plus interest at currently prevailing rates from the date of the final order). No such action may be commenced more than 5 years after the order imposing the civil penalty becomes final. In such action, the validity, amount, and appropriateness of such penalty shall not be subject to review.

“(3) The Secretary may remit or mitigate any penalties imposed under paragraph (1) if, in his or her opinion—

“(A) the penalties were incurred without willful negligence or fraud; or

“(B) other circumstances exist that justify a remission or mitigation.

“(4) If, pursuant to section 306, the Secretary delegates functions under this section to another agency, the provisions of law of that agency relating to penalty assessment, remission or mitigation of such penalties, collection of such penalties, and limitations of actions and compromise of claims, shall apply.

“(5) Any amount paid in satisfaction of a civil penalty imposed under this section or section 304 shall be deposited into the general fund of the Treasury and credited as miscellaneous receipts.

“(d) **ENFORCEMENT.**—(1) The Secretary of Commerce may designate officers or employees of the Office of Export Enforcement to conduct investigations pursuant to this chapter. In conducting such investigations, those officers or employees may, to the extent necessary or appropriate to the enforcement of this chapter, exercise such authorities as are conferred upon them by other laws of the United States, subject to policies and procedures approved by the Attorney General.

“(2) The Commissioner of Customs may designate officers or employees of the Customs Service to enforce the provisions of this chapter, or to conduct investigations pursuant to this chapter.

“(e) **REGULATIONS.**—The Secretary of Commerce shall promulgate regulations for the implementation and enforcement of this section.

“(f) **EXEMPTION.**—The criminal fines provided for in this section are exempt from the provisions of section 3571 of title 18, United States Code.”.

(2) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 9 of title 13, United States Code, is amended by striking the item relating to section 305 and inserting the following:

“305. Penalties for unlawful export information activities.”.

#### SEC. 405. ADJUSTMENT OF THRESHOLD AMOUNTS FOR CONGRESSIONAL REVIEW PURPOSES.

The Arms Export Control Act is amended—

(1) in section 3(d) (22 U.S.C. 2753(d))—

(A) in paragraphs (1) and (3)(A), by striking “The President may not” and inserting “Subject to paragraph (5), the President may not”; and

(B) by adding at the end of the following new paragraph:

“(5) In the case of a transfer to a member country of the North Atlantic Treaty Organization (NATO) or Australia, Japan, or New Zealand that does not authorize a new sales territory that includes any country other than such countries, the limitations on consent of the President set forth in paragraphs (1) and (3)(A) shall apply only if the transfer is—

“(A) a transfer of major defense equipment valued (in terms of its original acquisition cost) at \$25,000,000 or more; or

“(B) a transfer of defense articles or defense services valued (in terms of its original acquisition cost) at \$100,000,000 or more.”;

(2) in section 36 (22 U.S.C. 2776)—

(A) in subsection (b)—

(i) in paragraph (1), by striking “(1) In the case of” and inserting “(1) Subject to paragraph (6), in the case of”;

(ii) in paragraph (5)(C), by striking “(C) If” and inserting “(C) Subject to paragraph (6), if”;

(iii) by adding at the end of the following new paragraph:

“(6) The limitation in paragraph (1) and the requirement in paragraph (5)(C) shall apply in the case of a letter of offer to sell to a member country of the North Atlantic Treaty Organization (NATO) or Australia, Japan, or New Zealand that does not authorize a new sales territory that includes any country other than such countries only if the letter of offer involves—

“(A) sale of major defense equipment under this Act for, or enhancement or upgrade of major defense equipment at a cost of, \$25,000,000 or more, as the case may be; and

“(B) sale of defense articles or services for, or enhancement or upgrade of defense articles or services at a cost of, \$100,000,000 or more, as the case may be; or

“(C) sale of design and construction services for, or enhancement or upgrade of design and construction services at a cost of, \$300,000,000 or more, as the case may be.”;

and

(B) in subsection (c)—

(i) in paragraph (1), by striking “(1) In the case of” and inserting “(1) Subject to paragraph (5), in the case of”;

(ii) by adding at the end the following new paragraph:

“(5) In the case of an application by a person (other than with regard to a sale under section 21 or 22 of this Act) for a license for the export to a member country of the North Atlantic Treaty Organization (NATO) or Australia, Japan, or New Zealand that does not authorize a new sales territory that includes any country other than such countries, the limitation on the issuance of the license set forth in paragraph (1) shall apply only if the license is for export of—

“(A) major defense equipment sold under a contract in the amount of \$25,000,000 or more; or

“(B) defense articles or defense services sold under a contract in the amount of \$100,000,000 or more.”;

(3) in section 63(a) (22 U.S.C. 2796b(a))—

(A) by striking “In the case of” and inserting “(1) Subject to paragraph (2), in the case of”;

(B) by adding at the end the following new paragraph:

“(2) In the case of an agreement described in paragraph (1) that is entered into with a member country of the North Atlantic Treaty Organization (NATO) or Australia, Japan, or New Zealand, the limitation in paragraph (1) shall apply only if the agreement involves a lease or loan of—

“(A) major defense equipment valued (in terms of its replacement cost less any depreciation in its value) at \$25,000,000 or more; or

“(B) defense articles valued (in terms of their replacement cost less any depreciation in their value) at \$100,000,000 or more.”.

#### SEC. 406. PERIODIC NOTIFICATION OF PENDING APPLICATIONS FOR EXPORT LICENSES.

The Secretary shall submit, on a biannual basis, to the appropriate committees of Congress a report identifying—

(1) each outstanding application for a license to export under section 38 of the Arms Export Control Act for which final administrative action has been withheld for longer than 180 days; and

(2) the referral status of each such application and any other relevant information.

### TITLE V—NATIONAL SECURITY ASSISTANCE STRATEGY

#### SEC. 501. ESTABLISHMENT OF THE STRATEGY.

(a) REQUIREMENT.—Not later than 180 days after the date of enactment of this Act, and annually thereafter in connection with submission of congressional presentation materials for the foreign operations appropriations budget request, the Secretary shall submit to the appropriate committees of Congress a report setting forth a National Security Assistance Strategy for the United States.

(b) ELEMENTS OF THE STRATEGY.—The National Security Assistance Strategy shall—

(1) set forth a 5-year plan for security assistance programs;

(2) be consistent with the National Security Strategy of the United States;

(3) be coordinated with the Secretary of Defense and the Chairman of the Joint Chiefs of Staff;

(4) identify overarching security assistance objectives, including identification of the role that specific security assistance programs will play in achieving such objectives;

(5) identify a primary security assistance objective, as well as specific secondary objectives, for individual countries;

(6) identify, on a country-by-country basis, how specific resources will be allocated to accomplish both primary and secondary objectives;

(7) discuss how specific types of assistance, such as foreign military financing and international military education and training, will be combined at the country level to achieve United States objectives; and

(8) detail, with respect to each of the paragraphs (1) through (7), how specific types of assistance provided pursuant to the Arms Export Control Act and Foreign Assistance Act of 1961 are coordinated with United States assistance programs administered by the Department of Defense and other agencies.

(c) COVERED ASSISTANCE.—The National Security Assistance Strategy shall cover assistance provided under—

(1) section 23 of the Arms Export Control Act (22 U.S.C. 2763);

(2) chapter 5 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2347 et seq.); and

(3) section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321i).

#### SEC. 502. SECURITY ASSISTANCE SURVEYS.

(a) UTILIZATION.—The Secretary shall utilize security assistance surveys in preparation of the National Security Assistance Strategy required pursuant to section 501 of this Act.

(b) FUNDING.—Of the amounts made available for fiscal year 2002 under section 23 of the Arms Export Control Act (22 U.S.C. 2763), \$2,000,000 is authorized to be available to the Secretary to conduct security assistance surveys, or to request such a survey, on a reimbursable basis, by the Department of Defense or other United States Government agencies. Such surveys shall be conducted consistent with the requirements of section 26 of the Arms Export Control Act.

### TITLE VI—MISCELLANEOUS PROVISIONS

#### SEC. 601. NUCLEAR AND MISSILE NON-PROLIFERATION IN SOUTH ASIA.

(a) UNITED STATES POLICY.—It shall be the policy of the United States, consistent with its obligations under the Treaty on the Non-Proliferation of Nuclear Weapons, to encourage and work with the governments of India and Pakistan to achieve the following objectives by September 30, 2003:

(1) Continuation of a nuclear testing moratorium.

(2) Commitment not to deploy nuclear weapons.

(3) Agreement by both governments to bring their export controls in line with the guidelines and requirements of the Nuclear Suppliers Group.

(4) Agreement by both governments to bring their export controls in line with the guidelines and requirements of the Zangger Committee.

(5) Agreement by both governments to bring their export controls in line with the guidelines, requirements, and annexes of the Missile Technology Control Regime.

(6) Establishment of a modern, effective system to protect and secure nuclear devices and materiel from unauthorized use, accidental employment, theft, espionage, misuse, or abuse.

(7) Establishment of a modern, effective system to control the export of sensitive dual-use items, technology, technical information, and materiel that can be used in the design, development, or production of weapons of mass destruction and ballistic missiles.

(8) Conduct of bilateral meetings between Indian and Pakistani senior officials to discuss security issues, establish confidence building measures, and increase transparency with regard to nuclear policies, programs, stockpiles, capabilities, and delivery systems.

(b) REPORT.—Not later than March 1, 2003, the President shall submit to the appropriate committees of Congress a report describing United States efforts in pursuit of the objectives listed in subsection (a), the progress made toward the achievement of those objectives, and the likelihood that each objective will be achieved by September 30, 2003.

#### SEC. 602. REAL-TIME PUBLIC AVAILABILITY OF RAW SEISMOLOGICAL DATA.

The head of the Air Force Technical Applications Center shall make available to the public, immediately upon receipt or as soon after receipt as is possible, all raw seismological data provided to the United States Government by any international monitoring organization that is directly responsible for seismological monitoring.

#### SEC. 603. DETAILING UNITED STATES GOVERNMENTAL PERSONNEL TO INTERNATIONAL ARMS CONTROL AND NONPROLIFERATION ORGANIZATIONS.

(a) IN GENERAL.—The Secretary, in consultation with the Secretaries of Defense and Energy and the heads of other relevant United States departments and agencies, as appropriate, shall develop measures to improve the process by which United States Government personnel may be detailed to international arms control and nonproliferation organizations without adversely affecting the pay or career advancement of such personnel.

(b) REPORT REQUIRED.—Not later than May 1, 2002, the Secretary shall submit a report to the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives setting forth the measures taken under subsection (a).

#### SEC. 604. DIPLOMATIC PRESENCE OVERSEAS.

(a) PURPOSE.—The purpose of this section is to—

(1) elevate the stature given United States diplomatic initiatives relating to nonproliferation and political-military issues; and

(2) develop a group of highly specialized, technical experts with country expertise capable of administering the nonproliferation and political-military affairs functions of the Department of State.

(b) AUTHORITY.—To carry out the purposes of subsection (a), the Secretary is authorized to establish the position of Counselor for

Nonproliferation and Political Military Affairs in United States diplomatic missions overseas to be filled by individuals who are career Civil Service officers or Foreign Service officers committed to follow-on assignments in the Nonproliferation or Political Military Affairs Bureaus of the Department of State.

(c) **TRAINING.**—After being selected to serve as Counselor, any person so selected shall spend not less than 10 months in language training courses at the Foreign Service Institute, or in technical courses administered by the Department of Defense, the Department of Energy, or other appropriate departments and agencies of the United States, except that such requirement for training may be waived by the Secretary.

#### **SEC. 605. PROTECTION AGAINST AGRICULTURAL BIOTERRORISM.**

Of funds made available to carry out programs under the Foreign Assistance Act of 1961, \$1,500,000 may be made available to North Carolina State University for the purpose of fingerprinting crop and livestock pathogens in order to enhance the ability of the United States Government to detect new strains, determine their origin, and to facilitate research in pathogen epidemiology.

#### **SEC. 606. COMPLIANCE WITH THE CHEMICAL WEAPONS CONVENTION.**

(a) **FINDINGS.**—Congress makes the following findings:

(1) On April 24, 1997, the Senate provided its advice and consent to ratification of the Chemical Weapons Convention subject to the condition that no sample collected in the United States pursuant to the Convention would be transferred for analysis to any laboratory outside the territory of the United States.

(2) Congress enacted the same condition into law as section 304(f)(1) of the Chemical Weapons Convention Implementation Act of 1998 (22 U.S.C. 6724(f)(1)).

(3) Part II, paragraph 57, of the Verification Annex of the Convention requires that all samples taken during a challenge inspection under the Convention shall be analyzed by at least two laboratories that have been designated as capable of conducting such testing by the OPCW.

(4) The only United States laboratory currently designated by the OPCW is the United States Army Edgewood Forensic Science Laboratory.

(5) In order to meet the requirements of condition (18) of the resolution of ratification of the Chemical Weapons Convention, and section 304 of the Chemical Weapons Convention Implementation Act of 1998 (22 U.S.C. 6724), the United States must possess, at a minimum, a second OPCW-designated laboratory.

(6) The possession of a second laboratory is necessary in view of the potential for a challenge inspection to be initiated against the United States by a foreign nation.

(7) To qualify as a designated laboratory, a laboratory must be certified under ISO Guide 25 or a higher standard, and complete three proficiency tests. The laboratory must have the full capability to handle substances listed on Schedule 1 of the Annex on Schedules of Chemicals of the Chemical Weapons Convention. In order to handle such substances in the United States, a laboratory also must operate under a bailment agreement with the United States Army.

(8) Several existing United States commercial laboratories have approved quality control systems, already possess bailment agreements with the United States Army, and have the capabilities necessary to obtain OPCW designation.

(9) In order to bolster the legitimacy of United States analysis of samples taken on

its national territory, it is preferable that the second designated laboratory is not a United States Government facility. Further, it is not cost-effective to build and equip another Government laboratory to meet OPCW designation standards when such capability already exists in the private sector.

#### **(b) ESTABLISHMENT OF SECOND DESIGNATED LABORATORY.**

(1) **DIRECTIVE.**—Not later than February 1, 2002, the United States National Authority, as designated under section 101 of the Chemical Weapons Convention Implementation Act of 1998 (22 U.S.C. 6711), shall select, through competitive procedures, a commercial laboratory within the United States to pursue designation by the OPCW.

(2) **DELEGATION.**—The National Authority may delegate the authority and administrative responsibility for carrying out paragraph (1) to one or more of the heads of the agencies described in section 101(b)(2) of the Chemical Weapons Convention Implementation Act of 1998 (22 U.S.C. 6711(b)(2)).

(3) **REPORT.**—Not later than March 1, 2002, the National Authority shall submit to the appropriate committees of Congress a report detailing a plan for securing OPCW designation of a third United States laboratory by December 1, 2003.

#### **(c) DEFINITIONS.**—In this section:

(1) **CHEMICAL WEAPONS CONVENTION.**—The term “Chemical Weapons Convention” means the Convention on the Prohibition of Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, Opened for Signature and Signed by the United States at Paris on January 13, 1993, including the following protocols and memorandum of understanding:

(A) The Annex on Chemicals.

(B) The Annex on Implementation and Verification.

(C) The Annex on the Protection of Confidential Information.

(D) The Resolution Establishing the Preparatory Commission for the Organization for the Prohibition of Chemical Weapons.

(E) The Text on the Establishment of a Preparatory Commission.

(2) **OPCW.**—The term “OPCW” means the Organization for the Prohibition of Chemical Weapons established under the Convention.

#### **TITLE VII—AUTHORITY TO TRANSFER NAVAL VESSELS**

#### **SEC. 701. AUTHORITY TO TRANSFER NAVAL VESSELS TO CERTAIN FOREIGN COUNTRIES.**

##### **(a) AUTHORITY TO TRANSFER.**

(1) **BRAZIL.**—The President is authorized to transfer to the Government of Brazil the “Newport” class tank landing ship Peoria (LST1183). Such transfer shall be on a sale basis under section 21 of the Arms Export Control Act (22 U.S.C. 2761).

(2) **POLAND.**—The President is authorized to transfer to the Government of Poland the “Oliver Hazard Perry” class guided missile frigate Wadsworth (FFG 9). Such transfer shall be on a grant basis under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j).

(3) **TURKEY.**—The President is authorized to transfer to the Government of Turkey the “Oliver Hazard Perry” class guided missile frigates Estocin (FFG 15) and Samuel Eliot Morrison (FFG 13). Each such transfer shall be on a sale basis under section 21 of the Arms Export Control Act (22 U.S.C. 2761). The President is further authorized to transfer to the Government of Turkey the “Knox” class frigates Capadanno (FF 1093), Thomas C. Hart (FF 1092), Donald B. Beary (FF 1085), McCandless (FF 1084), Reasoner (FF 1063), and Bowen (FF 1079). The transfer of these 6 “Knox” class frigates shall be on a grant basis under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j).

(4) **TAIWAN.**—The President is authorized to transfer to the Taipei Economic and Cultural Representative Office in the United States (which is the Taiwan instrumentality designated pursuant to section 10(a) of the Taiwan Relations Act) the “Kidd” class guided missile destroyers Kidd (DDG 993), Callaghan (DDG 994), Scott (DDG 995), and Chandler (DDG 996). The transfer of these 4 “Kidd” class guided missile destroyers shall be on a sale basis under section 21 of the Arms Export Control Act (22 U.S.C. 2761).

(b) **GRANTS NOT COUNTED IN ANNUAL TOTAL OF TRANSFERRED EXCESS DEFENSE ARTICLES.**—The value of a vessel transferred to another country on a grant basis under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j) pursuant to authority provided by subsection (a) shall not be counted for the purposes of subsection (g) of that section in the aggregate value of excess defense articles transferred to countries under that section in any fiscal year.

(c) **COSTS OF TRANSFERS.**—Notwithstanding section 516(e)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(e)(1)), any expense incurred by the United States in connection with a transfer authorized to be made on a grant basis under subsection (a) or (b) shall be charged to the recipient.

(d) **REPAIR AND REFURBISHMENT IN UNITED STATES SHIPYARDS.**—To the maximum extent practicable, the President shall require, as a condition of the transfer of a vessel under this section, that the country to which the vessel is transferred have such repair or refurbishment of the vessel as is needed, before the vessel joins the naval forces of that country, performed at a United States Navy shipyard or other shipyard located in the United States.

(e) **EXPIRATION OF AUTHORITY.**—The authority provided under subsection (a) shall expire at the end of the 2-year period beginning on the date of the enactment of this Act.

#### **WAIVING CERTAIN LIMITATIONS IN THE USE OF FUNDS TO PAY THE COSTS OF PROJECTS IN RESPONSE TO THE ATTACK ON THE WORLD TRADE CENTER**

On December 20, 2001, the Senate amended and passed S. 1637, as follows:

S. 1637

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

#### **SECTION 1. EXPENDITURES FOR EMERGENCY RELIEF IN RESPONSE TO TERRORIST ATTACK.**

In the case of use of the emergency fund authorized by section 125 of title 23, United States Code, to pay the costs of projects in response to the attack on the World Trade Center in New York City that occurred on September 11, 2001—

(1) notwithstanding section 120(e) of that title, the Federal share of the cost of each such project shall be 100 percent; and

(2) notwithstanding section 125(d)(1) of that title, the Secretary of Transportation may obligate more than \$100,000,000 for those projects.

#### **HONORING THE LIFE OF REX DAVID “DAVE” THOMAS**

Mr. REID. I ask unanimous consent that the Senate proceed to consideration of S. Res. 199 submitted earlier today by Senators LEVIN, DEWINE, and others.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 199) honoring the life of Rex David "Dave" Thomas and expressing the deepest condolences of the Senate to his family on his death.

There being no objection, the Senate proceeded to consider the resolution.

Mr. LEVIN. Madam President, today I join a large number of my colleagues in the Senate in recognizing and mourning the loss of a selfless, dedicated American who was an unyielding advocate and activist for the cause of adoption.

Rex David "Dave" Thomas was born on July 2, 1932, in Atlantic City, NJ, and was adopted soon afterward by Rex and Auleva Thomas, who lived in Kalamazoo, MI. Dave Thomas passed away on January 8 of this year at the age of 69. The bipartisan resolution which the Senate is about to adopt, hopefully today, extends condolences to Dave's wife of 47 years, Lorraine, and their 5 children: Pam, Ken, Molly, Wendy, and Lori, and their 16 grandchildren.

The Thomas family has much to be proud of and to cherish. Dave Thomas led a life of dynamic public and human service. He was a man of vision, action, and compassion, and for generations to come the fruits of his labor will continue to improve the lives of the multitude of children who seek a permanent home and loving family and the multitude of families who wish to enrich their lives through adoption.

Dave Thomas was 12 years old when he got his first restaurant job as a counterman. At 20, he successfully turned around four failing restaurant franchises. He became a millionaire by the age of 35. In 1969, Dave Thomas started the company for which he is most famous, Wendy's Old Fashioned Hamburgers. It was and is a success by any standard. Dave Thomas was able, through sheer determination, unpretentious know-how, and love for the restaurant business, to rise to the top of his chosen field. Dave Thomas was exemplary in the degree to which he gave back. He became famous through his numerous television commercials, which were so successful because they reflected his magnetic and joyful personality. He used that fame to become one of the most outspoken proponents of adoption in America.

In 1992, he established the Dave Thomas Foundation For Adoption, and he donated his speaking fees and profits from the sale of his books to adoption causes. From 1990 through 2000, he headed up numerous White House adoption and foster care initiatives. His fingerprints are on the Adoption and Safe Families Act of 1997, the purpose of which is to decrease the number of children placed in foster care and to legally free those who cannot be safely returned to their homes; the Adoption Awareness postage stamp, and the shaping of health policy for numerous corporations to cover adoption benefits and expenses.

Though Dave Thomas was a successful businessman, as well as a generous

philanthropist, he was first and foremost committed to actively improving the lives of children in foster care and helping to facilitate their adoption. He did more than just use his irreproachable reputation to improve the lives of thousands of children; he personally donated millions of dollars to the Arthur G. James Cancer Hospital at Ohio State University, to Children's Hospital in Columbus, OH, and to the Thomas Center at Duke University, which he founded. Through these and many more charitable contributions, Dave Thomas advanced the American dream. He was a man who gave not out of a sense of obligation but because he believed it was simply the right thing to do.

So, Madam President, David Thomas was a remarkable man, and his too-early death will leave many people with one fewer friend. He was greatly respected, much loved, and he will be deeply missed by all who knew him. The resolution, which I hope will be cleared for passage today, is a testament to the respect and the high esteem in which this body holds Dave Thomas and his memory.

I ask unanimous consent that the names of the Senators, including our Presiding Officer, who join me in sponsoring this resolution be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

COSPONSORS OF THE DAVE THOMAS  
RESOLUTION AS OF JANUARY 23, 2002

Senators Levin, DeWine, Landrieu, Stabenow, Craig, Clinton, Helms, Voinovich, Rockefeller, Grassley, Baucus, Chafee, Crapo, Inhofe, Feinstein, Hollings, Lugar, Hagel, Hutchison, Allen, McCain, Johnson, Nickles, Burns, Sessions, and Durbin.

Mr. JOHNSON. Madam President, today I pay tribute to the life of Dave Thomas. The adoption community has suffered a huge loss through his death on January 8th, and I am pleased to be a cosponsor of the Senate resolution honoring his life.

As a founding member of the Congressional Coalition on Adoption, I have had the opportunity to recognize people who have been exceptional advocates for the adoption community, and Dave Thomas is at the top of that list.

An adopted child himself, Dave Thomas made it his lifelong goal to find every child a home. In 1990, Dave answered the call of President George Bush, who asked him to be the spokesperson for his national adoption program called "Adoption Works. . . For Everyone." After 2 years, Thomas decided he wanted to do more, and so he created his own nonprofit organization to make it easier and more affordable for people to adopt children. Thomas' efforts, backed by the Congressional Coalition on Adoption, have streamlined the adoption process and reduced the financial barriers many families face when they adopt children, especially those with special needs.

The Dave Thomas Foundation for Adoption provides a voice for 134,000

children across our country who are waiting to find a loving family. The efforts of the Dave Thomas Foundation for Adoption and Wendy's have paid off. Forty percent of all callers into the National Foundation for Adoption's toll free number cite trayliners, public service announcements and posters that they have seen inside Wendy's Restaurants as the reason for their call.

Dave was a tireless advocate for the adoption community, and thankfully his legacy will live on through the thousands of children who have found a loving home because of his efforts. If everyone subscribed to Dave's theory that no child is "unadoptable," this world would be a better place.

Mr. REID. Madam President, I ask unanimous consent that the resolution and the preamble be agreed to en bloc, the motion 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. 199) was agreed to.

The preamble was agreed to.  
(The text of the resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

ELDERLY NUTRITION PROGRAM

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 200 submitted earlier today by Senators KENNEDY and MIKULSKI.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 200) expressing the sense of the Senate regarding the national nutrition program for the elderly, on the occasion of the 30th anniversary of its establishment.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Madam President, I ask unanimous consent that the resolution and preamble be agreed to en bloc, the motion 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. 200) was agreed to.

The preamble was agreed to.  
(The text of the resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

MEASURES PLACED ON THE CAL-  
ENDAR—H.R. 3343, H.R. 1432, H.R.  
3487, H.R. 400, H.R. 3529, H.R. 2362,  
H.R. 3504, H.R. 2742, AND H.R. 3441

Mr. REID. I understand the following bills are at the desk, having been read for the first time: H.R. 3343, H.R. 1432, H.R. 3487, H.R. 400, H.R. 3529, H.R. 2362, H.R. 3504, H.R. 2742 and H.R. 3441.

The PRESIDING OFFICER. The Senator is correct.

Mr. REID. I ask unanimous consent it be in order that these bills be considered to have received a second reading en bloc, and I would object to any further consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bills will be placed on the calendar.

#### MEASURES INDEFINITELY POSTPONED—S. 1536 AND S. 1543

Mr. REID. Madam President, I ask consent that the following calendar items be indefinitely postponed: Calendar No. 193, S. 1536, and Calendar No. 196, S. 1543.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### JOINT SESSION OF THE TWO HOUSES OF CONGRESS TO RECEIVE A MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

Mr. REID. I ask consent the Senate proceed to the consideration of H. Con. Res. 299, just received from the House, which is at the desk.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 299) providing for a joint session of Congress to receive a message from the President on the State of the Union.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. REID. Madam President, I ask unanimous consent that the resolution be agreed to and the motion to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (H. Con. Res. 299) was agreed to.

#### ORDERS FOR THURSDAY, JANUARY 24, 2002

Mr. REID. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. tomorrow, Thursday, January 24; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, time for the two leaders be reserved for their use later in the day, and there be a period of morning business until 10 a.m., with Senators permitted to speak for

up to 10 minutes each with the time equally divided between the two leaders or their designees; further, at 10 a.m., the Senate resume consideration of H.R. 622, the Adoption Tax Credit Act, with the Daschle economic recovery amendment being the pending amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. REID. Madam President, if there is no further business to come before the Senate tonight, I ask unanimous consent the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 7:41 p.m., adjourned until Thursday, January 24, 2002, at 9:30 a.m.

#### NOMINATIONS

Executive nominations received by the Senate January 23, 2002:

##### THE JUDICIARY

KENNETH A. MARRA, OF FLORIDA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF FLORIDA, VICE A NEW POSITION CREATED BY PUBLIC LAW 106-553, APPROVED DECEMBER 21, 2000.

PERCY ANDERSON, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE CENTRAL DISTRICT OF CALIFORNIA, VICE KIM MCLANE WARDLAW, ELEVATED.

JOSE E. MARTINEZ, OF FLORIDA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF FLORIDA, VICE EDWARD B. DAVIS, RETIRED.

LANCE M. AFRICK, OF LOUISIANA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF LOUISIANA, VICE EDITH BROWN CLEMENT, ELEVATED.

STANLEY R. CHESLER, OF NEW JERSEY, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEW JERSEY, VICE ANNE ELISE THOMPSON, RETIRED.

FREDERICK W. ROHLFING, III, OF HAWAII, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF HAWAII, VICE ALAN C. KAY, RETIRED.

JOAN E. LANCASTER, OF MINNESOTA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF MINNESOTA, VICE PAUL A. MAGNUSON, RETIRED.

WILLIAM J. MARTINI, OF NEW JERSEY, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEW JERSEY, VICE JOHN C. LIPLAND, RETIRED.

THOMAS M. ROSE, OF OHIO, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF OHIO, VICE HERMAN J. WEBER, RETIRED.

MICHAEL M. BAYLSON, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF PENNSYLVANIA, VICE ROBERT F. KELLY, RETIRED.

JOY FLOWERS CONTI, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF PENNSYLVANIA, VICE ALAN N. BLOCH, RETIRED.

LEGROME D. DAVIS, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF PENNSYLVANIA, VICE EDMUND V. LUDWIG, RETIRED.

TERRENCE F. MCVERRY, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF PENNSYLVANIA, VICE DONALD E. ZIEGLER, RETIRED.

CYNTHIA M. RUFE, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF PENNSYLVANIA, VICE NORMA LEVY SHAPIRO, RETIRED.

ARTHUR J. SCHWAB, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF PENNSYLVANIA, VICE MAURICE B. COHILL, JR. RETIRED.

SAMUEL H. MAYS, JR., OF TENNESSEE, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF TENNESSEE, VICE JEROME TURNER, DECEASED.

RONALD H. CLARK, OF TEXAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF TEXAS, VICE HOWELL COBB, RETIRED.

LEONARD E. DAVIS, OF TEXAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF TEXAS, VICE PAUL N. BROWN, RETIRED.

DAVID C. GODBEY, OF TEXAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF TEXAS, VICE ROBERT B. MALONEY, RETIRED.

ANDREW S. HANEN, OF TEXAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF TEXAS, VICE FILEMON B. VELA, RETIRED.

HENRY E. HUDSON, OF VIRGINIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF VIRGINIA, VICE A NEW POSITION CREATED BY PUBLIC LAW 106-553, APPROVED DECEMBER 21, 2000.

RONALD B. LEIGHTON, OF WASHINGTON, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF WASHINGTON, VICE ROBERT J. BRYAN, RETIRED.

WILLIAM C. GRIESBACH, OF WISCONSIN, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF WISCONSIN, VICE A NEW POSITION CREATED BY PUBLIC LAW 106-553, APPROVED DECEMBER 21, 2000.

JOHN F. WALTER, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE CENTRAL DISTRICT OF CALIFORNIA, VICE JOHN G. DAVIES, RETIRED.

##### IN THE COAST GUARD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES COAST GUARD RESERVE UNDER TITLE 10, U.S.C., SECTION 12203(A):

##### *To be captain*

DONALD E. BUNN, 0000  
MICHAEL R. PRICE, 0000  
DALE M. RAUSCH, 0000

##### IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

##### *To be lieutenant general*

MAJ. GEN. STEVEN R. POLK, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

##### *To be lieutenant general*

MAJ. GEN. JOHN R. BAKER, 0000

##### IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

##### *To be major general*

BRIG. GEN. DOUGLAS V. O'DELL JR., 0000

##### IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVAL RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

##### *To be rear admiral*

REAR ADM. (LH) STEPHEN S. ISRAEL, 0000

##### IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

##### *To be colonel*

LINDA F. JONES, 0000  
ROBERT J. KING, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE, UNDER TITLE 10, U.S.C., SECTIONS 624 AND 1552:

##### *To be lieutenant colonel*

DAN ROSE, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

##### *To be colonel*

DOUGLAS W. KNIGHTON, 0000  
DAVID R. ROWBERRY, 0000  
ROBERT J. SEMRAD, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

##### *To be colonel*

RICHARD E. HORN, 0000  
TAMARA E.B. KOSS, 0000  
MICHAEL E. MURZYN, 0000  
ROBERT C. VASSEY, 0000  
MARK A. WEINER, 0000



IN THE ARMY

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

*To be colonel*

FRANKLIN E. LIMERICK JR., 0000  
BAERBEL M. MERRILL, 0000  
RANDYAL S. MORTON, 0000  
JOHN M. PERRYMAN, 0000  
DAVID J. PROCOPIO, 0000  
RICKY E. SNELLGROVE, 0000  
TERRANCE E. STALEY, 0000

GARY J. THORSTENSON, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

*To be colonel*

DARLENE S. COLLINS, 0000  
JAMES R. GOODWIN, 0000  
GLORIA A. MASER, 0000  
MICHAEL R. OSTROSKI, 0000  
VIOLETTE A. RUFF, 0000  
JAMES W. VOSS, 0000  
MICHAEL J. WAGNER, 0000

WITHDRAWAL

Executive message transmitted by the President to the Senate on January 23, 2002, withdrawing from further Senate consideration the following nomination:

SCOTT A. ABDALLAH, OF SOUTH DAKOTA, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF SOUTH DAKOTA FOR THE TERM OF FOUR YEARS, WHICH WAS SENT TO THE SENATE ON NOVEMBER 30, 2001.

## EXTENSIONS OF REMARKS

### PAYING TRIBUTE TO CHRISTINA DEMARIS

**HON. SCOTT McINNIS**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 23, 2002*

Mr. McINNIS. Mr. Speaker, I would like to take this opportunity to congratulate a young student from my district whose hard work and dedication has been rewarded with a great opportunity from the Governor of Colorado. Christina DeMaris of Alamosa, Colorado, was recently awarded the Governor's Opportunity Scholarship, and as she celebrates her achievement, I would like to commend her for her determination and self-sacrifice in achieving this honor.

Christina is a sophomore at Northeastern Junior College located in the city of Sterling. After a long, and no doubt difficult process, Christina was selected as a recipient of the Governor's Scholarship. This scholarship will provide her with free tuition to the Colorado college of her choice, allowing her the opportunity to pursue a higher education degree within five years. This is a great program provided by my state's chief executive to promote higher education throughout the state.

Mr. Speaker, the diligence and commitment demonstrated by Christina DeMaris certainly deserves the recognition of this body of Congress, and this nation. Christina's achievement serves as a symbol to aspiring college bound students throughout Colorado, and indeed the entire nation. Her reward is proof that hard work and attention to your studies can lead to assistance in achieving your goals. This scholarship program is one of the many ways that we, as legislators, can ensure that our future generations are guaranteed the opportunity to improve their lives through the resources of education. Congratulations Christina, and good luck in your future endeavors.

### IN RECOGNITION OF GRAMERCY NEIGHBORHOOD ASSOCIATES, INC.

**HON. CAROLYN B. MALONEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 23, 2002*

Mrs. MALONEY of New York. Mr. Speaker, I rise to pay tribute to the Gramercy Neighborhood Associates in New York City. Committed to neighborhood improvement and preservation, this organization is celebrating its 90th anniversary this year.

Founded in 1912, Gramercy Neighborhood Associates, Inc., is one of the oldest community groups in New York City. Located in a neighborhood celebrated for its rich history and well-preserved architectural treasures, Gramercy Neighborhood Associates came together to ensure a grand future for a truly remarkable area. It is dedicated to the enhancement of its neighborhood and the preservation

of historic buildings. It is also committed to ensuring safe streets and the protection of the residential character of the neighborhood.

To accomplish this mission, Gramercy Neighborhood Associates works closely with the 13th Police Precinct as well as local Community Boards 5 and 6. It also works with elected officials, and the East Side Rezoning Alliance. Gramercy Neighborhood Associates also provides a permanent presence on the Historic Districts Council.

Gramercy Neighborhood Associates plants and maintains trees alongside neighborhood sidewalks and also works vigorously to preserve and enhance the neighborhood's architectural and historical treasures. For its successes in fostering the creation of the East 17th Street/Irving Place Historic District, they were honored with receipt of the New York Landmarks Conservancy's prestigious Lucy G. Moses Preservation Award. In 1984, the association sponsored the production of Gramercy Park: An Illustrated History of a New York Neighborhood, by Stehen Garney, which won the 1985 Annual Book Award of the New York Chapter of the Victorian Society of America. This association's ambitious publication program also supports a newsletter, The Gramercy Gazette.

The organization sponsors a number of events which encourage community involvement, including Clean and Green Day each spring and a Canine Comedy Day in October. They come together each year to celebrate the annual lighting of the Menorah at the beginning of Chanukah, and on Christmas Eve for caroling around the Christmas tree in Gramercy Park.

Throughout its 90 year history, Gramercy Neighborhood Associates has played a crucial role in community efforts to improve and maintain the quality of life in their neighborhood. In recognition of these outstanding achievements, I ask my colleagues to join me in recognizing the great contributions of this tremendously dedicated community group.

### A PROCLAMATION CONGRATULATING CRAVAT COAL COMPANY

**HON. ROBERT W. NEY**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 23, 2002*

Mr. NEY. Mr. Speaker, Whereas, the Cravat Coal Company celebrated 50 years of successful business in the year 2001; and,

Whereas, the Cravat Coal Company was built through the sacrifice, vision, and hard work of the Puskarich brothers, the miners and their investors; and,

Whereas, Cravat Coal has served markets in Ohio, the United States, Taiwan, Greece, and the Philippines; and,

Whereas, Cravat Coal has brought employment and progress to the Ohio valley; and,

Whereas, the founders and employees must be commended for their long hours and com-

mitment to excellence which allowed Cravat Coal to succeed;

Therefore, I join with the residents of the entire 18th Congressional District of Ohio in celebrating Cravat Coal's 50 years of exceptional service.

### HONORING JACK ABERNATHY

**HON. DALE E. KILDEE**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 23, 2002*

Mr. KILDEE. Mr. Speaker, I rise today to pay tribute to a man that has become an institution in the city of Davison, MI, Mr. Jack Abernathy. Jack recently retired after being the city manager for the past 28 years. He was honored at a community gala on January 19 in the city of Davison.

I have known Jack for many years. Jack was a teacher prior to running for public office. He was elected to the Davison City Council in 1969, the same year that Davison earned its nickname as the "City of Flags." After serving as a councilman and as mayor, Jack was appointed the city manager in 1974. In this capacity he was accountable for the police, fire, parks, community development, building and zoning, and public services departments; and the offices of Assessor, City Clerk and City Treasurer. Jack was the liaison between the City Council, city government employees, and residents. It was his responsibility to keep informed about developments in local government, to respond quickly to problems, and seek solutions within and if necessary outside the community. It is a tribute to his personality that he performed his job with grace, forbearance and finesse.

During this time Jack was the moving force behind several organizations and services. He helped to start the Davison-Richfield Area Fire Authority, Genesee County Small Cities Association, the Davison Area Ambulance Authority, the Davison Senior Center Authority, Davison Area Recycling, Davison Area Parks and Recreation Commission, Davison Area Economic Development Authority, the Davison Skatepark, and the Genesee County Brownfield Redevelopment Authority. He was instrumental in initiating the first public transportation system Dial-a-Ride program in a small city, and keeping the Secretary of State's office in Davison. Jack helped build the Senior Centers, and worked with Genesee County on the Waste and Water program, the 911 program and organizing countywide recycling.

Mr. Speaker, I ask the House of Representatives to join me in honoring the epitome of a public servant, Jack Abernathy. His service to his community and fellow citizens is an inspiration to everyone aspiring to make this a better world. His selfless commitment to service has benefited persons far beyond the Davison community.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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

## TRIBUTE TO HADASSAH

**HON. LOUISE McINTOSH SLAUGHTER**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 23, 2002*

Ms. SLAUGHTER. Mr. Speaker, I rise today to recognize the 90th anniversary of an outstanding organization: Hadassah, the Women's Zionist Organization of America.

Many Americans recognize Hadassah as the premier organization for Jewish women. Others know of its many achievements in health care and social justice. But few realize that Hadassah is both the largest women's and the largest Jewish organization in the United States, with over 300,000 members. Every single Member of Congress represents members of Hadassah.

It has been my distinct pleasure and privilege to have had a long and fruitful professional relationship with Hadassah. When I first began working on genetic discrimination issues in 1995, Hadassah stepped forward to pledge its support. At my first press conference, Hadassah was one of just four organizations that endorsed that first genetic non-discrimination bill. Today, this initiative has the support of over 200 organizations—but Hadassah is still leading the way as a key player.

Indeed, I have found Hadassah to be among the most consistent and persistent allies any legislator could ever hope for. When Hadassah decides that an issue is a priority, it will work ceaselessly until its goal is achieved. Its members are well educated, savvy, and tenacious. Its leadership is focused, smart, and sophisticated. Few organizations are as effective.

Through our partnership on issues including genetic discrimination, women's health, and colorectal cancer, my respect and admiration for Hadassah has only grown. In 1998, I was proud to receive the Hadassah Nassau Region's Myrtle Wreath Achievement Award for "outstanding achievement in all areas of public service and . . . dedication to improving the health and well being of all Americans." This award hangs in a place of honor in my office. I was equally proud to be named a Lifetime Member of Hadassah for my work on issues important to their members.

Perhaps Hadassah's greatest achievement is the Hadassah Medical Organization, a network of 2 hospitals, 90 outpatient clinics, and numerous community health centers throughout Israel. These facilities provide state-of-the-art health care to 600,000 patients each year, regardless of race, religion, or creed. They often treat the most critically wounded victims of the region's ongoing conflicts.

I would like to invite my colleagues to join me in saluting the 90th anniversary of Hadassah. May Hadassah and its members enjoy another 90 years of activism.

## PAYING TRIBUTE TO LEONARD GREGORY

**HON. SCOTT McINNIS**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 23, 2002*

Mr. McINNIS. Mr. Speaker, I would like to take this opportunity to pay tribute to Leonard

Gregory and thank him for his extraordinary contributions to both the Pueblo Chieftain and the greater community of Pueblo, Colorado. Len's life-long dedication to the pursuit of excellence as a columnist and editor at the Pueblo Chieftain is matched only by the level of integrity and honesty with which he has conducted himself each and every day in that pursuit. He will always be remembered as an employee with the utmost dedication and talent, and will continue to be known as a leader in his community. As he celebrates his retirement, let it be known that it is a great loss not only for the paper, but also for a town that has relied on him for his wisdom and insight throughout his extraordinary tenure.

As a 38-year employee at the Pueblo Chieftain, Len's dedication, work ethic and unparalleled skill as a newsman ensured his unfettered rise through the ranks of the organization. He began his career in 1964 as a composing room employee, and then transferred to the newsroom in 1972 as a courthouse and general assignment reporter. In 1988, he was promoted from city editor to managing editor, and in 1999 was promoted to executive editor, where he oversaw the newsroom operation, served on the editorial board and represented the newspaper in the Pueblo community.

Since he began writing for the Chieftain, Len has distinguished himself as much more than an average employee. He has received numerous awards from the Colorado Press Association and the Colorado Associated Press Editors and Reporters for his column, which he began writing in 1979. He was named outstanding Alumnus by the University of Southern Colorado Alumni Association, and Newspaper Person of the Year by the Southern Colorado Press Club. Len's distinguished service and dedication is not limited to his professional endeavors, as he has proven himself an active leader within the community as well. He is currently a member of a number of organizations, including the Pueblo School District 60 Foundation Board, the University of Southern Colorado's Foundation Board and President's Advisory Council, and the Holy Family Parish Finance Council.

Mr. Speaker, it is clear that Len Gregory is a man of unparalleled dedication and commitment to both his professional and philanthropic endeavors. It is his unrelenting passion for each and every thing he does, as well as his spirit of honesty and integrity with which he has always conducted himself, that I wish to bring before this body of Congress. Len Gregory is a remarkable man, who has achieved extraordinary things in his career and in his community, and I would like to extend to him my congratulations on his retirement and wish him the best in his future endeavors.

## PROCLAMATION FOR GARY GRETARSSON

**HON. STEVE ISRAEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 23, 2002*

Mr. ISRAEL. Mr. Speaker, it is with great pride that I rise today to recognize one of New York's outstanding young men, Gary Gretarsson. The Boy Scouts of his troop honored him as they recognized his achievements by giving him the Eagle Scout honor on Friday, December 7, 2001.

Since the beginning of this century, the Boy Scouts of America have provided thousands of boys and young men each year with the opportunity to make friends, explore new ideas, and develop leadership skills while learning self-reliance and teamwork.

This award is presented only to those who possess the qualities that make our nation great: commitment to excellence, hard work, and genuine love of community service. Becoming an Eagle Scout is an extraordinary award with which only the finest Boy Scouts are honored. To earn the award—the highest advancement rank in Scouting—a Boy Scout must demonstrate proficiency in the rigorous areas of leadership, service, and outdoor skills.

I ask my colleagues to join me in congratulating the recipients of these awards, as their activities are indeed worthy of praise. Their leadership benefits our community and they serve as role models for their peers.

Also, we must not forget the unsung heroes, who continue to devote a large part of their lives to make all this possible. Therefore, I salute the families, scout leaders, and countless others who have given generously of their time and energy in support of scouting.

It is with great pride that I recognize the achievements of Mr. Gretarsson, and bring the attention of Congress to this successful young man on his day of recognition. Congratulations to Gary and his family.

## IN HONOR OF NATIONAL HONOR SOCIETY STUDENTS AT CONNER HIGH SCHOOL, HEBRON, KY

**HON. KEN LUCAS**

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 23, 2002*

Mr. LUCAS of Kentucky. Mr. Speaker, I rise today in recognition of some outstanding students at Conner High School in Hebron, in Kentucky's Fourth Congressional District. Specifically, I salute members of the school's chapter of the National Honor Society for their award-winning community service projects in recent years.

Most recently, Conner's honor students tackled an issue that we have addressed here in the House as well—the needs of America's homeless veterans. The honor students worked with a grocery bag manufacturer, Duro Standard Products; a local grocer, Flick's Foods; and Wal-Mart Stores, Incorporated; to have information about the Heather Renee French Foundation for Veterans printed on 21 million grocery bags.

You may recall that as Miss America 2000, Kentucky's Heather Renee French Henry made increasing our awareness of the needs of America's homeless veterans her mission, and came to Washington to campaign for the homeless veterans legislation we passed last month.

Now, thanks to the efforts of the National Honor Society members at Conner High School and some civic-minded business people, many people are learning about the needs of homeless veterans and Heather Renee French Henry's organization. Specifically, I'd like to recognize the students—Ashley Tepe, Jennifer Golatzki, Amanda Kordenbrock, McKenzie Ryle, and Katie Stacy, their National

Honor Society advisor Mike Hills. In addition, I would like to recognize these business people—Tom Coughlin of Wal-Mart Stores, James R. Eaton of Duro Standard Products, and Bob Flick of Flick's Foods.

I ask my colleagues to join me in commending these outstanding students and fine corporate citizens.

#### JANUARY SCHOOL DISTRICT OF THE MONTH

#### HON. CAROLYN MCCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2002

Mrs. MCCARTHY of New York. Mr. Speaker, I have named the Franklin Square School District as School District of the Month in the Fourth Congressional District for January 2002. The schools are Polk Street, Washington Street and John Street Elementary Schools.

This month I've decided to honor three schools in the Franklin Square School District for their growth and innovativeness. Dr. Timothy Lafferty is the outstanding Superintendent of Schools in Franklin Square. Primarily serving the residents of Franklin Square, the school district also adds portions of these neighboring communities: Garden City South, West Hempstead, Elmont and Malverne. The administrators of the schools are: Gloria Perry, Principal, Polk Street Elementary School; Vincent Butera, Principal, Washington Street Elementary School; and Ceil Candreva, Principal, John Street Elementary School.

Today, all three elementary schools in the district held groundbreaking ceremonies for renovations and additions to be completed in this new year.

Any time I see Long Island schools growing, expanding and renovating, I'm heartened for our future. The very structure of a building is so vital to the inside health and well-being of the students, staff and faculty on the inside.

Dr. Lafferty and his administration prepare children to be contributing members of society along with their academic instruction. Providing a "Foundation for Success" is the driving force that shapes all programs in the Franklin Square School District's three elementary schools.

Two programs cited as "exemplifying the spirit" of the schools are the Accelerated Reading Program and the Character Development Program. The goal of the Accelerated Reading Program is to ensure that students read more books independently outside of the school day. Each teacher maintains a bulletin board which spotlights students' progress toward achieving their goals.

The Character Development Program aims to teach students values by stressing practice in addition to study and discussion. Through the implementation of cooperative learning, students learn to practice leadership strategies, impulse control and responsibility. Students learn to be good citizens. The vision of Franklin Square School District—A Foundation for Success—prepares Long Island students for a lifetime of learning. It is a vision shared by all members of Franklin Square community, including students, teachers, administrators and parents.

The Fourth Congressional District salutes the Franklin Square School District's focus on

the future. I congratulate all members of the Franklin Square School District community on this honor.

#### IN HONOR OF HAROLD JORDAN

#### HON. JOHN E. SWEENEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2002

Mr. SWEENEY. Mr. Speaker, I rise today to honor a constituent of the 22nd District of New York. Mr. Harold Jordan retired from the Greenwich Volunteer Fire Department in November 2001 after fifty years of continuous service. Mr. Jordan first joined the Greenwich Volunteer Fire Department on October 26, 1951 as a member of the Union Engine Company #1. During his half century of service, he served as a Captain, 2nd Assistant Fire Chief and 1st Assistant Fire Chief.

Mr. Jordan's selfless community service embodies the definition of a true American. Mr. Jordan has instilled this spirit of volunteerism in his family. His two sons and his son-in-law have all worked as volunteer firefighters. Mr. Jordan's dedication has served as an inspiration to his family, fellow firefighters and community.

As a result of recent tragedies, firefighters have finally received the attention and admiration they have long deserved. We must remember that firefighters put themselves in danger day in and day out. They do this because it is their job and they are proud to fulfill their duty. Mr. Jordan served his community in this impressive capacity for fifty years. I thank him and the 22nd District of New York thanks him for his tremendous contribution to the community.

I wish Mr. Jordan the very best as he begins his well deserved retirement.

#### PAYING TRIBUTE TO MARIANO APRAIZ

#### HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2002

Mr. McINNIS. Mr. Speaker, I would like to take this opportunity to recognize a representative of the American spirit and drive, Mariano Apraiz. Mariano is a Spanish resident, who after living in America for over thirty years, will take his oath and become a citizen of the United States. The ceremony will take place in Denver, Colorado on Friday, December 14.

The reason I bring Mariano's name to bear is to tell his story of determination to become an American. Mariano came to this country to find a new way of life and experience new opportunities in the world. He found work as a miner, rancher, and eventually he found a position in the local school district. Now at the age of 55, Mariano has enjoyed a successful life in this country and I praise him for his determination and courage to live his dream.

Mr. Speaker, when asked why he wants to gain citizenship, he simply replies, "I want to vote." I think this statement speaks volumes for the pride Mariano has in his new country. He wants to be part of the process, he wants to participate in civic responsibility, and he

wants to make a difference. He has grown to love this nation and in these difficult and trying times, he truly is a symbol of American pride and spirit.

Mr. Speaker, Mariano's patriotism and love for America will culminate as he is sworn in as an American citizen. I am proud of Mariano Apraiz for his determination and courage. His lifelong goal will be reached and therefore, he deserves the recognition of this body of Congress.

#### TRIBUTE TO DR. ALBERT C. YATES

#### HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2002

Mr. SCHAFFER. Mr. Speaker, I rise today to congratulate Dr. Albert C. Yates, President of Colorado State University and this year's National Western Stock Show Citizen of the West. This award is given to the person who best exemplifies the spirit and determination of the western pioneer. Al Yates' leadership and dedication to Colorado and Colorado State University personifies this spirit.

Al Yates is the 12th president of CSU and has led the university to become one of the top research institutions in the nation. Since Yates took over as president in 1990, CSU has had record fund-raising, increased its enrollment, implemented core curriculum, increased research grants and recovered from a devastating flood that inflicted \$140 million in damages. He has brought remarkable vitality to CSU and has shown the important role higher education plays to the future of the West.

Born in Memphis, Tennessee, Al Yates enlisted in the Navy after high school and served on the U.S.S. *Kitty Hawk*. He then continued his education at the University of Memphis, graduating magna cum laude with degrees in mathematics and chemistry. Yates went on to earn a doctorate from Indiana University in theoretical chemical physics, served as the postdoctoral research fellow in the Department of Chemistry at the University of Southern California, and completed the Institute for Education Management at the Harvard School of Business. Before coming to CSU, Yates served nine years as the Vice President at Washington State University.

Mr. Speaker, Al Yates is a person of high integrity and honor. I consider it a privilege to know and work with him. He has served Colorado State University well taking the responsibilities and standards of his job to the highest level. In a recent edition of the Rocky Mountain News, Bill Coors was quoted as saying, "The Citizen of the West pays tribute to a person whose life and work embody the Western values we all hold so dear. With Al Yates, his work is his bond, and he's dedicated his time, energy and integrity to building our state's land-grant institution into a leader in the nation and a source of pride for Colorado." Furthermore, in a recent essay by Chancellor Dan Richie of the University of Denver (a recipient of the Citizen of the West Award in 1998), Richie said, "We are long-standing admirers of Yates, who has led the transformation of CSU from 'ag school' to premier research university."

Al Yates not only makes his community proud, but also his state and country. It is a true honor to commend to the House such an extraordinary citizen. We owe him a debt of gratitude for his service and dedication to the state, community and nation. I ask the House to join me in extending whole-hearted congratulations to the President of Colorado State University, and Citizen of the West, Dr. Albert C. Yates.

IN TRIBUTE TO CLAUDE "ROBEY"  
ROBILLARD

**HON. ELTON GALLEGLY**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 23, 2002*

Mr. GALLEGLY. Mr. Speaker, I rise in tribute to Claude "Robey" Robillard, who retired from the Ventura County (California) Sheriff's Department on January 5, 2002, after 14 years with the department and 36 years in law enforcement.

I first met Robey when I made my first run for public office, the Simi Valley City Council. At that time, he was an investigator for the Ventura County District Attorney's Office, where he served for 7½ years. Robey also worked for the Fillmore Police Department for 13 months and for 13 years with the Oxnard Police Department.

Over the years we became good friends. I know him to be a professional in every sense of the word, a dedicated family man, and a man whose trust can never be questioned.

During his 14 years with the Sheriff's Department, Robey received numerous letters of commendation and appreciation from Ventura County's citizens and the Sheriff's Department. He has served as a patrol field sergeant, shift sergeant, watch commander, Standards and Training for Corrections divisional training sergeant and division traffic sergeant.

Robey was involved in the development of the 12-hour shift schedule at the Pre-Trial Detention Facility, which has been credited with maintaining security, reducing overtime and maximizing revenue. He researched and wrote the policy and procedures for contagious disease control and testing with the Detention Services Division and was involved in introducing the Incident Command System to Detention Services supervisors.

In addition, Robey and another sergeant were involved in the research, development, policy, training and implementation of Emergency Response Teams for all custody facilities. Her has served as treasurer, vice president and president of the Peace Officer Association of Ventura County and, since 1996, as the department's public information officer.

Robey is a 41-year resident of Ventura County. He and Gail have been married for 27 years and have two sons, Kristopher, 21, and John-Michael, 17.

Mr. Speaker, I know my colleagues will join me in thanking Sergeant Claude Robillard for his dedication to protecting the people of Ventura County, CA, for nearly four decades, and in wishing him and his family all our best in the years to come.

TRIBUTE TO CHRISTINE WILLIAMS

**HON. STEVE ISRAEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 23, 2002*

Mr. ISRAEL. Mr. Speaker, it is with great pride that I rise today to recognize one of New York's outstanding young students: Christine Williams. In February, the young women of her troop will honor her by bestowing upon her the Girl Scouts Gold Medal.

Since the beginning of this century, the Girl Scouts of America have provided thousands of youngsters each year the opportunity to make friends, explore new ideas, and develop leadership skills while learning self-reliance and teamwork.

These awards are presented only to those who possess the qualities that make our nation great: commitment to excellence, hard work, and genuine love of community service. The Gold Awards represent the highest awards attainable by junior and high school Girl Scouts.

I ask my colleagues to join me in congratulating the recipient of this award, as her activities are indeed worthy of praise. Their leadership benefits our community and they serve as role models for their peers.

Also, we must not forget the unsung heroes, who continue to devote a large part of their lives to make all this possible. Therefore, I salute the families, scout leaders, and countless others who have given generously of their time and energy in support of scouting.

It is with great pride that I recognize the achievements of Christine, and bring the attention of Congress to these successful young women on their day of recognition.

TRIBUTE TO DR. WALTER  
ZIELONKO

**HON. JOHN SHIMKUS**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 23, 2002*

Mr. SHIMKUS. Mr. Speaker, I rise to pay tribute to Dr. Walter Zielonko of Troy, IL, and the great work he has done for his community over the 51 years he has served it.

Dr. Zielonko was born on February 10, 1923, and was raised in Detroit, MI. He worked his way up through medical school and unpaid internships, bouncing from town to town until he met his wife, Florence, and eventually settled down in the small town of Troy. There he served for 51 years, interrupted only by a 14-month tour of Korea as a captain of the U.S. Army Medical Corps.

During his time as a general practitioner in Troy, Dr. Zielonko—affectionately known as "Dr. Z"—served thousands of patients and delivered over 1,400 babies. He has watched the population of Troy grow nine times over, and has participated in many local projects, including the founding of Anderson Hospital.

Mr. Speaker, Dr. Zielonko has reason to be proud of the accomplishments in his life—in it he has served both the Troy community and his country. His skills have helped people from the smallest children to the elderly; from birthing mothers to wounded soldiers. His retirement was long in coming and is hard earned; he deserves our thanks and our gratitude.

May God bless him and his family on this special day.

PAYING TRIBUTE TO KARLA  
SAFRANSKI

**HON. SCOTT McINNIS**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 23, 2002*

Mr. McINNIS. Mr. Speaker, I would like to take this opportunity to recognize an outstanding individual from Silverton, Colorado and thank her for her dedication and hard work in the community. Karla Safranski has brought much needed economic growth to Silverton and to the Southwest Colorado region. I would like to mention several of her accomplishments before this body.

Karla's efforts to inspire economic growth have been spearheaded through the San Juan 2000 organization. This organization is responsible for providing loans for startup businesses as well as providing affordable housing for the residents of San Juan County. As the past President and current Board Member, Karla has been instrumental in leading the successful organization to its present position and statute. Her dedication is impressive considering Karla, along with husband Ken, spend a great deal of their time operating their own successful business in the community, ZESupply.

As a result of Karla's and her colleagues' efforts, the community of Silverton has experienced a significant increase in economic growth. San Juan 2000 has raised money and gathered support throughout the region to develop affordable industrial and commercial business space. The group has worked side by side with county leaders, private landowners, city officials, elected officials, and various organizations throughout the area to stimulate economic growth. The organization's and Karla's efforts have led to the creation of a strong year-round economy in the Silverton area.

Mr. Speaker, to reward Karla's efforts, she was recently named Economic Development Leader of the Year by the Region 9 Economic Development District. The district provides various economic services to several counties and Indian tribes in Southwest Colorado. This is quite an accomplishment and I am extremely proud to represent the City of Silverton and residents like Karla Safranski. Keep up the hard work Karla and good luck to you and your husband Ken in your future endeavors.

IN MEMORY OF GLADYS J.  
HERRON

**HON. MARCY KAPTUR**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 23, 2002*

Ms. KAPTUR. Mr. Speaker, today we celebrate Gladys J. Herron, who passed from this life on December 5, 2001, at the age of 87 years. Gladys was an activist, teacher, mentor, and friend, a businesswoman and a woman of God. Her life is a story of richness born of struggle and of quiet triumph over oppressive odds.

Born in Florida, Gladys came to Toledo with her family in 1924. She attended Toledo schools and its university, and married a firefighter, Capt. Robert D. Herron, from whom she was widowed.

Gladys' fortitude first became publicly apparent when, in response to the discrimination prevalent at the time, she founded the first beauty school for young black women. The Herron Beauty School was the first black school of cosmetology in the Toledo area, and it eventually yielded twenty independent beauty salons. Hundreds of women owe their businesses and careers to this persevering, dignified woman. In 1955, she became the president of the Ohio Association of Beauticians, and she also served as president of the Toledo Beauticians and the Toledo Business Women's Club. She accomplished this at a time when racial equality and women-owned enterprises were only horizons on the American landscape.

She mothered our community in every way. Continuing in community activism, Mrs. Herron was involved in more than a dozen organizations including 1970s-era social programs CETA, SASI, EOPA and PIC, Toledo Affirmative Action, the Urban League, NAACP, the Head Start Policy Council, the Cordelia Martin Health Center Board, the Lucas County Welfare Advisory Board (which she chaired for fifteen years), the Concerned Women for Better Government (of which she was a charter member), the Perry Burroughs Democratic Club and the Lucas County Democratic Party. A religious woman, Mrs. Herron also served her church, Third Baptist Church, singing in the Sanctuary Choir and serving as a member of the Board of Trustees, the Advisory Council, and the 20th Century Literary Club.

Not content to rest on the laurels of her earlier years or settle down into retirement, Gladys in her later years was a founding leader in the senior citizen movement, involved in both the AARP and the Area Office on Aging of Northwest Ohio. It was Mrs. Herron's tireless effort and expert leadership which led to the establishment of the J. Frank Troy Senior Center. She was the center's first director, and together with two other Toledo women who established centers in other parts of the city, made up the core of senior rights in our region. I appointed her as our district's delegate to the decennial White House Conference on Aging held in 1995, where she represented her fellow seniors most ably and admirably.

Gladys Herron leaves an imprimatur on our community and in our hearts. Her passing writes the preface to a new chapter in American life that will be felt through generations and will be better for all because of her vigilance, faith, and vision.

COMMENDING JESSICA ANN OWENS

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2002

Mr. RADANOVICH. Mr. Speaker, I rise today to commend Jessica Ann Owens on her completion of the Aviation Machinist Mate school program with the U.S. Navy. Miss Owens is the first female to "ace" the entire course since its inception in 1947. She was

also awarded the Military Excellence Award at Boot Camp out of over 600 sailors.

A local news station interviewed Miss Owens while she was home for Christmas. She will be stationed on the NAS Oceana in Virginia Beach. Her parents, Randy and Gini, are very proud of Jessica and know that she will do well wherever she goes.

Mr. Speaker, I rise today in recognition of Miss Owens' efforts and commend her for a job well done. I urge my colleagues to join me in recognizing Jessica's service to our country and wishing her all the best for future success.

REVEREND DR. MARTIN LUTHER KING, JR.: LEADER, VISIONARY, HERO

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2002

Mr. GILMAN. Mr. Speaker, each year, we Americans commemorate the birthday of one of the outstanding citizens of the 20th century, Rev. Dr. Martin Luther King, Jr. Many years ago, I was pleased to be one of the original sponsors of the legislation making his birthday a national holiday, and I urged all Americans to commemorate January 15 with appropriate ceremonies, sharing Dr. King's message, vision, and legacy.

We should all avail ourselves of this opportunity to once again honor the legacy of the Reverend Dr. Martin Luther King, Jr. more than thirty years since his life was senselessly snuffed out by an assassin in Memphis, Tennessee. It is more important than ever that all Americans, especially our young people, are reminded of his significant contributions and his message.

Regrettably, many Americans view Martin Luther King Day as a holiday just for African Americans. Rev. King would have been the first person to repudiate that attitude, for his message was for ALL people, of all races, creeds, colors and backgrounds. His message of equality in both government and economic opportunity is universal and should be heeded by all citizens of America and, in fact, all citizens of the world.

Dr. King contributed more to the causes of national freedom and equality than any other individual of the 20th century. His achievements as an author and as a minister were surpassed only by his leadership, which transformed a torn people into a beacon of strength and solidarity, and united a divided nation under a common creed of brotherhood and mutual prosperity.

It was Dr. King's policy of nonviolent protest which served to open the eyes of our nation to the horrors of discrimination and police brutality. This policy revealed the discriminatory Jim Crow laws of the South as hypocritical and unfair, and forced civil rights issues into the national dialectic. It is due to the increased scope and salience of the national civil rights discussion that the movement achieved so much during its decade of our greatest accomplishment, from 1957 to 1968.

It was in 1955 that Dr. King made his first mark on our nation, when he organized the black community of Montgomery, Alabama during a 382-day boycott of the city's bus lines. The boycott saw Dr. King and many

other civil rights activists incarcerated in prison as "agitators," but their efforts were rewarded in 1956, when the U.S. Supreme Court declared that the segregational practices of the Alabama bus system were unconstitutional, and demanded that blacks be allowed to ride with equal and indistinguishable rights. The result proved the theory of nonviolent protest in practice, and roused our nation to the possibilities to be found through peace and perseverance.

In 1963, Dr. King and his followers faced their most ferocious test, when they set a massive civil rights protest in motion in Birmingham, Alabama. The protest was met with brute force by the local police, and many innocent men and women were injured through the violent response. However, the strength of the police department worked against the forces of discrimination in the nation, as many Americans came to sympathize with the plight of the blacks through the sight of their irrational and inhumane treatment.

By August of 1963 the civil rights movement had achieved epic proportions, and it was in a triumphant and universal air that Dr. King gave his memorable "I Have a Dream" speech on the steps of the Lincoln Memorial. In the following year, Dr. King was distinguished as Time magazine's "Man of the Year" for 1963, and subsequently, in 1964, he was awarded the Nobel Peace Prize.

Throughout his remaining years, Dr. King continued to lead our nation towards increased peace and unity. He spoke out against the Vietnam War, and led our nation's War on Poverty. To Dr. King, the international situation was inextricably linked to the domestic, and thus it was only through increased peace and prosperity at home that tranquility would be ensured abroad.

When Dr. King was gunned down in 1968 he had already established himself as a national hero and pioneer. As the years passed his message continued to gather strength and direction, and it is only in the light of his multi-generational influence that the true effects of his ideas can be measured.

Dr. King was a man who lacked neither vision nor the means and courage to express it. His image of a strong and united nation overcoming the obstacles of poverty and inequality continues to provide us with an ideal picture of the "United" states which still fills the hearts of Americans with feelings of brotherhood and a common purpose for years to come.

Accordingly, Mr. Speaker, I urge my colleagues to bear in mind the courageous, dedicated deeds of Rev. Dr. Martin Luther King, Jr., and to join together on Martin Luther King Day, in solemn recollection of his significant contributions for enhancing human rights throughout our nation and throughout the world.

PAYING TRIBUTE TO JAMES CHRISTIANSEN

HON. SCOTT MCINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2002

Mr. MCINNIS. Mr. Speaker, it is with a solemn heart that I would like to pay tribute to the life and memory of cattleman James E. Christiansen, who recently passed away in



Westminster, Colorado on January 12, 2002. Jim will always be remembered for his dedication and commitment to preserving our western culture and lifestyle. His passing is a great loss for the residents of Colorado who relied on Jim for his knowledge and wisdom in times of hardship and prosperity.

Jim served the citizens of Eaton and Westminster, Colorado for over forty years. He began his service as a salesman with a local phone company in 1959. During this time he also entered the profession of ranching, where he became a cattleman and raised his livestock in the region for the next forty years. He served his community as a member of the Colorado State Fair Board, Roundup Riders of the Rockies, Scottish Rite, and was a member of Centennial Masonic Lodge #326 in Omaha, Nebraska.

Jim later brought his personal, sales, and ranching experience to the Colorado State Capitol. There he served his community as an independent lobbyist, promoting issues and creating legislation for many people, businesses, and associations. Among those he helped are the Cattlemen's Association, the Colorado Association of Life Underwriters, the Colorado Rural Electric Association, the Fire & Police Pension Association, and various companies throughout the state and region.

Mr. Speaker, Jim's long service to Colorado clearly deserves the recognition of this body of Congress, and this nation. It was always known that his greatest passion was his love and dedication to his family. His wife Margaret, daughter Carol Tveitmo, six stepchildren, and three grandchildren survive Jim. It is with a solemn heart that we say goodbye and pay our respects to a patriarch of our community. James E. Christiansen dedicated his life to Colorado, and he will be greatly missed.

#### CATHOLIC SCHOOLS WEEK

### HON. FRED UPTON

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 23, 2002*

Mr. UPTON. Mr. Speaker, I would like to take this opportunity to recognize Catholic Schools Week, a time set aside to acknowledge the accomplishments of the Catholic schools of our nation. Catholic schools have displayed an exemplary ability to educate the youth of our great country. They have shown their dedication to the students whom they serve, providing tuition assistance to the vast majority of their students and an ample number of teachers in order to ensure that each child gets the attention he or she needs to succeed. Moreover, Catholic schools maintain a diverse student body, with children from all income levels, racial and ethnic groups, and religious backgrounds receiving an education within their walls.

In order to find proof of the accomplishments of Catholic schools here in the United States, one need only examine the caliber of the students they produce. An impressive ninety-seven percent of Catholic school graduates continue their education on a postsecondary level. African-American and Latino students advance to college at thrice the rate of their public school counterparts, making clear the commitment of Catholic schools to all chil-

dren. These successes have led to a dramatic increase in demand on the part of Catholic schools, with current enrollment at over 2½ million students and almost half of Catholic schools currently maintaining a waiting list for admission.

Among those schools living up to such stellar standards are the fifteen Catholic schools located in Michigan's Sixth Congressional District, which I represent here in Washington. I would like to offer my congratulations to the many individuals who have contributed to these schools, including students, parents, teachers, and administrators. Due to the hard work and ongoing efforts of these individuals, Catholic schools have become an inspiration to those everywhere who care deeply about education.

#### PAYING TRIBUTE TO VECTOR RESEARCH, INC.

### HON. MIKE ROGERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 23, 2002*

Mr. ROGERS. Mr. Speaker, I rise today to pay tribute to Vector Research, Inc. in Ann Arbor, Michigan for earning the Vendor Excellence Award from the Defense Logistics Agency.

The Defense Logistics Agency honors 21 industry partners, customers, and individuals with its Business Alliance Awards. The award recognizes those who have demonstrated outstanding efforts to help complete the DLA mission to provide supplies and services to America's war fighters.

Vector Research, a subsidiary of Altarum, has been the premier Information Technology solutions provider for DLA. For more than 55 years, Altarum has been dedicated to providing objective technology research, insightful policy analysis, and the deployment of customized technology solutions for government and industry. VRI uses old-fashioned customer values, putting clients first, and establishing true working partnerships. They deliver comprehensive technology services from requirements and design, to development and deployment, to testing and training.

Vector is a full-service technical consulting firm with over 30 years of experience assisting both government and commercial clients in structuring and solving complex problems. Further, VRI successfully provides a wide range of program management services which encompass a full life-cycle program support, including planning, modeling, cost/benefit analysis, briefing, promotional event support, and Web site development. Vector Research, Inc. received this award in the large business category for superior product quality, on-time delivery, superior customer service, reliability, dependability, consistency, and accuracy.

Therefore Mr. Speaker, I respectfully ask my colleagues to join me in paying tribute to Vector Research, Inc. for earning the Vendor Excellence Award. I salute its commitment to helping provide for our Nation's security.

#### HONORING MOLLY LIVINGSTON

### HON. JOHN E. SWEENEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 23, 2002*

Mr. SWEENEY. Mr. Speaker, I am pleased and honored to announce that The Epilepsy Foundation of Northeastern, New York, Inc., has named 7-year-old Molly Livingston, of Clifton Park, the organization's 2001–2002 Winning Kid. The Winning Kid symbolizes the spirit and courage that all children with epilepsy display in dealing with their illness. Molly will represent all children with epilepsy in northeastern New York.

Molly experienced her first seizure when she was just 18 months old. Since that time she has continued to suffer despite multiple medication trials. Molly continues to have daily seizures, but remains a bright, charming and energetic child despite her challenges. She has a sincere thirst for knowledge and continually uses her knowledge for power to overcome any obstacle.

Molly is the daughter of Kelly and Tom Livingston from Saratoga County. As a second grader at Chango Elementary School, Molly is very creative both with her mind and spirit. She loves animals, enjoys drawing and putting on plays. She also enjoys baking with her Mom and swimming.

Epilepsy affects two percent of the population, and approximately one in fifty children. Mr. Speaker, New York's 22nd Congressional District celebrates Molly as the Winning Kid for the Epilepsy Foundation of Northeastern, New York, Inc.

#### HONORING THE ROBINSON RAMS STATE FOOTBALL TITLE

### HON. TOM DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 23, 2002*

Mr. TOM DAVIS of Virginia. Mr. Speaker, I rise today to honor the James W. Robinson Rams' football team, which cruised to its second state football title in five years on December 8, 2001, with a resounding victory in the Virginia AAA Division 6 championship game. The Robinson Rams capped off a dominating 12–1 season with a thrilling 40–7 victory over Thomas Dale High School last weekend before 10,000 fans at the University of Richmond Stadium.

The win not only added to the school's impressive resume—one that includes a 19–10 all-time playoff record—but also further established the Northern Region's stranglehold on Division 6 football in the Commonwealth. A team from the region has taken the title 8 of the last 9 years. Robinson defeated last year's state champs, Centreville High School, in the Northern Region final.

While the state title was the result of a true team effort, the Rams were led by senior Michael Imoh and junior Adam Fassnacht, who were named offensive and defensive players of the year, respectively, by Northern Virginia's Journal newspapers. Imoh finished his high school career as Robinson's all-time rushing and scoring leader, running for 205 yards and four touchdowns in the championship game

and 2,077 yards and 28 scores for the season. He also hauled in nine receptions for 196 yards and three touchdowns.

Fassnacht recorded 120 tackles and a team-high 12 sacks in the team's 13 games. He and his unyielding defensive teammates held Thomas Dale to 149 total yards and 6 first downs in the title game. They also forced 6 interceptions, tying a record set by 1991 Woodrow Wilson team. The Rams defense came up big in key moments to keep the game firmly in their favor. Quarterback Brian Gulley—who makes up for with heart and leadership what he lacks in size—threw for 2 touchdowns and rushed for another.

"All season long, this team has refused to give anything but their best, and this is the culmination," coach Mark Bendorf—50–10 in his five years heading the program—told a local reporter after the title game. "This is the pinnacle of high school football. I'm so happy for this group because a lot of people doubted them. But this was a team of destiny."

Mr. Speaker, this team of young men, considered underdogs during their run through the regional and state playoffs, epitomized all that is good about high school athletics: perseverance, hard work, shared goals, and character. I am very proud to honor this group of dedicated players and their coaching staff, and I ask all of my colleagues to join me in sending them our congratulations on their significant accomplishment.

PAYING TRIBUTE TO RAYMOND A. YOUNGREN, JR.

**HON. SCOTT McINNIS**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 23, 2002*

Mr. McINNIS. Mr. Speaker, I would like to take this opportunity to pay tribute to the life and memory of Raymond A. Youngren, Jr., who recently passed away in Beulah, Colorado on January 9, 2002. Raymond, known as Ray, will always be remembered as a dedicated leader and rancher in the community. His passing is a great loss for a community that relied on Ray for his gentle nature and kind disposition.

Ray was a native Coloradan, born on the family ranch in 1933. He attended his local high school, graduated from Pueblo Junior College, and then he went on to serve four years in the United States Air Force. Upon completion of his service in the armed forces, Ray returned to his home and the ranch industry. To complement his western heritage and lifestyle, Ray competed in rodeo with much success for over thirty years. Ray was always ready to serve his fellow residents with compassion and integrity throughout his life. He began his service as a cattle rancher and later went on to serve as postmaster. He was also a member of the County Planning Commission for over twenty years. In this capacity he was responsible for ensuring long range planning and compressive development plans throughout Pueblo County. Ray further dedicated his time and energy as a member of the 2010 County Commission's Task Force, whose mission was to investigate the viability of mixing city and county government.

Mr. Speaker, Raymond A. Youngren, Jr.'s service to his community and his fellow citi-

zens certainly deserves the recognition of this body of Congress, and this nation. It has always been known that his greatest passion was his love and devotion to his family. Wife Yvonne, sons Jay and Justin, daughter Julie, and four grandchildren survive Ray. It is with a solemn heart that we say goodbye and pay our respects to a patriarch of the Pueblo community. He dedicated his life to the city of Beulah and Pueblo County, and will be greatly missed.

HONORING CANTOR MARK CHILDS

**HON. LOIS CAPPS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 23, 2002*

Mrs. CAPPS. Mr. Speaker, today I would like to pay tribute to Cantor Mark Childs who celebrated the 10th anniversary of his investiture as a Cantor on January 11, 2002. In addition, January 11 also marked the 10th anniversary of Cantor Childs' service at the Congregation B'nai B'rith in Santa Barbara, California.

For the last 10 years, the citizens of Santa Barbara have benefited from Cantor Childs love of music. After earning a Bachelor's of Arts degree in music from the University of California, San Diego, and his Master of Sacred Music degree along with an Investiture as Cantor from the Hebrew Union College-School of Sacred Music in New York City, Cantor Childs relocated to Santa Barbara and became Cantor of Congregation B'nai B'rith. Along with his eloquent speaking style, Cantor Childs has shared his extraordinary musical talent with the Congregation and community alike.

As Music Director at B'nai B'rith Cantor Childs is responsible for all liturgical and non-liturgical music in the synagogue. He conducts the adult, teen and youth choirs, and is responsible for music education from pre-school through 10th grades. He also produces full-scale musicals involving the youth of the congregation. Outside the congregation, Cantor Childs has been involved with the San Diego Opera, the Aspen Music Festival Opera, and the Santa Barbara Grand Opera.

Aside from bringing music to B'nai B'rith, Cantor Childs serves the congregation by teaching 6th grade Hebrew and tutors every Bar/Bat Mitzvah student before their services. He additionally leads the weekly service for both Sunday and Wednesday Religious School.

For the last 10 years, Cantor Childs has been an irreplaceable asset not only to Congregation B'nai B'rith but to the Santa Barbara community in general. His talent and warm personality have been appreciated by all and we are so lucky to have him in our midst. I wish to congratulate Cantor Childs on the last ten years of his achievements and thank him once more for sharing his extraordinary talent with the Santa Barbara community.

PROCLAMATION FOR HARRY R. BURGER

**HON. STEVE ISRAEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 23, 2002*

Mr. ISRAEL. Mr. Speaker, it is with great pride that I rise today to recognize one of New York's outstanding young students, Harry R. Burger. This young man has received the Eagle Scout honor from his peers in recognition of his achievements.

Since the beginning of this century, the Boy Scouts of America have provided thousands of boys and young men each year with the opportunity to make friends, explore new ideas, and develop leadership skills while learning self-reliance and teamwork.

The Eagle Scout award is presented only to those who possess the qualities that make our nation great: commitment to excellence, hard work, and genuine love of community service. Becoming an Eagle Scout is an extraordinary award with which only the finest Boy Scouts are honored. To earn the award—the highest advancement rank in Scouting—a Boy Scout must demonstrate proficiency in the rigorous areas of leadership, service, and outdoor skills; he must earn a minimum of 23 merit badges as well as contribute at least 100 man-hours toward a community oriented service project.

I ask my colleagues to join me in congratulating the recipients of these awards, as their activities are indeed worthy of praise. Their leadership benefits our community and they serve as role models for their peers.

Also, we must not forget the unsung heroes, who continue to devote a large part of their lives to make all this possible. Therefore, I salute the families, scout leaders, and countless others who have given generously of their time and energy in support of Scouting.

It is with great pride that I recognize the achievements of Steven and bring the attention of Congress to this successful young man on his day of recognition, Wednesday, January 9th, 2001. Congratulations to Harry and his family.

IN RECOGNITION OF THE CONTRIBUTIONS AND ACCOMPLISHMENTS OF FREDERICA WARNER

**HON. BENJAMIN A. GILMAN**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 23, 2002*

Mr. GILMAN. Mr. Speaker, I am honored to pay tribute to a remarkable constituent who has dedicated her life to serving others, Frederica Warner of Newburgh, NY.

Frederica is a living legend in our Hudson Valley for her many contributions to our Orange County communities, especially her outstanding service as founder, Executive Director, and guiding force behind Meals on Wheels of Greater Newburgh, Inc. Under her leadership, Meals on Wheels has served the needs of the Town and City of Newburgh and New Windsor without one dime of government funding for three decades, becoming the personification of the "thousand points of light" alluded to by President George H. W. Bush

years ago when he called for private contributions to improve our nation.

For many years, Frederica served as Operating Manager of the kitchen and dining room at the Powelton Club in the Town of Newburgh, and, along with her husband, Loren, operated their own catering business for many years.

Frederica has dedicated countless hours and held numerous leadership positions for charitable and community causes, including as a Member of the Board of Directors of Habitat for Humanity of Greater Newburgh; President of the Board of Directors of McQuade Foundation; Honorary Member of the Board of Directors of McQuade Foundation; Member of the Newburgh Zoning Board of Appeals; Member of the Board of Managers for the Amos & Sarah Holden Home; President of the Liberty Street Day Care Center; Member of the Human Rights Commission of Orange County; Member of the Orange County Professional Advisory Committee; President of the Business & Professional Women's Club; Vice President of the New York State Church Women United; Member of the Advisory Committee of the Church Women United to the United Nations; Campaign Chairperson for the Orange Area United Fund; First Vice President of the Board of Directors for the Orange Area United Fund; Member of the Zonta International of Newburgh; Member of the Washington Street AME Zion Church; and Member of the First United Methodist Church.

Among the many honors bestowed upon Frederica for her commitment to our Orange County community include the Distinguished Service Award from the Newburgh Jaycees; the Black Humanitarian Award, Newburgh Free Academy; the Plaque of Appreciation, United Way of Orange County; the 1989 Citizen of the Year Award, Historic Newburgh; the Trustees Award for Distinguished Service, Mount St. Mary College; the 1992 Outstanding Community Service Leader Award, Temple Beth Jacob; the New York State Senate (39th District) Woman of Distinction Award; and the Ladies of Havana Award, Newburgh Developers Association.

Frederica has been a mainstay of Republican principles and dedication to our party. We are proud to claim her as an activist for Republican causes. In 1980, Frederica served as co-chair of Women for Ronald Reagan for President in New York State. Three years later, she was honored to have lunch with President Reagan, who personally thanked her for all of her community efforts.

Frederica, the descendant of freed slaves who helped organize the Underground Railroad and the Republican Party in the years preceding the Civil War, is the daughter of the late Lafayette & Sarah Flint Hunter. She married Loren M. Warner, a beloved businessperson and citizen of the Newburgh community in his own right. Frederica and Loren are the parents of Maxine Warner Burton, wife of the Honorable V. Eric Burton, former Member of Parliament of the Republic of Antigua-Barbuda in the West Indies.

Mr. Speaker, for her friendship and commitment to our community and our party, the Town of Newburgh Republican Committee will this year honor Frederica as their designee as the "Republican of the Year". Our Hudson Valley and our Republican Party express our sincere thanks to Frederica Warner for being a role model and an ardent supporter of good

government and we congratulate her on this long-overdue recognition.

Mr. Speaker, I invite our colleagues to join with me in congratulating Frederica Warner for this honor and for a job well done.

#### HONORING THE MEMORY OF MARIA PEREZ

#### HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 23, 2002*

Ms. DELAURO. Mr. Speaker, it is with a deep sadness that I rise today to remember and pay tribute to a remarkable woman, Maria Perez, who was taken from us in the early hours of New Year's Day. A member of my Congressional staff for over six years, Maria was one of the most generous, kind-hearted people I have ever had the pleasure of knowing. She was only thirty-three years old but she was already a true treasure.

People often thank me for helping them, but what they might not appreciate is how Maria dedicated herself to helping people. She wasted few words but got the job done for hundreds, probably thousands of families. She worked her will with the Immigration and Naturalization Service, Social Security Administration and Medicare. She made such a difference it makes me cry. Thankfully, those families are her legacy.

Maria could often be found at the office at all hours of the day and on weekends, making the necessary calls to overseas embassies and consulates to help constituents in need. Her commitment earned her a reputation throughout the many communities of Connecticut's Third Congressional District, with rarely a day going by without someone calling the office because a friend or community member had referred them to her. It is almost impossible to imagine what our office will be like without her.

Maria never gave up her work for the poorer neighborhoods and the Hispanic community, even after she came to me. She worked with the Hill Development Corporation, a neighborhood organization dedicated to building affordable housing in the Hill section of New Haven. She had also worked with the Latino Youth Development and ProPark Enterprises. She participated in a great number of projects with Casa Otonial, an Hispanic senior community; Junta and Centro San Jose, two community based social service organizations; and the Spanish Community of Wallingford. Recently, Maria became involved in a new initiative called Hispanics Give Hope. Developed by the National Marrow Donor Program, this new program is aimed at recruiting more Hispanics to become bone marrow donors.

Maria was a very special person. Her contagious smile and infectious good humor touched the lives of all she knew. It is not often that you find someone like her—a diamond in the ruff. With a seemingly infinite amount of compassion and patience, Maria has left an indelible mark on our community. I know she left an indelible impression on my entire staff. She was a friend to us all.

Though it saddens me beyond words to join the many family, colleagues, friends, and community members that have gathered to honor Maria's memory, I am proud to stand today to

pay tribute to her life. I would like to take this moment to extend my deepest sympathies to Maria's husband, Fernando, her mother, Maria, her sisters; Elizabeth, Nancy, and Daisy, and her brother Edilberto. Maria's memory will always be close to our hearts and her legacy will continue to be our inspiration.

#### IN MEMORIAL OF MR. EVERETTE SUITT

#### HON. BOB ETHERIDGE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 23, 2002*

Mr. ETHERIDGE. Mr. Speaker, today I rise to honor the life of Mr. Everett Suitt, of Harnett County, who died on January 2, 2002. In his passing, Harnett County lost one of its most indefatigable champions. Born in Granville County, Mr. Suitt graduated from Boone Trail High School in Harnett County in 1950, served in the Army during the Korean War, and came home to become Boone Trail area's most outstanding community leader.

Mr. Suitt was a 30-year member of the Boone Trail Advisory Board, was a member of the first Board of Directors of the Boone Trail Emergency Services, and was president of the Western Harnett High School Boosters Club from 1977 to 1995. He was a founding member of the Calvary Baptist Church and was a leading tobacco farmer and lifelong Democrat.

Mr. Suitt is survived by his wife of 48 years, Ernestine O'Quinn Suitt, two daughters, Teresa S. Cummings of Marners, and Carla S. Obiol and husband, his brother, John, of Raleigh; a sister, Lila Allen of Lillington and grandchildren, Allison and David Cummings, and their father, Lewis, all of Lillington, and Alexandra Obiol of Raleigh; and a brother-in-law, Harold Edwards of Rocky Mount.

It was my honor to be asked to offer the following eulogy at the funeral of this good man:

Everett Suitt was my friend, as he was yours. As we gather here today, I hope we can suppress as best we can our sadness at the loss of a good husband, father, grandfather, and community leader and instead concentrate on the celebration of Everett's life and contributions. They are many, and this community and this county are a better place because this good man lived among us.

It has been said that God expects only this of each of us—that we take the world into which we are born and strive to make it a better place in which to live. Everett Suitt certainly did so and did so successfully. Everett loved life and enjoyed it as few of us are privileged to do. He smiled often and laughed long. He had a personality that made us want to be around him, to talk with him, to laugh with him. He was often the sunshine drawing us through dreary days.

I knew Everett for more than 30 years; I don't remember a single time when he was not trying to help me do the right thing for our county and our state. He was one of the men who served as an inspiration to me. I often sought his counsel.

Everett Suitt loved his wife, his two daughters, his grandchildren, and the grandchild on the way who sadly will never know him except through the memories of others.

Everett was a family man in the most pure sense of the word. He loved sports, particularly the teams of Duke University and the New York Yankees. He loved his community: the old Boone Trail High School and, later, Western Harnett High School. And he

loved all the students who passed through that school year after year.

Can anyone imagine being president of the Western Harnett Boosters Club for two or three years? Everette did that job for 18 years and loved every minute of it.

He loved his church and his community. He loved the Democratic Party. And he served all three with loyalty, with dedication, with humility, and with faith in God. While this is a sad day for all of us, it would be wise of us to remember the words of the great artist, Leonardo da Vinci, who said on the death of a friend:

"As a well-spent day brings happy sleep, so a life well used brings a happy death."

Certainly, Everette Suitt's life was well used. We are saddened at the loss of this good man. As the poet John Donne has reminded us:

"\* \* \* any man's death diminishes me, because I am involved in mankind. Therefore, never send to know for whom the bell tolls. It tolls for thee."

Today, the bell tolls for us as Everette goes to his heavenly home. But I would predict that Heaven today is a happier place than it was a few days ago. That Everette is rushing around greeting those who have gone on before and renewing acquaintances. That his happy smile has already endeared him to the Community of Angels. That he is already volunteering to take on whatever job God feels needs doing to improve the community.

And even to suggest a few tasks himself.  
Goodbye, Good Friend.  
Amen.

#### PAYING TRIBUTE TO KARI DISTEFANO

#### HON. SCOTT MCINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2002

Mr. MCINNIS. Mr. Speaker, it is truly a privilege to take this opportunity to pay tribute to Kari Distefano, a woman whose competitive spirit and unrelenting will has taken her to the top of her field as a runner, and distinguished her as one of this country's greatest athletes. Her incredible accomplishment of being named U.S.A. Track and Field's top women's mountain runner of the year is a testament not only to her incredible natural abilities, but to her unparalleled work ethic and indomitable human spirit.

This incredible honor is the manifestation of a life-long passion, and could not have been bestowed upon a more deserving individual. In September of 2001, Kari competed in the World Mountain Running Trophy Race in Udine, Italy, finishing with the top U.S. rank, and placing 21st overall in a field that included competitors from over 30 countries. She has been named an alternate for the United States Track and Field Team, and recently broke a course record at the 37-kilometer Grand Junction Rim Rock Run. Her training grounds are the hills of Telluride, Colorado, but she has proven that her dominance extends far beyond these local hills.

Mr. Speaker, it is quite clear that Kari is a person of unparalleled dedication and commitment to her life-long pursuit of running at a world-class level. It is not only her incredible talent, but her unrelenting passion for competition and her unconquerable human spirit that I wish to bring before this body of Congress. She is a remarkable woman who has reached

extraordinary heights in her pursuit of excellence in athletics and in life. It is my distinct pleasure to honor her today, and wish her the best of luck in all of her future endeavors. You have truly made this country proud.

#### CLOSED-CIRCUIT TV COURT PROCEEDINGS FOR VICTIMS OF THE TERRORIST ATTACKS OF SEPT. 11TH

#### HON. TOM DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2002

Mr. TOM DAVIS of Virginia. Mr. Speaker, The attacks of September 11th wounded our national psyche, but the most profound wounds were surely felt by the thousands of families who lost loved ones. Allowing the victims' family members to view the trial of Zacarias Moussaoui—the sole suspect indicted thus far in connection with the cowardly attacks—is the right and compassionate thing to do.

Unfortunately, the Federal Judicial Conference, which has authority over the U.S. District Court for the Eastern District of Virginia where the trial will occur, does not permit court proceedings to be televised. This legislation would require the closed-circuit broadcast of the proceedings to "convenient locations" around the nation. It is modeled after Section 235 of the Antiterrorism and Effective Death Penalty Act of 1996, (P.L. 104-132), which was enacted after the Oklahoma City bombing trial was moved to Denver. In that case, an exception was made, with Congress requiring the court to broadcast the proceedings via closed-circuit television back to victims' family members in Oklahoma. P.L. 104-132 is triggered only when the trial has been moved more than 350 miles from the state where the case was originally brought.

This legislation mirrors legislation already passed in the Senate (S. 1858) that would allow those whom the court determines to have a "compelling interest" to witness the trial—but are unable to attend because of expense, inconvenience, or courtroom space limitations—to do so via closed-circuit transmission. The transmission locations include but are not limited to Northern Virginia; Los Angeles and San Francisco, California; New York City; Boston; and Newark, New Jersey—the sites of the attacks, as well as the places where the aircraft involve departed or were intended to arrive. The court retains the discretion to designate additional sites.

Until S. 1858 bill and the House companion bill become law, Congress would have to affirmatively act to permit televised proceedings of Zacarias Moussaoui's trial.

Like the earlier law (P.L. 104-132), the court determines who has a compelling interest to view the trial, but are otherwise unable to do so by reason of inconvenience and expense. The courtroom in Alexandria may fit only about 80 spectators. Officials estimate that there are 10,000 to 15,000 victims and families of the crimes for which Moussaoui is charged.

Who is Zacarias Moussaoui: Attorney General Ashcroft has said the French citizen Zacarias Moussaoui, 33, was an "active participant" in the plot by the al-Qaeda terrorist

network to crash jetliners into the World Trade Center and the Pentagon, but was thwarted when he was detained on immigration charges in August, 2001. Moussaoui, of Moroccan descent, allegedly received \$14,000 from an al-Qaeda operative, and engaged in a pattern of behavior that mirrored the activities of the 19 suicide hijackers. He is charged with six counts of conspiracy, including four that carry the death penalty.

The indictment of Moussaoui reads, in part: "Zacarias Moussaoui . . . with other members and associates of al-Qaeda and others known and unknown to the Grand Jury, unlawfully, willfully and knowingly combined, conspired, confederated and agreed to kill and maim persons within the United States, and to create a substantial risk of serious bodily injury to other persons by destroying and damaging structures, conveyances and other real and personal property within the United States."

Moussaoui has already been arraigned. His trial is set for October, 2002.

#### MARTIN LUTHER KING

#### HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2002

Mr. VISCLOSKY. Mr. Speaker, as we celebrate the birth of Dr. Martin Luther King, Jr., and reflect on his life and work, we are reminded of the challenges that democracy poses to us and the delicate nature of liberty. Dr. King's life, and, unfortunately, his untimely death, reminds us that we must continually work and, if necessary, fight to secure and protect our freedoms. Dr. King, in his courage to act, his willingness to meet challenges, and his ability to achieve, embodied all that is good and true in the battle for liberty.

The spirit of Dr. King lives on in the citizens of communities throughout our nation. It lives on in the people whose actions reflect the spirit of resolve and achievement that will help move our country into the future. In particular, several distinguished individuals from Indiana's First Congressional District will be recognized during the 23rd Annual Dr. Martin Luther King, Jr. Breakfast on Monday, January 21, 2002, at the Genesis Center in Gary, Indiana. The Gary Frontiers Service Club that was founded in 1952 sponsors this annual memorial breakfast.

This year the Gary Frontiers Club will pay tribute to nine local individuals who have for decades unselfishly contributed to improving the human condition of others in the City of Gary. Those individuals who will be recognized as Dr. Martin Luther King, Jr. Marchers at this year's breakfast include: Thomas V. Barnes, Former Mayor of Gary; James W. Holland, deceased Former Deputy Mayor of Gary; Rudolph Clay, Lake County 1st District Commissioner; Frank Perry, Former Lake County Councilman; Reverend Dr. Floyd E. Dumas, Sr., Founder and former Pastor of the Metropolitan Baptist Church; Nancy M. Kelly, Vice President of L.C.E.O.C., Inc.; Earline Rogers, Indiana State Senator; Dr. Vernon G. Smith, Indiana State Representative; and David E. Ross, Jr. M.D., an active and honorable community member. Additionally, one of these nine individuals will be honored with the Dr. Martin Luther King, Jr. Drum Major Award.

Also in attendance at this year's memorial breakfast will be students from the Gary Community School Corporation.

Though very different in nature, the achievement of all these individuals reflect many of the same attributes that Dr. King possessed, as well as the values he advocated. Like Dr. King, these individuals saw challenges and rose to the occasion. Each one of the honored guests' greatness has been found in their willingness to serve with "a heart full of grace and a soul generated by love". They set goals and worked to achieve them.

Mr. Speaker, I urge you and my other distinguished colleagues to join me in commending the Gary Frontiers Service Club president, Mr. Floyd Donaldson, and all other members of the service club for their initiative, determination and dedication to making Northwest Indiana a better place for all who live and work there.

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A TRIBUTE TO HIS HONOR  
SALVATORE J. MODICA

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**HON. CAROLYN MCCARTHY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 23, 2002*

Mrs. MCCARTHY of New York. Mr. Speaker, I rise to congratulate Salvatore J. Modica, sworn in as a judge on December 26, 2001. For the last 15 years, Salvatore "Tory" Modica has served as a prosecutor Queens District Attorney's office and as a Principal Court Attorney in the Bronx.

A graduate of the University of Arizona in 1983 and St. John's Law School in 1986, Tory has worked diligently to rise through the ranks in our courts. Starting in the Queens D.A.'s office in 1986, Tory ascended from the Appeals Bureau to the Homicide Investigations Bureau to the Supreme Court Trial Bureau.

In 1989, Tory became the Principal Court Attorney for Judge William C. Donnino, Court of Claims in the Bronx Supreme Court. In this capacity, he did legal research and wrote opinions, becoming extremely well-versed in complex legal issues. This is evidenced by an article he authored on the age requirement for the New York State death penalty law, which appeared in St. John's legal journal and in other publications.

Tory is the fourth child and oldest son of Dr. and Mrs. Edmondo Modica, and he is married to the Honorable Deborah Stevens Modica, Deputy Supervising Judge in Queens Criminal Court. Together they raised five girls—Deirdre, Erin, Reagan, Flannery and Kate—and are the proud grandparents of Elijah, Issa and Aidan.

Mr. Modica's extensive knowledge of the justice system and his incredible work ethic has gained the respect of his colleagues in the law profession. His perseverance in work, the community and his family has certainly paid off. I am delighted that he has earned his appointment as Judge to the Criminal Court in the City of New York by Mayor Rudolph Giuliani. My warmest regards to His Honor, Judge Salvatore J. Modica.

HONORING CLANCY D. MCKENZIE,  
M.D. FOR THIRTY-FIVE YEARS  
OF GROUNDBREAKING RE-  
SEARCH, MEDICAL SERVICE AND  
HUMANITARIAN EFFORTS

**HON. CURT WELDON**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 23, 2002*

Mr. WELDON of Pennsylvania. Mr. Speaker, it is my pleasure to honor the Commonwealth of Pennsylvania's Professor Clancy D. McKenzie, M.D., Protege of Temple University's late Dr. O. Spurgeon English, and Recipient of Temple University's Nelson and Winnie Mandella Humanitarian Award. Dr. McKenzie has worked daily to improve the treatment of mental health patients and his trailblazing techniques, particularly in the area of schizophrenia, have awed the medical community over the years. His findings represent one of the greatest breakthroughs in that field of medicine and allows for the prevention of this disease.

Dr. McKenzie is an Alumnus of the University of Michigan, University of Vienna, University of Michigan Medical School, Menninger School of Psychiatry, Philadelphia Psychiatric Center, Philadelphia Psychoanalytic Institute, and Capital University of Integrative Medicine, Washington, D.C. Under the careful tutelage of Dr. O. Spurgeon English for thirty years, Dr. McKenzie worked creatively and identified a new cause and mechanism for mental illness, the origin of which has been confirmed with data on 9,000 persons with schizophrenia, and many more with depression.

Dr. O. Spurgeon English credited Dr. McKenzie with the discovery of a traumatic origin for mental illness and wrote that his findings represented a new unification theory of mental illness. Professor Lance S. Wright, a noted scholar, colleague and friend for thirty-five years, hailed the findings as the most significant in the field of psychiatry in the second half of the 20th Century.

Dr. Clancy McKenzie, under the careful tutelage of Dr. O. Spurgeon English has made significant advances in the understanding of mental illness, and most importantly its prevention. His efforts should benefit future generations worldwide, through the understanding and prevention of mental disease.

Mr. Speaker, Dr. Clancy D. McKenzie is truly a contemporary pioneer in the field of mental health who has gone beyond the current thinking concerning the subject of schizophrenia. I congratulate him on his life of service to humanity which have made it possible to provide those suffering from such ailments to the promise of a whole life.

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IN MEMORY OF DALE STORMER

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**HON. MARCY KAPTUR**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 23, 2002*

Ms. KAPTUR. Mr. Speaker, I rise today to recognize the accomplishments of Dale Stormer, longtime labor leader in both our community and in our nation. Dale, who had a gruff exterior and a heart of gold, passed from this life on October 28, 2001. He leaves behind a

lasting legacy of union activism and commitment to bettering the lives of our nation's workers. No one mastered the intricacies of health insurance and employee benefits more thoroughly or with more vision, compassion, and zeal.

Dale was president of the Toledo Area AFL-CIO from its inception in 1966 until 1973. Upon his leave, the union boasted 31,000 members. He returned after a two-year hiatus, serving as Executive Secretary until 1991. In that year, he went to Chicago, where he is credited with saving the union's health and welfare fund. He finally retired to Florida in 1997, though his heart remained in his union. His eye was always on the underrepresented, the exploited and the needy.

After being discharged from the U.S. Navy, Dale entered his life's work when he helped organize the employees of the Sears Roebuck and Company store in which he worked. In 1956, he became the head of the Detroit retail workers union, and joined the Hotel Employees and Restaurant Employees (HERE) in 1961. Dale first came to Toledo in 1961 to serve the HERE Local 868, which had been placed in trusteeship, and he represented the union's members for almost thirty years. He also served the HERE international union as a vice president.

His crowning achievement in organizing came when he was a founder of the Toledo United Labor Committee. This local consortium of union policymaking brought together the AFL-CIO, the UAW, and the Teamsters into a collective 50,000 members strong. To build strength through unity remains a hallmark of his leadership and acumen.

In addition to his union activities, Dale also found time to participate on the boards of the local United Way, Red Cross, and Toledo Lucas County Convention Center. He was asked to serve on former Ohio Governor Richard Celeste's Advisory Council on Travel and Tourism and was appointed by former Governor Celeste to the board of the Medical College of Ohio in Toledo.

His love of boating yielded him a twenty-year membership in the Bay View Yacht Club. If Dale ever relaxed, surely it was by boating on Lake Erie and on Florida's Caloosahatchee River. It was the one hobby in which he indulged, according to his son.

A man of humble origins who led his union brothers and sisters and our entire community to a better life, Dale was a labor leader first and last. He leaves behind this legacy, along with cherished memories his wife Ruth and sons John, Don, Ron, Tom, and Tony hold close in their hearts.

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HONORING JAMES AND JOANNE  
HANSON

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**HON. SCOTT MCINNIS**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 23, 2002*

Mr. MCINNIS. Mr. Speaker, I would like to take this opportunity to honor James and Joanne Hanson for their many years of devotion to each other as they celebrate their 50th wedding anniversary. They were married the same year that they met each other, in 1951, and have lived a wonderful and very fruitful life together.

James and Joanne met while both working at Ryan Aeronautical in San Diego, California. James was a test pilot and Joanne was a draftsman. During the Korean War, James returned to the Navy as a flight instructor in Florida and then relocated to St. Louis, Missouri to take a job working for McDonnell Aircraft. This gave the Hanson family the difficult task of trying to start and raise a family while being moved between California and Missouri several times. As a result of the moves, Joanne attended many different schools focusing her studies in a number of different areas.

Joanne opted against her potential career in journalism to pursue her passion for art. Painting and drawing proved to be very fulfilling for Joanne. She also stayed very involved in the lives of the their three daughters: Kate, Christine, and Carrie. Following James' retirement, the loving couple was able to spend more time pursuing mutual goals and hobbies. Together, they became substitute teachers and raced their Arabian horses, eventually breeding and raising other Arabian horses.

The late 1980's and 1990's sparked civic involvement for the Hanson family. Joanne was elected as the Committee Woman for her county's Republican Party in Missouri, and later ran for State Representative. Upon moving to Chimney Rock, Colorado, James, along with his friend Wayne Bergman, founded the OPHOP organization. OPHOP, "Old People Helping Old People," provides services for elderly members of the community. More recently, James and Joanne have aided in state and local political campaigns.

Mr. Speaker, it is a wonderful privilege and honor to salute the 50th anniversary of James and Joanne Hanson and recognize the exceptional life they have led together. It is with excitement and admiration that I wish them many more great years of happiness.

POETRY BY FRANK SOHAIBY  
REGARDING POLITICS

**HON. JAMES A. TRAFICANT, JR.**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 23, 2002*

Mr. TRAFICANT. Mr. Speaker, Frank Sohaiby, one of my constituents, is eighty years old, and is a very wise man who has written a poem about politics. Frank's insights deserve to be commended and are hereby memorialized in the public record. Frank's poem follows:

"POLITICS"

Who gets what for who and how,  
That's the name of the game,  
And really not for one who's tame,  
While seeking fame ends up lame.

The "haves" are the conservative lot,  
They want to keep the whole pot,  
Ask why and they'll answer, "why not?"  
Fair to them but fairness not.

The "have nots" on the other hand,  
Are the ones that change demand,  
For this they're called a radical band,  
And many of them in jail may land.

Many of us don't like the game,  
But we're all in it just the same,  
Some of us in it mighty strong,  
As leaders are quite often wrong.

The country's problems are many fold,  
Who amongst us need be told?  
Watergate—hate and lies,

Prices ever on the rise,

A war that no one seems to want,  
Crime in the streets—cops killed on beats  
Scraggly long hairs and movie bares,  
Dopes and dope addicts,  
Demonstrators, agitators, and would be  
emancipators.

If you don't like the way the country is run  
Get into politics—join the fun,  
Why be a follower—set the pace,  
Who knows, you might even win the race!

IN HONOR OF CAPS' 20 YEARS OF  
SERVICE TO THE COMMUNITY

**HON. CAROLYN MCCARTHY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 23, 2002*

Mrs. MCCARTHY of New York. Mr. Speaker, I rise today to pay tribute to an extraordinary organization, Child Abuse Prevention Services (CAPS). CAPS, a not-for-profit volunteer group, is entering its 20th year of service to the Long Island community.

CAPS is working together to keep every child safe from harm. True to this vision, their experienced volunteers have reached 300,000 Long Island residents with preventive and educational programs to end the cycle of child abuse and neglect. Conceived from a union of the Junior League of Long Island and the National Council of Jewish Women, CAPS developed programs to give children and adults the tools and strategies to deal with child abuse, sexual abuse and date rape. As Long Islanders' needs and awareness grew, so did the services that CAPS provides.

The Child Safety Institute (CSI) was established by CAPS in 1995 in response to the concerns of our school communities as they encountered school violence. They have formulated comprehensive methods to reduce bullying and harassment, including conferences and roundtables presented in classrooms to specifically curb the trend of increasing violence in our schools.

CAPS has been recognized as a "model primary prevention program" locally, regionally and nationally. They have received the New York State Eleanor Roosevelt Community Service Award as well as the Metro Region Allstate Safety Leadership Award. I am truly grateful for Child Abuse Prevention Services, as they are an invaluable resource to my office and to the people they serve. It is my honor to pay tribute to them as they enter their 20th year of service to the Long Island community.

A TRIBUTE TO KEN SHULTZ

**HON. SAM FARR**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 23, 2002*

Mr. FARR of California. Mr. Speaker, I rise today to honor the life of Ken Shultz, 54, a journalist who lived on the Central Coast of California for many years. He died recently while vacationing in Redding.

Mr. Schultz's career in journalism spanned more than 30 years, including a stint with Stars and Stripes during which he covered the Vietnam war.

I first became acquainted with Ken when I served on the Monterey County Board of Supervisors. He moved to Salinas in the early 1970s, after he earned a Bronze Star for valor during his term of duty in Vietnam. Ken had been wounded himself while carrying a wounded New York Times correspondent from a battle at Quang Tri.

Ken worked first as a reporter at the Salinas Californian and later as a reporter, editor and bureau chief at the Monterey County Herald. I remember him fondly as an affable, kind-hearted, enthusiastic soul; a man with great integrity who always made time to take interest in the welfare of others.

While he lived on the Central Coast, Ken covered a wide range of issues and topics, including city and county politics. He covered appearances and speeches by nearly every U.S. president since Gerald Ford and interviewed numerous celebrities, including Ansel Adams and Elaine Steinbeck, the third wife of author John Steinbeck.

Born in Denver in 1947, Ken grew up in Southern California and worked as a part-time sports editor while attending San Fernando Valley State College. He was an avid baseball fan, railroad enthusiast and history buff. He and his wife of 31 years, Diane, had three children, Jennifer, Paul and Sarah.

Ken left the Monterey County Herald in 1997, opting for a new career in teaching. After earning a teaching certificate from Chapman University in Salinas, he moved to Lancaster and began teaching fourth graders at Mesquite Elementary School in Palmdale.

I know those young students were fortunate that Ken touched their lives. They no doubt benefitted—as did we all on the Central Coast for so many years—from Ken's kindness, and the enthusiasm he brought to the world around him.

TRIBUTE TO ALLISON ZAFFULTO

**HON. STEVE ISRAEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 23, 2002*

Mr. ISRAEL. Mr. Speaker, it is with great pride that I rise today to recognize one of New York's outstanding young students: Allison Zaffulto. In February, the young women of her troop will honor her by bestowing upon her the Girl Scouts Gold Medal.

Since the beginning of this century, the Girl Scouts of America have provided thousands of youngsters each year the opportunity to make friends, explore new ideas, and develop leadership skills while learning self-reliance and teamwork.

These awards are presented only to those who possess the qualities that make our nation great: commitment to excellence, hard work, and genuine love of community service. The Gold Awards represent the highest awards attainable by junior and high school Girl Scouts.

I ask my colleagues to join me in congratulating the recipient of this award, as her activities are indeed worthy of praise. Her leadership benefits our community and she serves as a role model for her peers.

Also, we must not forget the unsung heroes, who continue to devote a large part of their lives to make all this possible. Therefore, I salute the families, scout leaders, and countless



others who have given generously of their time and energy in support of scouting.

It is with great pride that I recognize the achievements of Allison, and bring the attention of Congress to this successful young woman on her day of recognition.

#### PAYING TRIBUTE TO JIM EVANS

### HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 23, 2002*

Mr. McINNIS. Mr. Speaker, I would like to take this opportunity to recognize an outstanding individual from the State of Colorado. For over twenty years, Jim Evans has selflessly contributed his time and energy to the Associated Governments of Northwest Colorado, and as he celebrates his twentieth anniversary, I would like to thank him for his dedication and time served.

As a member of the AGNC, Jim has been successful in bringing growth and prosperity to the northwest region. The organization was originally created to secure tax dollars and federal funds for the five northwest counties and to ensure the funds are properly distributed throughout the region. To achieve this goal, the AGNC created several programs to help distribute and secure funding. These programs include increasing coal production revenues, establishing tax credits for beginning businesses, providing regional planning and technical assistance grants, and the distribution of an oil shale trust fund to the counties of the region.

Jim has played a key role for the AGNC by drafting the legislation for the Mineral Leasing Distribution Formula Amendment. This effort by the AGNC increased available energy impact funds in the region by more than \$23 million. Jim has also been a vital contributor to the area's aging programs, notably insuring the continuation of nutrition programs, transit opportunities, home care, legal services, and senior ombudsman services. Through Jim's and the AGNC's efforts, over \$7 million has been put toward funding the programs.

Mr. Speaker, Jim Evans and the AGNC have been instrumental in encouraging the harmonious relationships between the counties and cities of the northwest county region. Through the tireless efforts of its members and people like Jim, northwest Colorado enjoys the prestige and influence it wields in the state today. Their work and dedication to improving the lives of Colorado residents certainly deserves the recognition of this body of Congress. Thanks for all your hard work Jim, and good luck in your future endeavors.

HONORING WILLIAM A.  
MOSSBARGER FOR HIS DEDICATED SERVICE TO CENTRAL KENTUCKY

### HON. ERNIE FLETCHER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 23, 2002*

Mr. FLETCHER. Mr. Speaker, I rise today to pay tribute to Mr. William A. Mossbarger on the occasion of his retirement from Fuller,

Mossbarger, Scott and May. Bill has dedicated his life to improving the Bluegrass area and the lives of Central Kentucky's residents.

A native of Glendale, Kentucky, Bill had an early interest in both basketball and engineering. As a student at Glendale High School, he played in the Kentucky State Boys Basketball Tournament, known affectionately in Kentucky as the "Sweet Sixteen." Bill moved to Lexington in 1956 to attend the University of Kentucky, where he played on the Freshmen Basketball team for the legendary basketball coach of the Kentucky Wildcats, Adolph Rupp. In 1961, Bill graduated from the University of Kentucky College of Engineering with a Bachelor of Science degree in Civil Engineering. He went on to receive his Master of Science degree in Structures from the UK College of Engineering in 1963.

Bill began his distinguished engineering career at the University of Kentucky in the research lab, where he rose to become the head of the Engineering Mechanics Section. In 1966, he left UK to organize the consulting firm of Fuller and Mossbarger, Civil Engineers, Inc. with Mr. Don Fuller. In 1968, the firm opened its arms to Mr. John Scott and became Fuller, Mossbarger and Scott, Civil Engineers, Inc. The firm welcomed Mr. Audrey May in 1973, and the firm's current title took its place in the Lexington community. Fuller, Mossbarger, Scott and May (FMSM) specializes in geotechnical evaluations for structures, highway designs, and locks and dams. FMSM has expanded significantly from its original office in Lexington, with offices in Hazard, Kentucky; Louisville, Kentucky; and Cincinnati, Ohio.

Notable clients of Fuller, Mossbarger, Scott, and May include the United States Army Corps of Engineers, the Kentucky Department of Highways, Ashland Oil, Inc., the Kentucky Finance Administration Cabinet, the Kentucky River Authority, and the Lexington-Fayette Urban-County Metro Government.

Bill has also made significant contributions to the Central Kentucky community and the entire state. He is a past President of both the Kentucky Consulting Engineering Council and the Kentucky Society of Professional Engineers. He is a fellow of the American Consulting Engineers Council and serves as a Board Member of the Cincinnati Bible College. As a past Chairman of the Board of Elders for Southland Christian Church in Lexington, Bill was a natural choice to chair the Building Commission when Southland decided to construct a new sanctuary.

While achieving so much in his professional life, Bill has remained a devoted husband to his wife, Martha, and a loving father for his four children, Belinda Meyers, Carol Kearns, Evan Mossbarger and Dee Mallory.

#### AUSTRALIA STANDS WITH US

### HON. STEPHEN HORN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 23, 2002*

Mr. HORN. Mr. Speaker, the terrorist attacks of last September 11th were a terrible blow to the United States and to all of our citizens. Each of us became witnesses to the coldblooded murder of fellow Americans by a small band of fanatics who hate our country

and the values we stand for—freedom and the rule of law.

But the events of last September produced not only shock and horror, but an immediate outpouring of support from nations all over the world. One voice from overseas that spoke with both power and eloquence was that of Premier Bob Carr of New South Wales, Australia. Mr. Carr has long been a good friend of the United States and his speech to Parliament on September 18th last year should be read by every Member of Congress. Today, I place that speech in our RECORD so that it will be clear to all that America has many good friends and many strong allies in the fight against terrorism.

Bob Carr is not only a historian of his wonderful Australia. He is also a master of our history.

#### TERRORIST ATTACKS ON THE UNITED STATES OF AMERICA

(By Bob Carr, MP, Premier of New South Wales)

Mr. CARR (Maroubra—Premier, Minister for the Arts, and Minister for Citizenship) [2.18 p.m.]: I move:

That this House:

(1) condemns the terrorist attacks committed in the United States;

(2) extends condolences to all the victims and their families; and

(3) calls on Australians of all faiths to support each other and practise the very values that were attacked—freedom and the rule of law.

All who lived through 11 September 2001 will always remember it. A catastrophe like that bonds us as human beings and great good can sometimes flow from enormous evil as if, in this time of talk of war, when facing the darkness, we most value the light. The events of just a week ago have shown us that human goodness is a fact—it is unstoppable, and ineradicable. The firemen and police who walked into the shadow of two great wobbly towers and climbed the stairs, were probably aware they would not survive. The heroes on United Airlines flight UA93, accepted their fate and attempted by their death to save others and protect their country. The husbands, wives, sons and daughters rang loved ones from those planes and wrecked offices to say, "Goodbye, I'm unlikely to survive this. It was good to have been your friend upon the earth."

Thousands volunteered their blood, their hands, their exhaustion for the long nights and days that followed. They are still at work. The chaplain who died in the act of giving absolution to a fireman who himself died in an act of gallant self-sacrifice. Our colleague in public service Mayor Giuliani never slept, and former President Clinton wept with the kinfolk of the fallen. Sometimes it takes this enormity to show the generosity of the human spirit. It is not good that the few who are not susceptible to mercy can do such harm to so many.

Today we are not here to speak—though the time will come—of the big picture of world terrorism, its causes and its remedies, or of the strategic goals and alliances that are being talked of, and the necessary action to smash terrorists. We are here today only to speak our shared regret, our sympathies and kindred sorrows. The number of Australians currently not accounted for in New York and Washington is more than the number who perished at Thredbo when 18 lives were lost; on the Westgate Bridge, 35 lives; in the fires of Hobart, more than 50 lives; perhaps even more than in the Granville Train disaster, 83 lives lost.

We feel ourselves one in blood with the fallen, kin and bonded with all who died. A

world away, we share their grief. There were those that morning who had the luck. The Chairman of Cantor Fitzgerald, Howard Lutnick, survived the attack because he was late for work. He decided to take his children to kindergarten for the first time that morning. He lost his brother, though, and around 700 workmates—700! John, a New York Port Authority worker, rolled himself into a ball, tumbled down 80 stories as the building fell and was barely scratched. Ian Thorpe came to the door two hours before and then went back to his hotel for his camera.

John Howard was giving a news conference at his hotel a short walk from the White House, when the 767 airplane intended for its destruction hit the ground in Pennsylvania. All feel relief but also guilt that they were spared and so many were lost. Human beings are like that. We feel for our fellows, across race, religion and region. We breathe the same air, share hopes and sorrows. We are involved, as John Donne said, in mankind, and the tolling bell tolls also for us as it does for comrade, foe and kin.

We think of our lost Australian kin. Yvonne Kennedy, 62, from Westmead, a widow with two sons, had recently retired from the Red Cross after 25 years, having been awarded the Red Cross distinguished service medal. She was on her retirement holiday. Adelaide industrial advocate Andrew Knox was working for an infrastructure company on the 103rd floor of the north tower of the World Trade Center. Leanne Whiteside, from Prahran, Melbourne, was on the second day of her dream job in the World Trade Center working for an insurance company. Retired Sydney Qantas baggage handler Alberto Dominguez from Lidcombe had worked for Qantas for 21 years. He was a prominent member of the Spanish community. Lesley Thomas, from the Central Coast, was working in New York as an options trader for Cantor Fitzgerald.

For these and all the others missing and not accounted for among the scarred and twisted metal we hope for a miracle: that among the rows of stretchers and doctors waiting for patients and treating so very few, that along the unending odyssey of the sniffer dog Bear, who knows in the way dogs do how essential is his task, a human form in the dust will unexpectedly move and show that life is there, and hope abides.

There is no joy in this occasion. There is no great comfort in knowing that more lives are yet to be shed in the conflict that will surely follow this atrocity, this bestial act by fearless, fanatical, short-sighted men. There is no comfort in sharing a planet, a fragile global confederation, that has in it so much hate, and to see that hate grow by the hour. There is no victory, and there is no honour, in defaced mosques or churches or in abuse and street violence against good citizens born in the Middle East and at peace here in Australia. They detest as much as any these barbarous and poisonous acts and the inhumane organisation that planned them and fed them.

There is comfort, however—some comfort—in the goodness this foul deed has ignited: the song and ritual and the extended hands of nations met in unexpected comradeship, united by their sympathy, sorrow and outrage. In the words of a familiar song, "We are one, but we are many." In this country as in yours and at this awful time we are with you, the very many of you now grieving, in spirit and in fact, in our prayers and in our sorrow, and in our strategic support—in all this, Australia will be there.

## TRIBUTE TO JACE RATZLAFF

### HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2002

Mr. SCHAFFER. Mr. Speaker, it is an honor to rise today to congratulate Mr. Jace Ratzlaff of Greeley, Colorado. Jace is a recent recipient of the Accommodation Award jointly given by the United States Department of Agriculture's Natural Resources Conservation Service (NRCS) and Southeastern Colorado's Soil Conservation Districts.

This award is given to distinguished individuals for the time and effort they have contributed to NRCS and Soil Conservation District programs and is rarely given to someone outside of the U.S. Department of Agriculture. Jace is committed to serving the agricultural heritage of Colorado and has been extremely helpful in aiding Colorado farmers and ranchers. He has given numerous presentations on agricultural programs, updating constituents on legislation important to them, while also making this government service more reliant and accessible to Coloradans.

Farming, ranching, and natural resources are what make Colorado great. NRCS and the Soil Conservation Districts have greatly aided the well being of agriculture and the environment. The services and technical advice these programs offer, on a daily basis, to farmers and ranchers are invaluable.

Jace is an exceptional Coloradan and has served Colorado extremely well. Mary Miller, an area Public Affairs Specialist for NRCS said, "Jace really cares about the people and is very popular. He is a great representative for Congressman Schaffer." The special efforts and helpfulness Jace has given show his dedication to the people of Colorado.

Jace not only makes his community proud, but also his state and country. He has taken the responsibilities and standards of his job to a higher level and I applaud him. On behalf of the citizens of Colorado, I ask the House to join me in extending hearty congratulations to Mr. Jace Ratzlaff.

## HONORING THE CAREER OF LENORD CRAFT

### HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2002

Mr. RADANOVICH. Mr. Speaker, I rise to ask this Congress to recognize Mr. Lenord Craft, the Agricultural Commissioner from our nation's second largest agricultural producing county, Tulare. Located in the nation's largest agricultural producing state, California, Mr. Craft's leadership is being recognized later this month. On January 25, 2002 Mr. Craft will serve his last day in office after a distinguished 38-year career.

The most recent figures indicate that Tulare County farmers produce commodities in excess of \$3 billion on 354,000 acres. This county's agricultural output exceeds the majority of states in this great nation.

Mr. Craft's illustrious career started in 1963 as a simple AG inspector. He performed admirably in a variety of positions eventually re-

ceiving his first appointment as an agriculture commissioner in 1974 for two small counties in California. Local governments throughout the state soon recognized his talents. He was hired by several for positions, each with greater responsibility, until the position that he always wanted became available.

In 1990 he returned to Tulare County to assume the position of Agriculture Commissioner. Tulare leads the nation in the production of commodities such as dairy, navel oranges, fresh table grapes and many others. Consumers across America and around the world, from over 80 countries, enjoy the products grown in Tulare County.

Lenord's role as Agriculture Commissioner encompasses food safety operations, pesticide use monitoring, weights, measures, pest detection, exclusion and eradication efforts. Throughout his career Lenord Craft has become recognized as a protector of the environment, an enforcement arm for the consumer and an advocate for the producer. He is respected for his even handed approach from all quarters of society. California agriculture, Tulare County producers, consumers across America and around the world have all benefited from the intense love of his job and his strength in fulfilling the mandates of his position.

Mr. Speaker, I rise today to honor Lenord Craft for his many successes and years of service to Tulare County and the state of California. I urge my colleagues to join me in wishing Lenord congratulations for a job well done and best wishes for an enjoyable retirement.

## AFFORDABLE HOUSING SHORTAGE NEARS CRISIS PROPORTIONS

### HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2002

Mr. FRANK. Mr. Speaker, when I prepare an introductory paragraph for insertion into the RECORD, my very able assistant, Maria Giesta, often has to remind to compose a headline. But in this no such reminder is necessary, because the National Housing Conference, whose statement I am inserting, composed a perfectly appropriate headline which I have appropriated.

The National Housing Conference is a broad based group of a variety of organizations concerned with our housing crisis. The statement which the NHC has issued, which I am inserting here, is very important both for its substance and precisely because it represents such a broad range of organizations.

As the statement says, "a significant increase in direct federal funding for affordable housing, coupled with a more responsive and progressive use of the nation's tax code, will be necessary in order to expand, and in some cases execute more effective affordable housing strategies at the state and local level." And as the NEC has made clear, such an increase in resources for affordable housing is necessary because "in addition to homeless and very low income families who experience the most severe effects of an inadequate supply of affordable housing, today many teachers, police officers, fire fighters, retail sales clerks and nurses are also finding it increasingly difficult, if not impossible, to find decent affordable housing for their families."

Mr. Speaker, it is morally unacceptable for the richest nation in the history of the world to tolerate this continued housing crisis which blights the lives of so many American families simply because of a mis-allocation of resources. I applaud the National Housing Conference and its member organizations for this important statement and I hope that all of our colleagues will read and assimilate it so that we can act along the lines the Conference has recommended.

[From the United Voice for Housing]

**AFFORDABLE HOUSING SHORTAGE NEARS  
CRISIS PROPORTIONS**

WASHINGTON, DC.—The following statement was released today by the National Housing Conference (NHC):

As we begin the new year, this nation continues to face a serious affordable housing situation of near crisis proportions. Based upon the most recent data, approximately one out of every seven (13 million) American families has a critical housing need, including some 4 million low- and moderate-income working families. In addition to homeless and very low-income families who experience the most severe affects of an inadequate supply of affordable housing, today many teachers, police officers, fire fighters, retail sales clerks and nurses are also Ending it increasingly difficult, if not impossible, to find decent affordable housing for their families. According to a recent NHC study, janitors and retail sales clerks, for example, are all but shut out of the nation's largest housing markets..

While reports of the resilience of the housing industry during the current economic slow-down provide hope and support for the nation's economy as a whole, we should not be lulled into a false sense of accomplishment when it comes to the housing needs of low- and moderate-income families. Today, there is an affordable housing shortage which is not being addressed adequately. We have not budgeted the necessary resources to address the current shortage of affordable housing and there are barriers in far too many communities across the nation which inhibit the development of new affordable housing.

To make lasting and meaningful progress on this issue in the new year and beyond, there must be an immediate and demonstrated public commitment at all levels to address the full measure of the nation's affordable housing problem. At present, there are simply not enough resources to support affordable ongoing housing efforts. The lack of political will to increase funding to encourage and provide incentives to produce new affordable housing has and will continue to force families to make unacceptable choices in order to find adequate shelter.

Our goal in the new year should be simple and straightforward (to increase the overall supply of affordable housing). To accomplish this goal, there must be vigorous leadership at the federal level as well as concerted efforts at the state and local level to break down barriers which constrain efforts to increase the supply of affordable housing.

A significant increase in direct federal funding for affordable housing, coupled with a more responsive and progressive use of the nation's tax code, will be necessary in order to expand, and in some cases execute more effective affordable housing strategies at the state and local level. Increased federal resources must, however, be coupled with additional state and local resources, private sector incentives and local housing policies which are designed specifically to preserve existing and produce new affordable housing opportunities.

We have the tools, the know-how and the experience to meet our nation's affordable housing needs. Our housing needs are well documented and have been with us for many years. We know that good housing is essential to support the health and well-being of our families and our communities, and we also know that our continuing failure to address the full measure of our nation's affordable housing needs will have a direct impact on other national concerns including the environment, transportation, access to jobs and urban sprawl.

In the year ahead, much will be made of the need to make hard choices, the need to focus on larger national priorities and of tight budgetary constraints. For those who have fought for years to encourage necessary funding for responsible housing policies, this will be nothing new. What must be made clear, however, is that our collective failure to act to meet the nation's affordable housing needs in a comprehensive fashion over many years has only increased the need for new affordable housing to near crisis proportions. Our failure to address this situation again this year will hurt hard-working families and will continue to leave behind those who need our help the most.

**CANADIAN WHEAT BOARD**

**HON. BOB SCHAFFER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 23, 2002*

Mr. SCHAFFER. Mr. Speaker, I rise today regarding the Canadian Wheat Board (CWB) and the ongoing investigation of its policies and practices under Section 301 of the Trade Act of 1974. The administration should aggressively pursue this investigation and work toward resolving the longstanding trade problem with Canada. This House should insist on fair trade from our neighbor to the north.

According to the U.S. International Trade Commission (ITC) report released on Dec. 21, 2001, the CWB is empowered with both monopoly and monopsony power in the marketing of Canadian wheat. Unlike the U.S., where there are many producer cooperatives and grain traders to buy wheat, the CWB is the sole buyer of Canadian wheat in Canada. The sheer volume of wheat available through the CWB allows it to dominate the Durum wheat market, where it has all but ended U.S. participation in the futures market of Durum wheat. No single U.S. company trading in Durum wheat can afford to take the risks that the behemoth CWB can take.

The ITC report also concludes that the CWB also enjoys Canadian government approval and backing of its borrowing and other financing, thus reducing the CWB's costs and insulating it from commercial risks faced by large and small U.S. grain traders. The Canadian government also provided CWB with a cap on proceeds railways can receive for shipping CWB grain; shipments to the eastern and western ports for overseas export are below comparable commercial rates. In the U.S., railways are deregulated and shippers of grain are charged the same commercial freight costs as anyone else. Furthermore, producers in Canada are forced to pay a flat location-based rate for shipment of their wheat regardless of whether it actually costs the CWB that amount or not. Any money made from these "phantom" charges by the CWB can then be

used as a bargaining chip in trading wheat with the U.S. or other countries.

Finally, the ITC report concludes that the Canadian trade policies and programs, particularly the varietal registration program and end-use certificates for U.S. wheat, have been reported by U.S. exporters as adversely affecting the level of U.S. wheat exports to Canada. In 2000/01 the U.S. imported \$212 million worth of wheat from Canada, while it exported only \$50,000 worth of wheat to Canada. The Wheat Access Facilitation Program, which was implemented by the U.S. and Canada as part of the Record of Understanding in 1998 to facilitate exports of U.S. wheat directly to Canadian elevators, is no longer in use.

The report makes clear that the CWB and the Canadian government continue to use trade-distorting practices. The CWB's monopoly is unfair to our nation's wheat farmers, and the administration should seek remedies under Section 301 and hold the CWB accountable for its unfair trade practices. This House should insist that Canada halt the secretive and harmful behavior of the CWB and act as a good neighbor by practicing fair trade.

**PAYING TRIBUTE TO FRED BROWN**

**HON. SCOTT McINNIS**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 23, 2002*

Mr. McINNIS. Mr. Speaker, I would like to take this opportunity to recognize a retiring icon of the Colorado media community. For over forty years, Fred has dazzled and charmed Colorado readers with his witty intellect and supercharged rhetoric that has resulted in a large and loyal following of political minded readers around the state.

Fred began his life in journalism as an undergraduate at Colorado State University in the late 1950's. After graduation, he went on to receive his Masters in Journalism in 1963 from the prestigious Medill School of Journalism at Northwestern University. In June of that year, Fred went to work with the Denver Post, and began a career that would last almost four decades.

As a journalist, Fred covered many issues concerning Colorado, most notably politics and government, a topic he covered for The Post for over twenty-five years. He also wrote for the editorial page and his weekly columns were features every Friday guaranteeing to inform Coloradans of breaking political events around the nation.

In addition to his duties, Fred also found time to serve his profession in the pursuit of journalistic excellence. His goal to ensure ethics in journalism was demonstrated in his service to the Society of Professional Journalists. He has served as society President, co-authored the Society's Code of Ethics, and served as Chairman and Co-Chair of the SBJ's National Ethics Committee.

Mr. Speaker, Fred Brown's accomplishments and dedication to excellence in journalism certainly deserve the recognition of this body of Congress. Fred serves as a symbol for aspiring journalists and political patrons throughout Colorado and the nation. I would personally like to thank Fred for his commitment to ethics in journalism and his diligence in informing the public of our nation's governmental proceedings. Congratulations Fred, and good luck in your future endeavors.

HONORING THE WORCESTER  
YOUTHBUILD PROGRAM

**HON. JAMES P. MCGOVERN**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 23, 2002*

Mr. MCGOVERN. Mr. Speaker, I rise today to join the community of Worcester, Massachusetts in celebrating the graduation of five young adults from the Worcester YouthBuild Program.

The Worcester YouthBuild Partnership began in 1998 under the guidance of Mass. Job Training, Inc. and through a grant from the United States Department of Housing and Urban Development (HUD). It provides unemployed, low-income young adults between the ages of 16 and 24 who are not in school and have not received a high school diploma or GED with access to tools with which they can change their lives. YouthBuild Partnership provides instruction in education/GED preparation, life and leadership skills development, job readiness training, counseling as well as job development, placement assistance and construction skills.

I would like to acknowledge the graduates of the Worcester YouthBuild Program: Timothy Coll, Raini Notice, Arlene Perez, Carlos Rios and Shayne Smith. Furthermore, I want to recognize the contribution of Brandon Castro who participated in the YouthBuild Program but tragically died before he could complete the project. Among other things these young adults have participated in the construction of low-income family housing units at 41 Wall Street in Worcester, Massachusetts. As part of PROJECT REMEMBER, this house becomes the first of six housing rehabilitation/development projects to commemorate Worcester's six fallen firefighters.

Mr. Speaker, I commend these young adults for taking an active part in their community and I am confident that their contributions will have a lasting positive impact. I congratulate them on their accomplishments and I wish them the best of luck in the future.

IN HONOR OF MATTHEW AND  
AMANDA FAULKENBERRY

**HON. DAVID D. PHELPS**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 23, 2002*

Mr. PHELPS. Mr. Speaker, today I rise to recognize two young people who have touched a world united for peace. Life Magazine's commemorative edition of the September 11th attacks features a touching image of Matthew and Amanda Faulkenberry embracing moments before Matthew was to depart for Afghanistan.

Since the original printing, this touching photo has appeared on ABC's Good Morning America, CNN, C-Span, and other various media outlets all over the world as an unforgettable symbol of American unity and strength in the face of adversity.

Son of Duane and Rhonda Faulkenberry of Herrin, Illinois, Matthew is a nuclear technician on the U.S.S. *Theodore Roosevelt* and a 1998 graduate of Herrin High School. Amanda graduated from Herrin High School in 1999 and is

the daughter of Curtis and Marilyn Smith. The couple currently resides in Virginia Beach, Virginia.

It is with this, Mr. Speaker, that I sincerely thank Matthew and Amanda Faulkenberry for inspiring a nation in mourning. Their contribution to the healing of our country will not go forgotten.

CURRENT UNITED STATES POLICY  
TOWARDS HAITI

**HON. EDDIE BERNICE JOHNSON**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 23, 2002*

Ms. EDDIE BERNICE JOHNSON. Mr. Speaker, I rise today to express my deep concern regarding current United States policy towards Haiti.

Haiti, a country slightly smaller than the state of Maryland, is about 475 miles off the coast of the United States. It is the poorest country in the Western Hemisphere. The life expectancy of the average Haitian is only 53 years, and this number is certain to decline as the HIV/AIDS epidemic in the country becomes even more severe. According to TUNAIDS, the United Nations agency responsible for addressing the HIV/AIDS pandemic, more than 5% of the adult population is HIV-positive, and some sectors of the population have infection rates of over 50%. Haiti's infant mortality rate stands at 74 of every 1,000 births, and more than 1 in 4 children under the age of 5 are malnourished. Haiti ranks 152nd out of 174 on the United Nations Development Program's Human Development Index, below such countries as Bangladesh and Sudan.

In previous years, the United States pursued a constructive relationship with Haiti. Between FY 95 and FY 99, the United States provided \$884 million in critical development assistance funds to support agricultural development, democracy and governance, teacher training, health care, and many other programs. The United States also supported multilateral institutions that worked to improve the lives of ordinary Haitians. More recently, however, the United States has pursued a dangerously narrow policy towards Haiti and has used its veto power to prevent the disbursement of funds from multilateral institutions such as the World Bank and the Inter-American Development Bank (IDB). The board of directors of the IDB has already approved \$146 million in social sector loans for Haiti, but because of United States policy, these funds have been blocked from improving the lives of 8 million Haitians. Among the blocked loans are \$22 million to improve education, \$23 million for health care, and \$61 million for water and sanitation projects. Mr. Speaker, this policy must change.

In order for the living standards and life chances of ordinary Haitians to improve, international development assistance is critical. The United States must change its current policy towards Haiti so that it may receive multilateral funds for pressing development needs. If we do not act now, the deplorable conditions in Haiti will lead to a further deterioration in living conditions, social unrest, and a possible refugee crisis that will certainly affect our shores.

HONORING FAIRENE SEWELL

**HON. ED BRYANT**

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 23, 2002*

Mr. BRYANT. Mr. Speaker, I rise today to pay special tribute to Fairene B. Sewell, on the occasion of her retirement from the University of Tennessee Extension Service after fifty years of service.

Fairene Sewell is a constituent of mine and is a resident of Selmer, Tennessee. Born in Henderson County, Tennessee, Mrs. Sewell graduated from the University of Tennessee with a degree in Home Economics.

Mrs. Sewell has served the Volunteer State with pride as an Extension Leader at the University. She has received the National Association of Extension Home Economists Distinguished Service Award and a Certificate of Meritorious Service from Epsilon Sigma Phi. Mrs. Sewell is a member of the American Home Economics Association, the Tennessee Home Education Association, Tennessee Association of Extension Home Economists, American Association of Family and Consumer Sciences and Tennessee Association of Family and Consumer Sciences, TEAFCS, and "Dean's Circle," College of Human Ecology at the University of Tennessee.

In addition to her professional memberships, Mrs. Sewell is active in the community. She has received: the Jaycees and Rotary Outstanding Citizen Award, a Certificate of Recognition for Continuous and Dedicated Community Service by the Modern Woodmen of America, and a Certificate of Recognition and Appreciation for teaching Health and Wellness Class at McNairy Central High School. Mrs. Sewell is a member of the Pilot Club, Kiwanis, Chamber of Commerce, First Baptist Church, and is the Secretary of PEC Credentials and Election Committee for District 8.

Fairene Sewell is a real asset to McNairy County, and to the State of Tennessee. Her colleagues speak highly of her, and her record shows a commitment to the community and to her students. She will be sorely missed by all those who know her.

PROCLAMATION FOR PETER  
REILLY

**HON. STEVE ISRAEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 23, 2002*

Mr. ISRAEL. Mr. Speaker, it is with great pride that I rise today to recognize one of New York's outstanding young students, Peter Reilly. This young man has received the Eagle Scout honor from his peers in recognition of his achievements.

Since the beginning of this century, the Boy Scouts of America have provided thousands of boys and young men each year with the opportunity to make friends, explore new ideas, and develop leadership skills while learning self-reliance and teamwork.

The Eagle Scout award is presented only to those who possess the qualities that make our Nation great: commitment to excellence, hard work, and genuine love of community service. Becoming an Eagle Scout is an extraordinary

award with which only the finest Boy Scouts are honored. To earn the award—the highest advancement rank in Scouting—a Boy Scout must demonstrate proficiency in the rigorous areas of leadership, service, and outdoor skills; they must earn a minimum of 21 merit badges as well as contribute at least 100 man-hours toward a community oriented service project.

I ask my colleagues to join me in congratulating the recipients of these awards, as their activities are indeed worthy of praise. Their leadership benefits our community and they serve as role models for their peers.

Also, we must not forget the unsung heroes, who continue to devote a large part of their lives to make all this possible. Therefore, I salute the families, scout leaders, and countless others who have given generously of their time and energy in support of scouting.

It is with great pride that I recognize the achievements of Peter and bring the attention of Congress to this successful young man on his day of recognition, Friday, November 2, 2001. Congratulations to Peter and his family.

#### SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference.

This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, January 24, 2002 may be found in the Daily Digest of today's RECORD.

#### MEETINGS SCHEDULED

##### JANUARY 29

9:30 a.m.

Commerce, Science, and Transportation  
To hold hearings to examine the Corporate Average Fuel Economy.

SR-253

Energy and Natural Resources

To hold hearings to examine the implications for consumers and energy markets of the Enron bankruptcy, focusing on maintaining the needed investment and competition in natural gas and electricity production and transmission.

SD-366

Environment and Public Works  
Clean Air, Wetlands, and Climate Change Subcommittee

To hold hearings on S. 556, to amend the Clean Air Act to reduce emissions from electric powerplants.

SD-406

10 a.m.

Banking, Housing, and Urban Affairs

To hold oversight hearings to examine the financial war on terrorism and the Administration's implementation of the anti-money laundering provisions of the USA Patriot Act.

SD-538

Budget

To hold hearings on certain budgetary issues and the economic outlook of the United States.

SD-608

##### FEBRUARY 4

9:30 a.m.

Commerce, Science, and Transportation  
To hold hearings to examine issues surrounding the Enron Corporation.

SR-253

##### FEBRUARY 5

9:30 a.m.

Commerce, Science, and Transportation  
Science, Technology, and Space Subcommittee  
To hold hearings to examine issues concerning bioterrorism.

SR-253

# Daily Digest

## HIGHLIGHTS

Second Session of the One Hundred Seventh Congress Convened.

## Senate

### Chamber Action

#### *Routine Proceedings, pages S1–S50*

**Measures Introduced:** One bill and two resolutions were introduced, as follows: S. 1892, and S. Res. 199–200. **Page S32**

#### **Measures Passed:**

**Honoring Dave Thomas:** Senate agreed to S. Res. 199, honoring the life of Rex David “Dave” Thomas and expressing the deepest condolences of the Senate to his family on his death. **Pages S47–48**

**National Nutrition Program for the Elderly:** Senate agreed to S. Res. 200, expressing the sense of the Senate regarding the national nutrition program for the elderly, on the occasion of the 30th anniversary of its establishment. **Page S48**

**Joint Session/State of the Union Address:** Senate agreed to H. Con. Res. 299, providing for a joint session of Congress to receive a message from the President on the state of the Union. **Page S49**

#### **Measures Indefinitely Postponed:**

**Labor/HHS/Education Appropriations Act:** S. 1536, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002. **Page S49**

**District of Columbia Appropriations Act:** S. 1543, making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2002. **Page S49**

**Adoption Tax Credit:** Senate agreed to the motion to proceed to consideration of H.R. 622, to amend the Internal Revenue Code of 1986 to expand the adoption credit, and began consideration of the bill, taking action on the following amendment proposed thereto: **Pages S16–17**

#### **Pending:**

Daschle/Baucus Amendment No. 2698, in the nature of a substitute. **Pages S16–17**

A unanimous-consent agreement was reached providing for further consideration of the bill at 10 a.m., on Thursday, January 24, 2002. **Page S49**

**Motion To Request Attendance:** During today’s proceedings, by 88 yeas to 6 nays (Vote No. 1), Senate agreed to a motion to instruct the Sergeant at Arms to request the attendance of absent Senators. **Page S2**

**Messages from the President:** Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a Periodic Report on the National Emergency with Respect to the Risk of Nuclear Proliferation Created by the Accumulation of Weapons-Usable Fissile Material in the Territory of the Russian Federation; to the Banking, Housing, and Urban Affairs. (PM–63) **Page S25**

**Nominations Received:** Senate received the following nominations:

Kenneth A. Marra, of Florida, to be United States District Judge for the Southern District of Florida.

Percy Anderson, of California, to be United States District Judge for the Central District of California.

Jose E. Martinez, of Florida, to be United States District Judge for the Southern District of Florida.

Lance M. Africk, of Louisiana, to be United States District Judge for the Eastern District of Louisiana.

Stanley R. Chesler, of New Jersey, to be United States District Judge for the District of New Jersey.

Frederick W. Rohlfing III, of Hawaii, to be United States District Judge for the District of Hawaii.

Joan E. Lancaster, of Minnesota, to be United States District Judge for the District of Minnesota.

William J. Martini, of New Jersey, to be United States District Judge for the District of New Jersey.

Thomas M. Rose, of Ohio, to be United States District Judge for the Southern District of Ohio.



Michael M. Baylson, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania.

Joy Flowers Conti, of Pennsylvania, to be United States District Judge for the Western District of Pennsylvania.

Legrome D. Davis, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania.

Terrence F. McVerry, of Pennsylvania, to be United States District Judge for the Western District of Pennsylvania.

Cynthia M. Rufe, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania.

Arthur J. Schwab, of Pennsylvania, to be United States District Judge for the Western District of Pennsylvania.

Samuel H. Mays, Jr., of Tennessee, to be United States District Judge for the Western District of Tennessee.

Ronald H. Clark, of Texas, to be United States District Judge for the Eastern District of Texas.

Leonard E. Davis, of Texas, to be United States District Judge for the Eastern District of Texas.

David C. Godbey, of Texas, to be United States District Judge for the Northern District of Texas.

Andrew S. Hanen, of Texas, to be United States District Judge for the Southern District of Texas.

Henry E. Hudson, of Virginia, to be United States District Judge for the Eastern District of Virginia.

Ronald B. Leighton, of Washington, to be United States District Judge for the Western District of Washington.

William C. Griesbach, of Wisconsin, to be United States District Judge for the Eastern District of Wisconsin.

John F. Walter, of California, to be United States District Judge for the Central District of California.

2 Air Force nominations in the rank of general.

1 Marine Corps nomination in the rank of general.

1 Navy nomination in the rank of admiral.

Routine lists in the Air Force, Army, Coast Guard. **Pages S49–50**

**Nominations Withdrawn:** Senate received notification of withdrawal of the following nomination:

Scott A. Abdallah, of South Dakota, to be United States Attorney for the District of South Dakota for the term of four years, which was sent to the Senate on November 30, 2001. **Page S50**

**Nomination Discharged:** Senate discharged from the Committee on Governmental Affairs the following nomination:

Kenneth M. Donohue, Sr., of Virginia, to be Inspector General, Department of Housing and Urban Development. **Page S32**

**Messages From the House:** **Pages S25–26**

**Measures Placed on Calendar:** **Page S26**

**Enrolled Bills Presented:** **Page S26**

**Executive Communications:** **Pages S26–31**

**Additional Cosponsors:** **Pages S32–33**

**Statements on Introduced Bills/Resolutions:** **Pages S33–34**

**Additional Statements:** **Pages S22–25**

**Amendments Submitted:** **Pages S34–37**

**Notices of Hearings/Meetings:** **Page S27**

**Authority for Committees to Meet:** **Page S37**

**Text of S. 1803 and S. 1637, as Previously Passed:** **Pages S37–47**

**Quorum Calls:** One quorum call was taken today. (Total—1) **Page S2**

**Record Votes:** One record vote was taken today. (Total—1) **Page S2**

**Adjournment:** Senate convened the Second Session of the One Hundred Seventh Congress at 12 noon, and adjourned at 7:41 p.m., until 9:30 a.m., on Thursday, January 24, 2002. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S49.)

## Committee Meetings

(Committees not listed did not meet)

### U.S. ECONOMY

*Committee on the Budget:* Committee concluded hearings to examine the current economic and budget situation facing the United States, focusing on the upcoming Congressional Budget Office report, "The Budget and Economic Outlook: Fiscal Years 2003–2012", after receiving testimony from Dan L. Crippen, Director, Congressional Budget Office.

### PRICE/ANDERSON ACT AUTHORIZATION

*Committee on Environment and Public Works:* Subcommittee on Transportation, Infrastructure, and Nuclear Safety concluded hearings to examine issues related to reauthorization of the Price-Anderson provisions of the Atomic Energy Act of 1954 as they apply to licensees of the United States Nuclear Regulatory Commission, after receiving testimony from William F. Kane, Deputy Executive Director for Reactor Programs, Nuclear Regulatory Commission; John L. Quattrocchi, American Nuclear Insurers,

West Hartford, Connecticut; Marvin S. Fertel, Nuclear Energy Institute, and Dan Guttman, Johns Hopkins University Center for Study of American Government, both of Washington, D.C.; Peter A. Bradford, Yale University Regulatory Assistance

Project, New Haven, Connecticut, former Commissioner, Nuclear Regulatory Commission; and Christie Brinkley, STAR Foundation, East Hampton, New York.

## House of Representatives

### *Chamber Action*

**Measures Introduced:** 11 public bills, H.R. 3611–3621; and 6 resolutions, H. Con. Res. 299–300, and H. Res. 330–333 were introduced.

Pages H35–36

**Reports Filed:** Reports were filed today as follows:

H. Res. 334, providing for consideration of the bill (S. 1762) to amend the Higher Education Act of 1965 to establish fixed interest rates for student and parent borrowers, to extend current law with respect to special allowances for lenders (H. Rept. 107–354).

Page H35

**Convening of the Second Session of the One Hundred Seventh Congress:** The Speaker called the House to order and ascertained the presence of a quorum (347 present, Roll No. 1).

Pages H1–2

**Calendar Wednesday:** Agreed to dispense with the Calendar Wednesday business of today.

Page H2

**Committee to Notify the President that a Quorum of Each House Has Assembled:** The House agreed to H. Res. 331, authorizing the Speaker to appoint a committee to join with a committee on the part of the Senate to notify the President that a quorum of each House has assembled, and Congress is ready to receive any communication that he may be pleased to make. Subsequently, the Speaker appointed Majority Leader Armey and Minority Leader Gephardt to the Committee. Later, the Committee reported to the House that the President had been notified.

Page H2

**Notifying the Senate that a Quorum of the House is Present:** The House agreed to H. Res. 332, to inform the Senate that a quorum of the House is present and that the House is ready to proceed with business.

Pages H2–3

**Hour of Meeting:** The House agreed to H. Res. 333, establishing the hour of daily meeting of the House.

Page H3

**State of the Union Message Tuesday, January 29:** The House agreed to H. Con. Res. 299, providing for a joint session of Congress to receive a message

from the President on the state of the Union on Tuesday, January 29, 2002 at 9 p.m.

Page H3

**Morning House Debate:** Agreed by unanimous consent to authority for morning-hour debate on legislative days of Monday and Tuesday.

Page H3

**Extension of Remarks:** Agreed by unanimous consent to authority for Members to extend their remarks and include extraneous material in the Congressional Record.

Page H3

**Permanent Select Committee on Intelligence:** The Speaker appointed Representative Everett to the Permanent Select Committee on Intelligence on Tuesday, January 22, 2002.

Page H4

**National Council on the Arts:** Read a letter from the Minority Leader wherein he announced his appointment of Ms. Betty McCollum of Minnesota to the National Council on the Arts.

Page H4

**Presidential Message—National Emergency re Risk of Nuclear Proliferation:** Read a message from the President wherein he transmitted a 6-month periodic report on the national emergency with respect to the risk of nuclear proliferation created by the accumulation of weapons-usable fissile material in the territory of the Russian Federation that was declared in Executive Order 13159 of June 21, 2000—referred to the Committee on International Relations and ordered printed (H. Doc. 107–174).

Page H4

**First Sponsor:** Agreed that Representative Jeff Miller of Florida will hereafter be considered as first sponsor of H.R. 548, to amend title 10, United States Code, to increase the minimum Survivor Benefit Plan basic annuity for surviving spouses age 62 and older for the purpose of adding cosponsors and requesting reprints. The bill was originally introduced by former Representative Scarborough of Florida.

Pages H5–6

**Election of Minority Whip Nancy Pelosi of California:** Minority Leader Gephardt announced the election of Representative Pelosi to the position of Minority Whip.

Page H16

**Suspensions:** The House agreed to suspend the rules and pass the following measures. Earlier, agreed by unanimous consent that the Speaker be authorized to entertain motions to suspend the rules on these measures today: **Page H3**

**Asian Elephant Conservation Reauthorization Act:** Agreed to the Senate amendment to H.R. 700, to reauthorize the Asian Elephant Conservation Act of 1997 (agreed to by a yea-and-nay vote of 349 yeas to 23 nays, Roll No. 2)—clearing the measure for the President; **Pages H6–7, H15–16**

**Tumacacori National Historical Park, Arizona Boundary Revision:** H.R. 2234, amended, to revise the boundary of the Tumacacori National Historical Park in the State of Arizona (agreed to by a yea-and-nay vote of 356 yeas to 14 nays, Roll No. 3) and **Pages H7–9, H16–17**

**Benefits of Mentoring:** H. Res. 330, expressing the sense of the House of Representatives regarding the benefits of mentoring. **Pages H9–15**

**Senate Message:** Messages received from the Senate appear on page H2.

**Referrals:** S. 392, S. 1099, S. 1400, S. 1834, S. 1858, and S. 1888 were referred to the Committee on the Judiciary; S. 990 was referred to the Committee on Resources; S. 1622 and S. 1637 were referred to the Committee on Transportation and Infrastructure; S. 1803 was referred to the Committee on International Relations; S. 1864 was referred to the Committee on Energy and Commerce; S. 1214, 1608, S.J. Res. 12, S. Con. Res. 90 and S. Con. Res. 92 were held at the desk. **Pages H28–29**

**Quorum Calls—Votes:** One quorum call (Roll No. 1) and two yea-and-nay votes developed during the proceedings of the House today and appear on pages H1, H15–16, and H16–17.

**Adjournment:** The House met at 12 noon and adjourned at 4:04 p.m.

## Committee Meetings

### CBO PROJECTIONS

**Committee on the Budget:** Held a hearing on CBO's Projections. Testimony was heard from Dan L. Crippen, Director, CBO.

### CONVENTION CENTER—CONSTRUCTION STATUS

**Committee on Government Reform:** On January 18, the Subcommittee on the District of Columbia held a hearing on "Status of Construction of the Convention Center." Testimony was heard from Jeanette M. Franzel, Acting Director, Financial Management Assurance Team, GAO; the following officials of the

District of Columbia: Harold Brazil, member, City Council and Chairman, Committee on Economic Development; Eric Price, Deputy Mayor, Planning and Economic Development; and Natwar Gandhi, Chief Financial Officer; and Lewis H. Dawley III, General Manager/CEO, Washington Convention Center Authority.

### HIGHER EDUCATION ACT AMENDMENTS

**Committee on Rules:** Granted, by voice vote, a closed rule providing 1 hour of debate on S. 1762, to amend the Higher Education Act of 1965 to establish fixed interest rates for student and parent borrowers, to extend current law with respect to special allowances for lenders. The rule provides one motion to commit. Testimony was heard from Chairman Boehner.

### AVIATION AND TRANSPORTATION SECURITY ACT IMPLEMENTATION

**Committee on Transportation and Infrastructure:** Subcommittee on Aviation held a hearing on implementation of the Aviation and Transportation Security Act focusing on the 60-day Deadline for Screening and Checked Baggage. Testimony was heard from the following officials of the Department of Transportation: John Magaw, Under Secretary, Transportation Security; and Kenneth R. Mead, Inspector General; and public witnesses.

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### NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST of December 20, 2001, p. D1287)

H.R. 10, to modernize the financing of the railroad retirement system and to provide enhanced benefits to employees and beneficiaries. Signed on December 21, 2001. (Public Law 107–90)

H.R. 1230, to provide for the establishment of the Detroit River International Wildlife Refuge in the State of Michigan. Signed on December 21, 2001. (Public Law 107–91)

H.R. 1761, to designate the facility of the United States Postal Service located at 8588 Richmond Highway in Alexandria, Virginia, as the "Herb Harris Post Office Building". Signed on December 21, 2001. (Public Law 107–92)

H.R. 2061, to amend the charter of Southeastern University of the District of Columbia. Signed on December 21, 2001. (Public Law 107–93)

H.R. 2540, to amend title 38, United States Code, to provide a cost-of-living adjustment in the rates of disability compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for survivors

of such veterans. Signed on December 21, 2001. (Public Law 107–94)

H.R. 2716, to amend title 38, United States Code, to revise, improve, and consolidate provisions of law providing benefits and services for homeless veterans. Signed on December 21, 2001. (Public Law 107–95)

H.R. 2944, making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2002. Signed on December 21, 2001. (Public Law 107–96)

H.J. Res. 79, making further continuing appropriations for the fiscal year 2002. Signed on December 21, 2001. (Public Law 107–97)

H.J. Res. 80, appointing the day for the convening of the second session of the One Hundred Seventh Congress. Signed on December 21, 2001. (Public Law 107–98)

S. 494, to provide for a transition to democracy and to promote economic recovery in Zimbabwe. Signed on December 21, 2001. (Public Law 107–99)

S. 1196, to amend the Small Business Investment Act of 1958. Signed on December 21, 2001. (Public Law 107–100)

S.J. Res. 26, providing for the appointment of Patricia Q. Stonesifer as a citizen regent of the Board of Regents of the Smithsonian Institution. Signed on December 21, 2001. (Public Law 107–101)

H.R. 483, regarding the use of the trust land and resources of the Confederated Tribes of the Warm Springs Reservation of Oregon. Signed on December 27, 2001. (Public Law 107–102)

H.R. 1291, to amend title 38, United States Code, to modify and improve authorities relating to education benefits, burial benefits, and vocational rehabilitation benefits for veterans, to modify certain authorities relating to the United States Court of Appeals for Veterans Claims. Signed on December 27, 2001. (Public Law 107–103)

H.R. 2559, to amend chapter 90 of title 5, United States Code, relating to Federal long-term care insurance. Signed on December 27, 2001. (Public Law 107–104)

H.R. 3323, to ensure that covered entities comply with the standards for electronic health care transactions and code sets adopted under part C of title XI of the Social Security Act. Signed on December 27, 2001. (Public Law 107–105)

H.R. 3442, to establish the National Museum of African American History and Culture Plan for Action Presidential Commission to develop a plan of action for the establishment and maintenance of the National Museum of African American History and

Culture in Washington, D.C. Signed on December 28, 2001. (Public Law 107–106)

S. 1438, to authorize appropriations for fiscal year 2002 for military activities of the Department of Defense, for military constructions, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces. Signed on December 28, 2001. (Public Law 107–107)

H.R. 2883, to authorize appropriations for fiscal year 2002 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System. Signed on December 28, 2001. (Public Law 107–108)

S. 1789, to amend the Federal Food, Drug, and Cosmetic Act to improve the safety and efficacy of pharmaceuticals for children. Signed on January 4, 2002. (Public Law 107–109)

H.R. 1, to close the achievement gap with accountability, flexibility, and choice, so that no child is left behind. Signed on January 8, 2002. (Public Law 107–110)

H.R. 643, to reauthorize the African Elephant Conservation Act. Signed on January 8, 2002. (Public Law 107–111)

H.R. 645, to reauthorize the Rhinoceros and Tiger Conservation Act of 1994. Signed on January 8, 2002. (Public Law 107–112)

H.R. 2199, to amend the National Capital Revitalization and Self-Government Improvement Act of 1997 to permit any Federal law enforcement agency to enter into a cooperative agreement with the Metropolitan Police Department of the District of Columbia to assist the Department in carrying out crime prevention and law enforcement activities in the District of Columbia if deemed appropriate by the Chief of the Department and the United States Attorney for the District of Columbia. Signed on January 8, 2002. (Public Law 107–113)

H.R. 2657, to amend title 11, District of Columbia Code, to redesignate the Family Division of the Superior Court of the District of Columbia as the Family Court of the Superior Court, to recruit and retain trained and experienced judges to serve in the Family Court, to promote consistency and efficiency in the assignment of judges to the Family Court and in the consideration of actions and proceedings in the Family Court. Signed on January 8, 2002. (Public Law 107–114)

H.R. 2506, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002. Signed on January 10, 2002. (Public Law 107–115)

H.R. 3061, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002. Signed on January 10, 2002. (Public Law 107-116)

H.R. 3338, making appropriations for the Department of Defense for the fiscal year ending September 30, 2002. Signed on January 10, 2002. (Public Law 107-117)

H.R. 2869, to provide certain relief for small businesses from liability under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, and to amend such Act to promote the cleanup and reuse of brownfields, to provide financial assistance for brownfields revitalization, to enhance State response programs. Signed on January 11, 2002. (Public Law 107-118)

S. 1202, to amend the Ethics in Government Act of 1978 (5 U.S.C. App.) to extend the authorization of appropriations for the Office of Government Ethics through fiscal year 2006. Signed on January 15, 2002. Public Law 107-119

S. 1714, to provide for the installation of a plaque to honor Dr. James Harvey Early in the Williamsburg, Kentucky Post Office Building. Signed on January 15, 2002. (Public Law 107-120)

S. 1741, to amend title XIX of the Social Security Act to clarify that Indian women with breast or cervical cancer who are eligible for health services provided under a medical care program of the Indian Health Service or of a tribal organization are included in the optional Medicaid eligibility category of breast or cervical cancer patients added by the Breast and Cervical Prevention and Treatment Act of 2000. Signed on January 15, 2002. (Public Law 107-121)

S. 1793, to provide the Secretary of Education with specific waiver authority to respond to conditions in the national emergency declared by the President on September 14, 2001. Signed on January 15, 2002. (Public Law 107-122)

H.R. 1088, to amend the Securities Exchange Act of 1934 to reduce fees collected by the Securities and Exchange Commission. Signed on January 16, 2002. (Public Law 107-123)

H.R. 2277, to provide for work authorization for nonimmigrant spouses of treaty traders and treaty investors. Signed on January 16, 2002. (Public Law 107-124)

H.R. 2278, to provide for work authorization for nonimmigrant spouses of intracompany transferees, and to reduce the period of time during which certain intracompany transferees have to be continuously employed before applying for admission to the United States. Signed on January 16, 2002. (Public Law 107-125)

H.R. 2336, to extend for 4 years, through December 31, 2005, the authority to redact financial disclosure statements of judicial employees and judicial officers. Signed on January 16, 2002. (Public Law 107-126)

H.R. 2751, to authorize the President to award a gold medal on behalf of the Congress to General Henry H. Shelton and to provide for the production of bronze duplicates of such medal for sale to the public. Signed on January 16, 2002. (Public Law 107-127)

H.R. 3030, to extend the basic pilot program for employment eligibility verification. Signed on January 16, 2002. (Public Law 107-128)

H.R. 3248, to designate the facility of the United States Postal Service located at 65 North Main Street in Cranbury, New Jersey, as the "Todd Beamer Post Office Building". Signed on January 16, 2002. (Public Law 107-129)

H.R. 3334, to designate the Richard J. Guadagno Headquarters and Visitors Center at Humboldt Bay National Wildlife Refuge, California. Signed on January 16, 2002. (Public Law 107-130)

H.R. 3346, to amend the Internal Revenue Code of 1986 to simplify the reporting requirements relating to higher education tuition and related expenses. Signed on January 16, 2002. (Public Law 107-131)

H.R. 3348, to designate the National Foreign Affairs Training Center as the George P. Shultz National Foreign Affairs Training Center. Signed on January 16, 2002. (Public Law 107-132)

H.R. 2873, to extend and amend the program entitled Promoting Safe and Stable Families under title IV-B, subpart 2 of the Social Security Act, and to provide new authority to support programs for mentoring children of incarcerated parents; to amend the Foster Care Independent Living program under title IV-E of that Act to provide for educational and training vouchers for youths aging out of foster care. Signed on January 17, 2002. (Public Law 107-133)

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## COMMITTEE MEETINGS FOR THURSDAY, JANUARY 24, 2002

*(Committee meetings are open unless otherwise indicated)*

### Senate

*Committee on Appropriations:* Subcommittee on Labor, Health and Human Services, and Education, to hold hearings to examine funding issues surrounding cloning research, 11 a.m., SD-192.

*Committee on the Budget:* to hold hearings to examine the state of the Economy, 10 a.m., SD-608.

*Committee on Commerce, Science, and Transportation:* to hold hearings on the nomination of James R. Mahoney, of Virginia, to be Assistant Secretary of Commerce for Oceans and Atmosphere, 9 a.m., SR-253.

Full Committee, to hold hearings to examine the national security, safety, technological, and employment implications of increasing the Corporate Average Fuel Economy standards, 9:30 a.m., SR-253.

*Committee on Environment and Public Works*: to hold hearings to examine the future of transportation in the United States, focusing on lessons learned from TEA-1 and perspectives on reauthorization from the federal, state, and local level, 9:30 a.m., SD-406.

Full Committee, to hold hearings on the nomination of Linda Morrison Combs, of North Carolina, to be Chief Financial Officer, and the nominations of J. Paul Gilman, of Virginia, and Morris X. Winn, of Texas, each to be an Assistant Administrator, all of the Environmental Protection Agency, 2:30 p.m., SD-406.

*Committee on Governmental Affairs*: to hold hearings to examine the operations and management of the bankrupted Enron Corporation, 10 a.m., SH-216.

*Committee on Health, Education, Labor, and Pensions*: to hold hearings to examine early childhood learning, 9:45 a.m., SR-325.

*Committee on the Judiciary*: to hold hearings on certain judicial nominations, 2 p.m., SD-226.

### House

*Committee on Energy and Commerce*, Subcommittee on Oversight and Investigations, hearing on the destruction of Enron-related documents by Anderson personnel, 9:30 a.m., 2322 Rayburn.

*Committee on Government Reform*, Subcommittee on National Security, Veterans' Affairs, and International Relations, hearing on "Gulf War Veterans' Illnesses: Health of Coalition Forces," 10 a.m., 2154 Rayburn.

*Committee on Veterans' Affairs*, Subcommittee on Health, hearing on Operational and Medical Readiness in the Active Duty Force, 9 a.m., 334 Cannon.



*Next Meeting of the SENATE*

9:30 a.m., Thursday, January 24

*Next Meeting of the HOUSE OF REPRESENTATIVES*

10 a.m., Thursday, January 24

## Senate Chamber

**Program for Thursday:** After the transaction of any morning business (not to extend beyond 10 a.m.), Senate will continue consideration of H.R. 622, Adoption Tax Credit Act.

## House Chamber

**Program for Thursday:** Consideration of S. 1762, to amend the Higher Education Act of 1965 to establish fixed interest rates for student and parent borrowers and to extend current law with respect to special allowances for lenders (closed rule, one hour of debate).

## Extensions of Remarks, as inserted in this issue

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